

STATE OF KANSAS

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**2015 SESSION LAWS  
OF KANSAS  
VOL. 2**

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

PASSED DURING THE 2015 REGULAR SESSION OF THE  
LEGISLATURE OF THE STATE OF KANSAS

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## AUTHENTICATION

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### STATE OF KANSAS OFFICE OF SECRETARY OF STATE

I, Kris W. Kobach, Secretary of State of the state of Kansas, do hereby certify that the printed acts contained in this volume are true and correct copies of enrolled laws or resolutions which were passed during the 2015 regular session of the Legislature of the State of Kansas, begun on the 12th day of January, A.D. 2015, and concluded on the 26th day of June, A.D. 2015; and I further certify that all laws contained in this volume which took effect and went into force on and after publication in the *Kansas Register* were so published (on the date thereto annexed) as provided by law; and I further certify that all laws contained in this volume will take effect and be in force on and after the 1st day of July, A.D. 2015, except when otherwise provided.

Given under my hand and seal this 1st day of July, A.D. 2015.

KRIS W. KOBACH,  
*Secretary of State*

(SEAL)

## EXPLANATORY NOTES

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

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

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

Approval and publication dates are included.

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 The bill index, subject index and list of statutes repealed or amended will assist you in locating bills of interest.

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## NOTICE

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

Kris W. Kobach  
Secretary of State  
1st Floor, Memorial Hall  
120 S.W. 10th Ave.  
Topeka, KS 66612-1594  
(785) 368-6356



## CHAPTER 88

## HOUSE BILL No. 2104

AN ACT concerning elections; relating to certain municipalities and special districts; relating to filling vacancies of nominees; relating to the presidential preference primary; amending K.S.A. 2-623, 12-344, 13-1220, 13-1221, 19-2760, 19-3505, 19-3507, 22a-102, 24-504, 25-209, 25-210, 25-212, 25-306b, 25-610, 25-1115, 25-2006, 25-2007, 25-2010, 25-2014, 25-2017, 25-2017a, 25-2018, 25-2022, 25-2023, 25-2107, 25-2109, 25-2113, 25-2115, 25-2118, 25-2120, 25-2502, 25-2804, 25-2901, 25-3503, 25-3905, 71-1408, 71-1412, 71-1413, 71-1414, 71-1419, 72-8008 and 80-2508 and K.S.A. 2014 Supp. 2-624, 12-363, 24-412, 24-414, 24-459, 24-506, 25-205, 25-213, 25-611, 25-618, 25-1122, 25-2020, 25-2102, 25-2108a, 25-2110, 25-2311, 25-3904, 25-3904a and 42-706 and repealing the existing sections; also repealing K.S.A. 12-1001, 12-1002, 12-1003, 12-1004, 12-1005, 12-1005a, 12-1005b, 12-1005c, 12-1005d, 12-1005e, 12-1005f, 12-1005g, 12-1005h, 12-1005j, 12-1005k, 12-1005l, 12-1006, 12-1007, 12-1008, 12-1009, 12-1010, 12-1011, 12-1012, 12-1013, 12-1014, 12-1015, 12-1017, 12-1018, 12-1019, 12-1020, 12-1021, 12-1022, 12-1023, 12-1024, 12-1025, 12-1027, 12-1028, 12-1028a, 12-1029, 12-1030, 12-1031, 12-1032, 12-1033, 12-1034, 12-1035, 12-1036, 12-1036a, 12-1036b, 12-1036c, 12-1036d, 12-1036e, 12-1036f, 12-1036g, 12-1036h, 12-1037, 12-1038, 19-2762, 25-4501 and 71-1417.

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

Section 1. K.S.A. 22a-102 is hereby amended to read as follows: 22a-102. No person shall be eligible for nomination to the office of district attorney unless such person shall have been regularly admitted to practice law in the state of Kansas for five years next preceding his nomination for such office. An attorney who shall have been a county attorney, assistant county attorney or assistant district attorney for the three years immediately preceding nomination as district attorney shall be eligible for nomination. A person so qualified may become a candidate for election to the office of district attorney by either one of the following methods:

(a) Any person who is a qualified elector of any judicial district in which a district attorney is to be elected and who is otherwise qualified under this act may petition to be a candidate for district attorney of such judicial district by filing in the office of the secretary of state a petition for candidacy, signed by not less than 5% of the qualified electors of such judicial district who voted for the office of secretary of state at the last preceding general election; or

(b) Any person who is a qualified elector of any judicial district in which a district attorney is to be elected and who is otherwise qualified under this act may become a candidate for district attorney of such judicial district by filing in the office of the secretary of state a declaration of intent to be such a candidate and payment therewith of a filing fee in an amount equal to 1% of the annual salary for such office.

(c) Any such petition or declaration of intent filed by a candidate to run in the primary election held in accordance with K.S.A. 25-203, and amendments thereto, shall be filed no later than ~~12:00~~ 12 noon, ~~June 10,~~ prior to such primary election, or if such date falls on Saturday, Sunday

~~or a holiday, then before 12:00 noon of the next following day that is not a Saturday, Sunday or a holiday on the date described in K.S.A. 25-205(a), and amendments thereto.~~ Any such petition or declaration of intent filed by an independent candidate for the office of district attorney shall be filed no later than ~~12:00~~ 12 noon on the Monday preceding the date fixed for the holding of primary elections in accordance with K.S.A. 25-203, and amendments thereto. All laws applicable to the election of other state officers shall apply to elections of district attorneys to the extent the same are not in conflict with this act.

Sec. 2. K.S.A. 25-306b is hereby amended to read as follows: 25-306b.

(a) Except as provided by this section, no person who has been nominated by any means for any national, state, county or township office may ~~cause such person's name to~~ be withdrawn from nomination after the day of the primary election.

~~(b) Any person who has been nominated by any means for any national, state, county or township office who declares that they are incapable of fulfilling the duties of office if elected may cause such person's name to be withdrawn from nomination by a request in writing, signed by the person and acknowledged before an officer qualified to take acknowledgments of deeds. Any such request shall be filed with the secretary of state in the case of national and state offices and with the county election officer in the case of county and township offices. Except as provided in subsection (d), in the case of national and state offices, any such request shall be filed within seven days, including Saturdays, Sundays and holidays, after the meeting of the state board of canvassers for the final canvass of primary election provided for in K.S.A. 25-3205, and amendments thereto. Except as provided in subsection (d), in the case of county and township offices, any such request shall be filed within 10 days after the meeting of the county board of canvassers to canvass the primary election as provided in K.S.A. 25-3104, and amendments thereto. No name withdrawn as provided in this section shall be printed on the ballots for such office for the general election.~~

*(b) (1) A person who has been nominated by any means for any national, state, county or township office may be withdrawn from nomination if:*

*(A) The nominee certifies to the secretary of state that such nominee is withdrawing from nomination because of a severe medical hardship on the nominee or the nominee's immediate family. Such nominee shall send the secretary a certification of the severe medical hardship signed by a medical doctor; or*

*(B) the nominee certifies to the secretary of state that the nominee does not reside in the state of Kansas.*

*(2) If the secretary of state receives either of the certifications listed in paragraph (A) or (B) from a nominee on or before the first day of*

*September following a primary election, such nominee's name shall be withdrawn from nomination and such nominee's name shall not be printed on the ballots for such office for the general election. The secretary of state, in the case of national and state offices, or the county election officer in the case of county or township offices, shall notify the chairperson or the vice-chairperson of the party committee of the congressional district, county or state, as the case may be, of such vacancy within 48 hours of receiving a certification listed in paragraph (A) or (B).*

(c) In the case of the death of a person who has been nominated for any national, state, county or township office, ~~the county chairperson of the political party of which such nominee was a member may cause which occurs on or before the first day of September following a primary election, such nominee's name to~~ shall be withdrawn from nomination ~~by a request in writing, signed by the chairperson and acknowledged before an officer qualified to take acknowledgements of deeds. Any such request shall be filed with the secretary of state in the case of national and state offices and with the county election officer in the case of county and township offices. Except as provided in subsection (d), in the case of national and state offices, any such request shall be filed within seven days, including Saturdays, Sundays and holidays, after the meeting of the state board of canvassers for the final canvass of primary election provided for in K.S.A. 25-3205, and amendments thereto. Except as provided in subsection (d), in the case of county and township offices, any such request shall be filed within 10 days after the meeting of the county board of canvassers to canvass the primary election as provided in K.S.A. 25-3104, and amendments thereto. No name withdrawn as provided in this section shall be printed on the ballots for such office for the general election.~~

(d) ~~Whenever there has been a vacancy which occurred from a withdrawal under this section, and such vacancy was filled according to law, the person filling the vacancy may cause such person's name to be withdrawn from nomination in the manner provided in subsection (b) or (c) of this section at any time prior to the 40th day before the general election and such nominee's name shall not be printed on the ballots for such office for the general election. The secretary of state in the case of national and state offices, or the county election officer in the case of county or township offices, shall notify the chairperson or the vice-chairperson of the party committee of the congressional district, county or state, as the case may be, of such vacancy within 48 hours of receiving notification of such death.~~

Sec. 3. K.S.A. 2014 Supp. 25-3904 is hereby amended to read as follows: 25-3904. (a) When a district convention is provided by law to be held to elect a person to fill a vacancy in a party candidacy for a district office, the county chairperson designated in subsection (b) or (c), within



~~21~~ 14 days of the receipt of the notice that the vacancy has occurred or will occur shall call and convene a convention of all committeemen and committeewomen of the political party from the precincts in such district. If such county chairperson is absent or for any reason is unable to call, or refuses to call such convention, then the corresponding county vice-chairperson shall call the convention and perform the other duties under this section required of such chairperson.

(b) If the district lies within a single county, the county chairperson of such county shall call the convention by mailing a notice at least seven days before the date of the convention to the committeemen and committeewomen in such county who are entitled to vote at such convention pursuant to subsection (e).

(c) If all or part of more than one county lies within the district, the county chairperson of the county in which the greatest number of qualified voters of the district reside shall call the convention by mailing a notice of such convention to each county chairperson of the party in each such county, at least 10 days before the date of the convention. Such convention shall be held at a location within the district selected by the chairperson calling the convention. Such county chairpersons shall, within three days after receipt of such notice, mail notice of such convention to the committeemen and committeewomen in their counties who are entitled to vote at such convention pursuant to subsection (e).

(d) The notice of such convention shall state: (1) The place where the convention is to be held; (2) the time when the convention will convene; and (3) the purpose for which the convention is to be held.

(e) At the time and place fixed for holding the convention, the county chairperson who called the convention shall act as temporary chairperson and shall call the convention to order. One-third of the eligible members of the convention shall constitute a quorum for such election. In the event a quorum is not present at the time and place that such convention is called, the members present shall adjourn the convention to a day and time certain, which shall not be later than ~~14~~ six days after such adjournment of such convention, and provide for notification of the time and place of such adjourned convention to be given to the eligible members not present. The convention shall organize by electing a permanent chairperson and such other officers as necessary. After the convention is organized, it shall elect a person to fill such vacancy in the party candidacy. Such election shall be by secret ballot and the person elected shall be the one who receives the majority of all the votes cast. If no person receives a majority of all votes cast on any ballot, the balloting shall continue until some person receives a majority of all the votes cast. Each committeeman and committeewoman of the party of the precincts in such district shall be entitled to vote. Except as provided in subsection (f), no precinct committeeman or committeewoman shall be represented or shall vote by proxy. The convention may adopt rules as necessary to govern its proce-

ture in making nominations, voting, counting and canvassing votes and for the conduct of any business which may properly be brought before the convention, but such rules shall not be in conflict with the provisions of this section.

(f) (1) A precinct committeeman or committeewoman may vote by proxy at a convention called pursuant to this section whenever such precinct committeeman or committeewoman is unable to attend the convention and cast such precinct committeeman's or committeewoman's ballot.

(2) A precinct committeeman or committeewoman may designate another precinct committeeman or committeewoman to cast such precinct committeeman's or precinct committeewoman's ballot at such convention by proxy. Any proxy authorized by this subsection shall:

(A) Designate the precinct committeeman or committeewoman who shall cast the precinct committeeman's or precinct committeewoman's vote by proxy;

(B) be signed by the precinct committeeman or precinct committeewoman authorizing the proxy; and

(C) contain an acknowledgment of such precinct committeeman's or precinct committeewoman's signature which complies with K.S.A. 53-509, and amendments thereto.

(g) After a person has been elected to fill a vacancy in a party candidacy for a district office, the chairperson or vice-chairperson of the convention shall execute a certificate, under oath, stating that such person has been duly elected to fill such vacancy and *that such person has agreed to accept the nomination. The person elected to fill such vacancy shall execute a notarized written statement stating that such person agrees to accept the nomination. The chairperson or vice-chairperson shall transmit such certificate to the secretary of state or appropriate county election officer, as the case may be, within 21 days of receipt of the notice that the vacancy has occurred or will occur.*

(h) *For the purposes of this section, the word "shall" imposes a mandatory duty and no court may construe that word in any other way.*

Sec. 4. K.S.A. 2014 Supp. 25-3904a is hereby amended to read as follows: 25-3904a. (a) When a vacancy occurs in a party candidacy for the office of member of the state board of education, the county chairperson designated in subsection (b), (c) or (d), within ~~21~~ 10 days of receipt of notice that the vacancy has occurred or will occur, shall call and convene a district convention for the purpose of electing a person to fill such vacancy. If such county chairperson is absent or for any reason is unable to call or refuses to call such convention, then the county vice-chairperson shall call the convention and perform the other duties required of such chairperson under this section.

(b) If the board member district lies within a single county, the

county chairperson of such county shall call a convention of all precinct committeemen and committeewomen of the party of the precincts in such district in the manner provided by ~~subsections (b) and (d) of K.S.A. 25-3904(b) and (d)~~, and amendments thereto, and such convention shall be conducted in the manner provided in ~~subsection (e) of K.S.A. 25-3904(e)~~, and amendments thereto.

(c) If all or part of more than one and less than five counties lie within the board member district, the county chairperson of the county in which the greatest number of qualified voters of the district reside shall call a convention of all precinct committeemen and committeewomen of the party of the precincts in such district in the manner provided by ~~subsections (c) and (d) of K.S.A. 25-3904(c) and (d)~~, and amendments thereto, and such convention shall be conducted as provided in ~~subsection (e) of K.S.A. 25-3904(e)~~, and amendments thereto. Such convention shall be held at a location within the district selected by the chairperson calling the convention.

(d) If all or part of five or more counties lie within the board member district, the county chairperson of the county in which the greatest number of qualified voters of the district reside shall call a convention of all county chairpersons and vice-chairpersons of the party of the counties in such district. Such convention shall be held at a location within the district selected by the chairperson calling the convention. Such county chairperson shall call the convention by mailing a notice to each such county chairperson and vice-chairperson at least seven days before the date of the convention. Such notice shall state: (1) The place where the convention is to be held; (2) the time when the convention will convene; and (3) the purpose for which the convention is to be held.

(e) At the time and place fixed for holding the convention, the county chairperson who called the convention shall act as temporary chairperson and shall call the convention to order. One-third of the eligible members of the convention shall constitute a quorum for such election. In the event a quorum is not present at the time and place that such convention is called, the members present shall adjourn the convention to a day and time certain, which shall be not later than ~~14~~ *three* days after such adjournment of such convention and provide for notification of the time and place of such adjourned convention to be given to the eligible members not present. The convention shall proceed to organize by electing a permanent chairperson and such other officers as necessary. After the convention is organized, it shall proceed to elect a person to fill the vacancy in the party candidacy. Such election shall be by secret ballot and the person elected shall be the one who shall receive the majority of all the votes cast. If no person receives a majority of all votes cast on any ballot, the balloting shall continue until some person receives a majority of all the votes cast. Each county chairperson and vice-chairperson of the party of the counties in such district shall be entitled to vote. Except as

provided in subsection (f), no county chairperson or vice-chairperson shall be represented or shall vote by proxy. The convention may adopt rules necessary to govern its procedure in making nominations, voting, counting and canvassing votes and for the conduct of any business which may properly be brought before the convention, but such rules shall not be in conflict with the provisions of this section.

(f) (1) A precinct committeeman or committeewoman who serves as county chairperson or vice-chairperson may vote by proxy at a convention called pursuant to this section whenever such precinct committeeman or committeewoman is unable to attend the convention and cast such precinct committeeman's or committeewoman's ballot.

(2) A precinct committeeman or committeewoman may designate another precinct committeeman or committeewoman to cast such precinct committeeman's or precinct committeewoman's ballot at such convention by proxy. Any proxy authorized by this subsection shall:

(A) Designate the precinct committeeman or committeewoman who shall cast the precinct committeeman's or precinct committeewoman's vote by proxy;

(B) be signed by the precinct committeeman or precinct committeewoman authorizing the proxy; and

(C) contain an acknowledgment of such precinct committeeman's or precinct committeewoman's signature which complies with K.S.A. 53-509, and amendments thereto.

(g) After a person has been elected to fill a vacancy in a party candidacy for the office of member of the state board of education, the chairperson or vice-chairperson of the convention shall execute a certificate, under oath, stating that such person has been duly elected to fill such vacancy and *that such person has agreed to accept the nomination. The person elected to fill such vacancy shall execute a notarized written statement stating that such person agrees to accept the nomination. The chairperson or vice-chairperson shall transmit such certificate to the secretary of state, within 14 days of receipt of the notice that the vacancy has occurred or will occur.*

(h) *For the purposes of this section, the word "shall" imposes a mandatory duty and no court may construe that word in any other way.*

Sec. 5. K.S.A. 25-3905 is hereby amended to read as follows: 25-3905.

(a) When a vacancy occurs after a primary election in a party candidacy, such vacancy shall be filled by the party committee of the congressional district, county or state, as the case may be, except if the vacancy is in a party candidacy for a district office or for the office of member of the state board of education, it shall be filled by district convention held as provided in K.S.A. 25-3904, and amendments thereto, or as provided in K.S.A. 25-3904a, and amendments thereto, and except as otherwise provided in subsection (c). ~~Such~~ *The meeting or convention shall be called*

*and convened by the party committee chairperson or vice-chairperson within 10 days of receipt of the notice that the vacancy has occurred or will occur. If only one political party nominates a candidate at the primary election and thereafter a vacancy occurs in such party candidacy, any political party may fill such vacancy in the manner specified in this section.*

(b) In addition to other vacancies in party candidacies to which this section applies, this section shall also apply when a vacancy occurs in an office, and it is provided by law that such vacancy shall be filled by appointment until the next general election at which time a person is to be elected to fill the unexpired term, or words of like effect, and such vacancy occurs after the primary election.

(c) When a vacancy occurs after a primary election in a party candidacy for governor or lieutenant governor, a vacancy shall thereby also occur for the other of such two offices. Such vacancies shall be filled by a state party delegate convention. The convention shall be called by the state party chairperson. The delegates to the convention shall be the state party committee members, and the officers of the convention shall be the officers of the state party committee. At such convention the vote to fill such vacancies shall be taken such that each convention vote shall be for a candidate for governor and lieutenant governor running together. If the initial vacancy that has occurred is for the office of lieutenant governor, the person who is the candidate for governor of such pair of candidates shall be the only governor candidate at such convention.

(d) *After a person has been elected to fill a vacancy in a party candidacy pursuant to this section, the chairperson or vice-chairperson of the party committee shall execute a certificate, under oath, stating that such person has been duly elected to fill such vacancy and that such person has agreed to accept the nomination. The person elected to fill such vacancy shall execute a notarized written statement stating that such person agrees to accept the nomination. The chairperson or vice-chairperson shall transmit such certificate and the nominee's written statement accepting the nomination to the secretary of state or appropriate county election officer, as the case may be, within 14 days of receipt of the notice that the vacancy has occurred or will occur.*

(e) *For the purposes of this section, the word "shall" imposes a mandatory duty and no court may construe that word in any other way.*

New Sec. 6. Each political party which is a recognized political party in accordance with K.S.A. 25-302a, and amendments thereto, shall have procedures to select a presidential nominee and shall select a presidential nominee in accordance with such party procedures for the 2016 presidential election, and every fourth year thereafter.

New Sec. 7. (a) On and after January 1, 2017, all primary elections for members of the governing body and other elected officials of any municipality shall be held on the first Tuesday in August of 2017 and on

such date thereafter of odd-numbered years, and all general elections for members of the governing body and other elected officials of any municipality shall be held on the Tuesday succeeding the first Monday in November of 2017 of odd-numbered years and on such date thereafter.

(b) The term of members of governing bodies and other elected officials of any municipality that would expire at any time in 2017 shall expire on the second Monday in January of 2018, when newly elected members of the governing body and other newly elected officials shall take office.

(c) The governing body of the municipality shall establish by ordinance or resolution terms of office of elected officials to comply with this act.

(d) Primary elections for any municipality shall be conducted as provided in K.S.A. 25-202, and amendments thereto. A primary election shall only be required as provided in K.S.A. 25-2021 and 25-2108a, and amendments thereto, or as otherwise required by law.

(e) The filing deadline for all candidates for any municipality, unless otherwise provided by law, shall be as provided in K.S.A. 25-205, and amendments thereto.

(f) Any person who meets the qualifications for the office sought may become a candidate for municipal office by filing a declaration of intent to become a candidate with the county election officer accompanied by a filing fee of \$20.

(g) “Municipality” means: (1) Any city, consolidated city-county created under K.S.A. 12-340 et seq., and amendments thereto, and K.S.A. 2014 Supp. 12-360 et seq., and amendments thereto, school district, any board of public utilities created under K.S.A. 13-1220 et seq., and amendments thereto, community college, drainage district, extension district created under K.S.A. 2-623 et seq., and amendments thereto, irrigation district, improvement district created under K.S.A. 19-2753 et seq., and amendments thereto, water district created under K.S.A. 19-3501 et seq., and amendments thereto, and hospital district created under K.S.A. 80-2501 et seq., and amendments thereto.

(2) The term does not include any special district where the election of members of the governing body is conducted at a meeting of the special district.

(h) Cities may provide for elections of elected officials in even-numbered years in order to provide for staggered terms of office or for three-year terms of office for elected officials.

New Sec. 8. (a) A city shall continue to operate under its current form of government whether established at an election, or by adoption of a charter ordinance or ordinance until such time that the city’s form of government is changed as provided by law.

(b) All existing ordinances and charter ordinances relating to a city’s

form of government, except those provisions relating to the timing of city primary and general elections, shall remain in effect until amended or repealed by such city.

New Sec. 9. (a) Subject to subsection (b) and section 10, and amendments thereto, any city may adopt by ordinance one of the following forms of government:

- (1) Commission;
- (2) mayor-council;
- (3) commission-manager;
- (4) mayor-council-manager;
- (5) council-manager; or
- (6) any other form of government authorized by law or by ordinance or charter ordinance of the city.

(b) Any city which has operated for four or more years under a form of government may abandon such form and adopt a different form of government. The provisions of K.S.A. 12-184, and amendments thereto, shall govern the procedure for the adoption or abandonment of such form of government.

(c) The governing body of the city may establish by ordinance any of the following:

- (1) The powers and duties of the governing body, including the mayor and other elected officials;
- (2) the terms of office of members of the governing body, including the mayor and other elected officials of either two, three or four years;
- (3) the election by ward or district of members of the governing body, if applicable;
- (4) the powers and duties of the city manager, if applicable;
- (5) the administrative departments of the city; and
- (6) other matters deemed appropriate by the governing body.

New Sec. 10. (a) Any city may adopt the commission-manager, mayor-council manager or council manager form of government in the manner herein provided and shall thereafter be governed by the provisions of this act. A proposition to adopt such form of government must first be submitted to a vote of the qualified electors of the city at any primary or general election. The governing body of the city may submit the proposition by resolution and must submit it upon the filing of a petition signed by at least 10% of the qualified electors of the city. The petition shall be headed "Petition for an election of the city of \_\_\_\_\_, Kansas, to vote on the adoption of the \_\_\_\_\_ (commission-manager, mayor-council manager or council manager) form of government," and shall be addressed to the governing body of the city, and be filed with the election officer of the county in which the city is located. The petition shall conform to the requirements of article 36 of chapter 25 of the Kansas Statutes Annotated, and amendments thereto, and its sufficiency shall be

determined in the manner therein provided and shall be certified to the city clerk by the county election officer.

(b) The resolution or the petition shall establish the membership and terms of office of the governing body. Upon the adoption of a resolution or the certification of a petition as provided in this section, the governing body of the city shall submit the proposition at the next primary or general election. Notice thereof shall be published in the manner provided by K.S.A. 25-105, and amendments thereto.

(c) The form of the ballots to be used at the election shall be as follows:

“Shall the city of \_\_\_\_\_ adopt the \_\_\_\_\_ (commission-manager, mayor-council manager or council manager) form of government and become a city operating under such form of government?”

Yes  No

If a majority of the votes cast shall be in favor of adopting the commission-manager, mayor-council manager or council manager plan of government, then at the next regular city election the governing body of the city shall be elected as provided in the resolution or petition.

New Sec. 11. (a) The governing body shall establish by ordinance the qualifications, oath and powers and duties and terms of office of the governing body.

(b) Any action taken by the city governing body shall be by a majority vote of the members unless a greater number of votes are specifically required by another provision of law.

(c) The city governing body shall appoint a city manager to be responsible for the administration and affairs of the city. The city manager shall see that all laws and ordinances are enforced. The city manager shall serve at the pleasure of the governing body.

(d) The city manager shall appoint and remove all heads of departments and all subordinate officers and employees of the city. All appointments shall be made upon merit and fitness alone.

New Sec. 12. Any city operating under the provisions of this act may abandon the commission-manager, mayor-council manager or council manager form of city government in the same manner as is provided in section 10, and amendments thereto, for the adoption of such form of city government except as herein otherwise provided, and except that the word “abandonment” instead of the word “adoption” shall be used in the petition therefor, and the word “abandon” instead of the word “adopt” shall be used in the form of the ballot and in the election proclamation. If a majority of votes cast upon the proposition shall be in favor of abandoning the commission-manager, mayor-council manager or council manager form of city government, then the city shall operate under the alternative form of government established in the resolution or petition.

New Sec. 13. (a) All unified school districts shall make suitable school



buildings available for polling places at the request of a county election officer for the county in which all or any portion of the school district is located.

(b) The county election officer shall give notice on or before January 1 of each year to the superintendent of the school district of the need to use one or more school buildings as polling places for any primary or general election.

(c) The terms “primary election” and “general election” shall have the meanings as provided in K.S.A. 25-2502, and amendments thereto.

New Sec. 14. (a) The secretary of state shall develop a public information program to inform the public generally of changes made as a result of moving spring elections to fall elections. Such public information program shall include, at a minimum, the explanation of which public office elections are being transferred from spring to fall elections. The program shall include the use of advertisements and public service announcements as well as posting of information on the opening pages of the official internet websites of the secretary of state and county election officers. The secretary of state and county election officers shall develop dedicated websites to provide voter education and sample ballots for elections.

(b) The county election officers in consultation with the secretary of state shall develop ways to reduce the ballot length and expedite the voting process on election days.

New Sec. 15. (a) The secretary of state shall develop the style and form of the official primary ballot and the official general election ballot for municipal offices.

(b) The declaration of intent to become a candidate shall be prescribed by the secretary of state. The declarations shall be filed with the county election officer not later than 12 noon, June 1, prior to the primary election in both even-numbered and odd-numbered years, or if such date falls on a Saturday, Sunday or holiday, then before 12 noon of the next day that is not a Saturday, Sunday or holiday.

(c) For municipalities where a primary election is not authorized or otherwise required by law, the declaration of intent to become a candidate shall be filed with the county election officer not later than 12 noon, September 1, prior to the general election in odd-numbered years, or if such date falls on a Saturday, Sunday or holiday, then before 12 noon of the next day that is not a Saturday, Sunday or holiday.

(d) The secretary of state shall establish primary election procedures for primary elections for municipalities.

(e) The secretary of state shall establish general election procedures for general elections for municipalities.

(f) County election officers shall conduct municipal elections in odd-numbered years and elections in even-numbered years if needed.

(g) The secretary of state shall adopt rules and regulations to implement this section on or before July 1, 2016.

New Sec. 16. Sections 7, 8 and 13 through 16, and amendments thereto, may be cited as and shall be known as the help Kansas vote act.

Sec. 17. K.S.A. 2-623 is hereby amended to read as follows: 2-623. (a) Prior to July 1 of any year, any two or more county extension councils may establish an extension district composed of all of the counties of such councils by entering into an agreement in accordance with this section to combine the extension programs for each county involved into one extension program serving the extension district. No such agreement shall be effective unless such agreement has received the prior approval of: (1) The board of county commissioners of each county included in the proposed extension district, subject to the provisions of subsection (i); (2) the executive board of the extension council of each county included in the proposed extension district and the director of extension of Kansas state university of agriculture and applied science, or the director's authorized representative, acting together as a body; and (3) the attorney general in accordance with subsection (h).

(b) Prior to July 1 of any year, one or more county extension councils and the governing body of any existing extension district may establish a new extension district by entering into an agreement in accordance with this section to combine the extension programs for each such county and such district into one extension program serving a new extension district composed of all counties represented by such county extension councils and the area served by the existing extension district. No such agreement shall be effective unless such agreement has received the prior approval of: (1) The board of county commissioners of each county being added to the existing extension district, subject to the provisions of subsection (i); (2) the executive board of the county extension council of each county being added to the existing extension district, the governing body of the existing extension district and the director of extension of Kansas state university of agriculture and applied science, or the director's authorized representative, acting together as a body; and (3) the attorney general in accordance with subsection (h).

(c) On July 1 after the approval under subsection (a) or (b) of an agreement to establish an extension district, such extension district is hereby established and shall constitute a body corporate and politic possessing the usual powers of a corporation for public purposes under the name of "extension district no. \_\_\_\_\_ (the number designated by the director of extension), \_\_\_\_\_ counties (naming the counties included within the district), state of Kansas." Each extension district is a taxing subdivision and has the power to contract, sue and be sued and to acquire, hold and convey real and personal property in accordance with law.

(d) Upon the establishment of an extension district under subsection (a) or (b), all of the personnel and property of each of the extension programs which are combined into the new district extension programs shall be transferred to the new extension district and shall be subject to the authority of the governing body of the extension district in accordance with the agreement to establish the extension district.

(e) Upon the establishment of an extension district under subsection (a), the board of county commissioners of each county joining in the establishing of an extension district shall appoint four qualified electors to membership on the governing body of the district. The terms of all members so appointed shall commence on July 1 following their appointment. Of the members so appointed two members shall serve for terms ending upon the election and qualification of their successors at an election held on the ~~first Tuesday in April of the first odd-numbered year following their appointment~~ and two members shall serve for terms ending upon the election and qualification of their successors at an election held on the ~~first Tuesday in April of the second odd-numbered year following their appointment~~ *following the first Monday in November of the first odd-numbered year following their appointment and two members shall serve for terms ending upon the election and qualification of their successors at an election held on the Tuesday succeeding the first Monday in November of the second odd-numbered year following their appointment.*

(f) In the case of one or more counties being included in an existing extension district under subsection (b), the board of county commissioners of each county being included in an existing extension district shall appoint four qualified electors of the county to membership on the governing body of the expanded district. The terms of all members so appointed shall commence on July 1 following their appointment. Of the members so appointed two members shall serve for terms ending upon the election and qualification of their successors at an election held on the ~~first Tuesday in April of the first odd-numbered year following their appointment~~ and two members shall serve for terms ending upon the election and qualification of their successors at an election held on the ~~first Tuesday in April of the second odd-numbered year following their appointment~~ *Tuesday following the first Monday in November of the first odd-numbered year following their appointment and two members shall serve for terms ending upon the election and qualification of their successors at an election held on the Tuesday following the first Monday in November of the second odd-numbered year following their appointment.* The offices of the members of the governing body of the existing extension district shall continue in existence and the persons in such offices shall be members of the governing body of the expanded extension district which is established on July 1 for the remainder of their existing terms of office.

(g) In addition to other required provisions, each agreement entered into under this section shall specify the permissible method or methods to be employed in disposing of the assets and liabilities of the extension district in the event that one or more counties withdraw from the extension district under K.S.A. 2-628, and amendments thereto.

(h) Each agreement entered into under this section or under K.S.A. 2-628, and amendments thereto, prior to and as a condition precedent to its entry into force, shall be submitted to the attorney general who shall determine whether the agreement is in proper form and compatible with this act and the other laws of Kansas. The attorney general shall approve any agreement submitted for approval under this section or K.S.A. 2-628, and amendments thereto, unless the attorney general finds that the submitted agreement does not meet the requirements of this act. In such case, the attorney general shall specify in writing to the proposed parties to the agreement and to each other entity required to approve the agreement, the specific respects in which the proposed agreement fails to meet the requirements of law. Failure by the attorney general to disapprove an agreement submitted pursuant to this subsection within 90 days of its submission shall constitute approval of the agreement by the attorney general.

(i) Prior to approving an agreement under this section, the board of county commissioners of each county to be included in a proposed extension district under subsection (a) or to be added to an existing extension district under subsection (b), as the case may be, shall adopt a resolution stating the intention of the board of county commissioners to approve such agreement and specifying the counties that are to be included in the extension district. Such resolution shall be published once each week for two consecutive weeks in the official county newspaper. If, within 60 days following the last publication of the resolution, a petition in opposition to the approval of the agreement and the inclusion of the county in the extension district is signed by not less than 5% of the qualified electors of the county and is filed with the county election officer, such board of county commissioners shall not approve such agreement and the county shall not be included in the extension district unless and until the same is approved by a majority of the qualified electors of the county voting thereon at a primary election or general election or at a special election called and held for such purpose. Any such special election shall be called, noticed and held in accordance with the provisions of K.S.A. 10-120, and amendments thereto.

Sec. 18. K.S.A. 2014 Supp. 2-624 is hereby amended to read as follows: 2-624. (a) The governing body of each extension district shall be composed of four representatives from each county included in the extension district. At the conclusion of the terms of the members first appointed to membership on the governing body of the district, the four

members representing each county in an extension district shall be elected in a county-wide election by the qualified electors of the county.

(b) At the conclusion of the terms of the members first appointed to membership on the governing body of the district, each member of the governing body shall hold office for a term of four years and until such member's successor is elected and qualified. Each such term of office shall commence on the date of receipt of certification of election by the member elected and shall continue until the member's successor is elected and qualified.

(c) (1) ~~Except as otherwise provided in this act, an~~ *The election to elect successors to members of the governing body whose terms are expiring shall be held on the first Tuesday in April following the first Monday in November of each odd-numbered year.*

(2) Elections to choose members of the governing body of an extension district shall be conducted, the returns made and the results ascertained in the manner provided by law for general county elections except as otherwise provided by this act. ~~Not later than 12 noon of the Tuesday, 10 weeks preceding the first Tuesday in April in election years, each person desiring to be a candidate for membership on the governing body, in any election, shall file a declaration of candidacy, accompanied by a filing fee of \$5, with the county election officer of the county represented by the member of the governing body whose successor is to be elected, as a candidate in such election. The county election officer shall remit such filing fees to the county treasurer for deposit in the county general fund. The county election officer in making up the ballots and in placing the names thereon shall place the names on the ballots in alphabetical order. Any person desiring to be a candidate for election to the governing body shall file a candidate's declaration of intention with the county election officer of the county represented by the member of the governing body whose successor is to be elected. Such candidate's filing shall be made in the manner as provided in section 15, and amendments thereto, and K.S.A. 25-205, and amendments thereto.~~

(3) ~~The county election officer of each county within the extension district shall appoint election boards as provided by law for other elections and shall designate places for holding the election. The county election officer shall cause to be ascertained the names of all persons within the district who are qualified electors, and shall furnish lists thereof to the judges of the election. Notice of the time and place of holding each election, signed by the county election officer, shall be given in a newspaper published in the county and posted in a conspicuous place in the office of the governing body at least five days before the holding thereof shall be published by the county election officer in a newspaper published in the county in accordance with K.S.A. 25-105 and 25-209, and amendments thereto.~~

(4) All *direct* election expenses shall be paid by the extension district.

~~Election officials shall receive the same compensation as provided under the general election laws.~~

(d) Any vacancy in the membership of the governing body of an extension district shall be filled by appointment by the governing body for the unexpired term of office. Each member so appointed shall be a resident of the county which was represented by the member creating the vacancy.

(e) The governing body of each extension district shall organize annually in ~~July~~ *January* by electing from among its members a chairperson, vice-chairperson, secretary and treasurer.

Sec. 19. K.S.A. 13-1220 is hereby amended to read as follows: 13-1220. ~~In each city of the first class that now has or hereafter acquires a population of more than one hundred thousand inhabitants, which now or hereafter owns and operates a municipal waterworks plant and a municipal electric light plant, there shall be~~ *Any city may establish* an administrative agency known as the board of public utilities of such city, to be elected in the manner hereinafter provided. The board shall manage, operate, maintain and control the daily operation of the water plant and electric-light plant of such city, and shall make all such rules and regulations as are necessary for the safe, economical and efficient operation and management of such water plants and electric-light plants. The board may also improve, extend or enlarge the water plants and electric-light plants as hereinafter provided, and furnish a supply of water, light, heat and power for domestic, industrial and municipal purposes.

Sec. 20. K.S.A. 13-1221 is hereby amended to read as follows: 13-1221. (a) The board of public utilities shall consist of six members, three of which shall be nominated and elected by the city at large and three of which shall be elected by the qualified electors of the city within each of the districts established pursuant to subsection (b). *Members of the board shall be elected on a nonpartisan basis.* Members elected to the board of public utilities after the effective date of this act shall hold their offices for terms of four years, and until their successors are elected and qualified. Each of the members elected from districts shall be qualified voters of the districts from which elected. Elections of members of the board shall be held at the ~~time of the general city election in odd-numbered years.~~ ~~The provisions of article 17 of chapter 13 of the Kansas Statutes Annotated, pertaining to the election and removal of officers, shall govern so far as applicable.~~

(b) The board shall elect from its own number a president and vice-president and shall appoint a secretary. ~~Notwithstanding the provisions of K.S.A. 13-1222, relating to a quorum for the transaction of business and a vote for action by the board,~~ Any vacancy occurring in the board shall be filled by a majority vote of the members remaining on the board. Where a vacancy has occurred in the membership of any board of public

utilities, a member selected to fill such vacancy shall serve until the next ~~city~~ *November in odd-numbered years* election, at which time a successor shall be elected to serve the remainder of the unexpired term, if any.

~~(b) The districts numbered 1, 2 and 3 established in 1979 shall be subject to alteration at the first meeting of the board in each fourth year thereafter, but such alteration shall only be for the purpose of establishing and maintaining the equality of population among the districts.~~

Sec. 21. K.S.A. 19-2760 is hereby amended to read as follows: 19-2760. (a) An election shall be held in each improvement district on the Tuesday following the first Monday in November ~~of 1978~~ and of each ~~even-numbered~~ *odd-numbered* year thereafter for the purpose of electing three directors of such district, except that the first election following the establishment of such district shall be held at a time fixed by the board of county commissioners of the county in which the district is located.

(b) The directors of an improvement district shall serve for terms of two years, ~~except that directors elected prior to the Tuesday following the first Monday in November, 1978, and directors elected at the first election following the establishment of the district shall serve until their successors are elected.~~

~~(c)(1) From and after July 1, 2006, Each director shall:~~

~~(A)(1) Own land within the improvement district; or~~

~~(B)(2) reside in the improvement district.~~

~~(2) Notwithstanding the provisions of paragraph (1), each director elected on or before June 30, 2006, shall be allowed to serve the remainder of such director's current term of office.~~

Sec. 22. K.S.A. 19-3505 is hereby amended to read as follows: 19-3505. (a) Except as otherwise provided by this section, the governing body of any water district to which this section applies shall be a five-member board holding positions numbered one to five, inclusive. Each member shall be elected and shall hold office from ~~May 1 following such member's election until April 30,~~ *the second Monday in January succeeding such member's election* until four years thereafter and until a successor is elected and has qualified.

The first election of members of the governing body of any water district created after the effective date of this act shall be held on the first Tuesday in August of any even-numbered year, at which time members shall be elected for terms beginning on September 1 of the same year, and ending on April 30 of the third year following the beginning of such term, to positions numbered three, four and five. At such first election, members shall be elected for terms ending on April 30 of the first year following the beginning of such terms, to positions numbered one and two. Members first elected to positions one and two shall have terms of approximately eight months. Elections shall be ~~thereafter~~ held on the ~~first~~ Tuesday in April of each ~~odd-numbered year~~ *following the first Monday*

*in November of each odd-numbered year* for the member positions whose terms expire in that year.

(b) From and after April 30, 1991, the governing body of the water district shall be composed of seven members. At the election held in 1991, positions numbered 1, 2, 6 and 7 shall be elected to four-year terms. At the election in 1993, positions numbered 3, 4 and 5 shall be elected to four-year terms.

(c) Elections shall be held on the ~~first Tuesday in April of each odd-numbered~~ *following the first Monday in November of each odd-numbered* year for the positions which terms expire in that year. Members shall hold office from ~~May 1, the second Monday in January~~ *following such member's election until April 30,* four years thereafter and until a successor is elected and qualified. All elections shall be nonpartisan and shall be called and conducted by the county election officer. Laws applying to other local elections occurring at the same time and in the same locality shall apply to elections under this act to the extent that the same can be made to apply. *Notice of the time and place of holding each election shall be published by the county election officer in a newspaper published in the county in accordance with procedures established in K.S.A. 25-105 and 25-209, and amendments thereto.*

(d) *In January,* following each election, the board shall organize and not later than the second regular meeting following each election shall select from among its members a chairperson and a vice-chairperson. The vice-chairperson shall preside over any meetings at which the chairperson is not present. Vacancies occurring during a term shall be filled for the unexpired term by appointment by the remaining members. All members shall take an oath of office as prescribed for other public officials. The members of the board shall be qualified electors in the water district. Prior to accepting office, the water district shall obtain for each member-elect a corporate surety bond to the state of Kansas in the amount of \$10,000, conditioned upon the faithful performance of the member's duties and for the true and faithful accounting of all money that may come into the member's hands by virtue of the office. Such bonds shall be filed in the office of the county clerk for the county in which the major portion of such water district is located after approval by the board of county commissioners of such county.

(e) Each member of the board shall receive a monthly salary in an amount determined by the board and shall be reimbursed for all necessary and reasonable expenses incurred in performing official assigned duties.

Sec. 23. K.S.A. 19-3507 is hereby amended to read as follows: 19-3507. (a) The water district election shall be held in each election precinct, a part or all of which is located within such water district, except that if no other election is being held in a given election precinct on the



same date as the water district election, the county election officer may provide one or more convenient voting places where the water district electors of such precinct may vote, which may be a voting place located in another precinct. The county election officer shall designate such voting places and the persons entitled to vote thereat in the election notice. The county election officer shall make a report in writing to the board of county commissioners of such election precincts and voting places, which report shall be filed with the county clerk of the county or counties in which such precincts and voting places are located and an entry thereof made upon the journal of the board or boards of county commissioners of such county or counties and if any change shall be made in such voting precincts and voting places by the county election officer, the same shall in like manner be reported to the board or boards of county commissioners, filed and entered as aforesaid. The polls for any election held under this act shall be open between the hours of 7:00 a.m. and 7:00 p.m.

~~All (b) Any qualified persons person desiring to be voted upon as a candidate for a position as a member of such board shall on or before 12:00 o'clock noon on the Tuesday which precedes by 10 weeks the first Tuesday in April of the year in which the election is being held, which date shall be stated in the publication notice of the election, file a candidate's declaration of intention in the manner provided in section 15, and amendments thereto, and K.S.A. 25-205, and amendments thereto, with the county election officer, a statement directing such officer to place such person's name on the ballot as a candidate for member of the board of the water district in such election, indicating the number of the position for which such person is filing. No candidate shall be permitted to withdraw as a candidate after the deadline for filing such statements of candidacy. There shall be no primary election for members of the water district board. The county election officer shall publish names of all candidates in a newspaper of general circulation within the water district not less than 10 days before such election in accordance with K.S.A. 25-209, and amendments thereto. The county election officer shall provide for use of voting machines or printed ballots in each election precinct or voting place. Where printed ballots are prepared, the same shall be done at the expense of the water district. The names of candidates for each member position shall be rotated on the ballots in such a manner that each candidate shall be given an equitable opportunity to have such candidate's name appear first on the ballot.~~

(c) Where the only election being conducted in an election precinct or voting place is the water district election, the cost of providing judges and clerks in such precinct or voting place shall be borne entirely by the water district, but where held in conjunction with other elections, the cost shall be prorated in the manner provided by article 22 of chapter 25 of the Kansas Statutes Annotated, and amendments thereto.

(d) At least five days before any election, the county election officers

of the various counties within which a portion of such district is located, in cooperation with the water district board, shall determine the voting areas where no other elections will be held in conjunction with the water district and the names of all qualified electors residing in the water district and located in such precincts and shall determine the election precincts which contain only a part of the water district and the names of all qualified electors residing in the water district and in such election precincts. A list of the qualified electors determined as hereinbefore provided shall be furnished by the county election officer to the judges of the voting precincts or voting places where such electors are entitled to vote.

(e) Qualified electors of any election precinct, the entirety of which is within the water district, shall be entitled to vote in such precinct and a separate list of their names need not be furnished.

(f) A voter shall not be eligible to vote in any election precinct other than the one in which such person resides unless no election is being held in such precinct, in which event, such voter shall be entitled to vote in the voting place designated by the county election officer.

(g) Such list furnished by the county election officer to the judges of each precinct shall be conclusive at all elections, except that one desirous of voting, whose name does not appear on such list, may proceed to the county election officer of the county and such officer may administer oaths and affirm witnesses to determine the right of anyone to vote who may claim erroneous omission from such list, and if such officer issues a certificate entitling the voter to vote, such certificate shall be accepted by the judges and clerks of the election. The list so furnished by the county election officer shall be conclusive at all elections held within the same year that the list is furnished.

Sec. 24. K.S.A. 2014 Supp. 24-412 is hereby amended to read as follows: 24-412. ~~(a) Subject to the provisions of subsection (b), except as otherwise provided in this section, an election to choose three directors in each district as their successors, shall be held on the first Tuesday in April, 1983, and an election shall be held each four years thereafter, on the first Tuesday in April, to choose directors~~ *An election to choose three directors in each district shall be held on the Tuesday following the first Monday in November of 2017, and an election shall be held each four years thereafter, on the Tuesday following the first Monday in November, to choose directors. Any director elected in any district in 2015 shall hold such office until such successor is elected and qualified.*

(b) On and after January 1, 2012, the board of directors of drainage district No. 2 of Finney county, Kansas, shall be elected as provided in K.S.A. ~~2012~~ 2014 Supp. 24-139a, and amendments thereto.

Sec. 25. K.S.A. 2014 Supp. 24-414 is hereby amended to read as follows: 24-414. (a) Elections to choose directors shall be conducted, the returns made and the results ascertained in the manner provided by law

for general county elections except as otherwise provided by law, and ~~all persons desiring to be voted upon as director, in any election, shall, not later than 12 noon of the Tuesday, 10 weeks preceding the first Tuesday in April in election years, file a declaration of candidacy; any qualified person desiring to be a candidate for director shall file a candidate's declaration of intention in the manner provided in section 15, and amendments thereto, and K.S.A. 25-205, and amendments thereto, accompanied by a filing fee of \$5 \$20, with the county election officer of the county wherein the district is located, as a candidate in such election, and the election officer in making up the ballots and in placing the names thereon shall place the names on the ballots in alphabetical order, but the returns of all special or bond elections shall be made to the secretary and canvassed by the board of directors.~~ The county election officer shall remit such filing fees to the county treasurer for deposit in the county general fund. ~~The county election officer of the county wherein the drainage district is situated shall appoint election boards as provided by law for other elections and shall designate places for holding the election. The county clerk election officer shall cause to be ascertained the names of all persons within the district who are also qualified electors, and shall furnish lists thereof to the judges of the election.~~

(b) Notice of the time and place of holding each election, ~~signed by the county election officer,~~ shall be ~~given~~ published in a newspaper published in the county in accordance with procedures established in K.S.A. 25-105 and 25-209, and amendments thereto, and posted in a conspicuous place in the office of the board of directors at least five days before the holding thereof. At all elections and meetings held under the provisions of this act, only persons who are qualified electors shall be entitled to vote. In counties having a population of more than 150,000, at all elections and meetings held under the provisions of this act, only persons who are taxpayers and residents of the district who are qualified electors shall be entitled to vote. All election expenses shall be paid for out of the general fund of the drainage district. Election officials shall receive the same compensation as provided under the general election laws.

(c) As used in this section, "taxpayer" means any person who owns any real property or tangible property within the district who pays taxes assessed on such property.

Sec. 26. K.S.A. 2014 Supp. 24-459 is hereby amended to read as follows: 24-459. (a) The board of directors of any drainage district incorporated pursuant to K.S.A. 24-458, *and amendments thereto*, shall consist of three qualified persons as defined in ~~paragraph (3) of subsection (e) of this section~~ (3).

(b) The directors for the first term after the incorporation of the drainage district shall be selected and designated in the petition for the

incorporation of the district and shall be declared directors by the county commissioners to which the petition is presented.

(c) The directors shall hold office until the ~~first Tuesday in April next~~ *second Monday in January of the next even-numbered year* after the incorporation of the district, at which time and every four years thereafter directors shall be elected *at the November odd-year elections* and shall hold their office for the term of four years and until their successors are elected and qualified.

(d) Every qualified person of the district shall be entitled to vote at the election or at any election which may be held in the district.

(e) For the purposes of this section:

(1) “Owner” or “person who owns land” means any person or entity who is the record owner of the fee in any real estate in the district or the fee in the surface rights of any real estate in the district, but the owners of an oil and gas lease, mineral rights or interest, easements or mortgages as such shall not be considered owners, and school districts, cemetery associations, and municipal corporations shall not be considered owners.

(2) “Taxpayer” means any owner who has paid all taxes currently due on such real estate.

(3) “Qualified person” means any taxpayer 18 years of age or older, whether a resident of the district or not. A taxpayer who is a qualified person and who is not an individual may designate an individual to cast its vote or to serve as a director of the district.

(f) The county clerk shall determine the qualified persons entitled to vote at any election in the district. Any entity desiring to vote at an election shall register the name of its designated representative with the county election officer no later than ~~14~~ *21* days in advance of any such election.

Sec. 27. K.S.A. 24-504 is hereby amended to read as follows: 24-504. Whenever a majority of the counties to be included within the proposed drainage district have reported in favor of the organization of ~~said the~~ drainage district, under the provisions of this act, the secretary of state shall report ~~such the~~ fact to the governor of Kansas, who shall ~~forthwith~~ declare, by suitable proclamation, the territory described in ~~said the~~ petition and set forth in the reports of ~~said the~~ commissioners to constitute a public corporation, and the freeholders owning lands within ~~such the~~ bounds, and resident within the state of Kansas, to be incorporated as a drainage district under the name designated in ~~said the~~ petition, and ~~thenceforth the said~~ territory and the freeholders thereof, who are residents of the state of Kansas, and their successors, shall constitute a body politic and corporate under ~~said the~~ corporate name and shall give perpetual succession.

In ~~said the~~ proclamation the governor shall designate the ~~last Tuesday of the next succeeding calendar month~~ *Tuesday following the first Monday in November of the odd-numbered year* following the issuing of ~~said~~

*the* proclamation on which an election shall be held in each of the counties to be included within the proposed drainage district for the purpose of electing directors of ~~said~~ *the* corporation, in number and in the manner hereinafter provided. The secretary of state shall make and keep full and complete records of the organization of all drainage districts organized under the provisions of this act, showing the findings and decisions of the boards of county commissioners and all of the acts of the governor in connection with the organization thereof, a true and correct copy of which he shall forward to the ~~said~~ boards of county commissioners within five days after the issuing of the governor's proclamation provided for in this section, and they shall spread the same upon their records.

Sec. 28. K.S.A. 2014 Supp. 24-506 is hereby amended to read as follows: 24-506. (a) The board of directors of any drainage district incorporated pursuant to K.S.A. 24-501 et seq., and amendments thereto, shall consist of one person from each county in the district if the number of counties is odd, but if the number of counties is even, then there shall be an additional director at large. If the drainage district is located wholly within one county, the number of directors shall be three. Except as provided in subsection (b), the directors shall be freeholders who shall be residents of Kansas, whose lands in whole or in part are located within the district. The directors shall hold their offices for a term of four years and until their successors are elected and qualified. Elections to choose directors, except the first, shall be held on the ~~first Tuesday in April~~ *Tuesday following the first Monday in November of the next odd-numbered year* and every four years thereafter.

(b) If there are no residents in the drainage district, any owner of land within the district shall be a qualified voter and shall be qualified to hold the office of director.

Sec. 29. K.S.A. 2014 Supp. 25-205 is hereby amended to read as follows: 25-205. (a) Except as otherwise provided in this section, the names of candidates for national, state, county and township offices shall be printed upon the official primary ballot when each shall have qualified to become a candidate by one of the following methods and none other: (1) They shall have had filed in their behalf, not later than 12 noon, June 1, prior to such primary election, or if such date falls on Saturday, Sunday or a holiday, then before 12 noon of the next following day that is not a Saturday, Sunday or a holiday, nomination petitions, as provided for in this act; or (2) they shall have filed not later than the time for filing nomination petitions, as above provided, with the proper officer a declaration of intention to become a candidate, accompanied by the fee required by law. Such declaration shall be prescribed by the secretary of state.

(b) Nomination petitions shall be in substantially the following form:  
I, the undersigned, an elector of the county of \_\_\_\_\_, and state

of Kansas, and a duly registered voter, and a member of \_\_\_\_\_ party, hereby nominate \_\_\_\_\_, who resides in the township of \_\_\_\_\_ (or at number \_\_\_\_\_ on \_\_\_\_\_ street, city of \_\_\_\_\_), in the county of \_\_\_\_\_ and state of Kansas, as a candidate for the office of (here specify the office) \_\_\_\_\_, to be voted for at the primary election to be held on the first Tuesday in August in \_\_\_\_\_, as representing the principles of such party; and I further declare that I intend to support the candidate herein named and that I have not signed and will not sign any nomination petition for any other person, for such office at such primary election.

(HEADING)

Name of Signers.	Street Number or Rural Route (as registered).	Name of City.	Date of Signing.
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All nomination petitions shall have substantially the foregoing form, written or printed at the top thereof. No signature shall be counted unless it is upon a sheet having such written or printed form at the top thereof.

(c) Each signer of a nomination petition shall sign but one such petition for the same office, and shall declare that such person intends to support the candidate therein named, and shall add to such person's signature and residence, if in a city, by street and number (if any); or, otherwise by post-office address. No signature shall be counted unless the place of residence of the signer is clearly indicated and the date of signing given as herein required and if ditto marks are used to indicate address they shall be continuous and clearly made. Such sheets shall not be cut or pasted together.

(d) All signers of each separate nomination petition shall reside in the same county and election district of the office sought. The affidavit described in this paragraph of a petition circulator as defined in K.S.A. 2014 Supp. 25-3608, and amendments thereto, or of the candidate shall be appended to each petition and shall contain, at the end of each set of documents carried by each circulator, a verification, signed by the circulator or the candidate, to the effect that such circulator or the candidate personally witnessed the signing of the petition by each person whose name appears thereon.

(e) Except as otherwise provided in subsection (g), nomination petitions shall be signed:

(1) If for a state officer elected on a statewide basis or for the office of United States senator, by voters equal in number to not less than 1% of the total of the current voter registration of the party designated in the state as compiled by the office of the secretary of state;

(2) if for a state or national officer elected on less than a statewide basis, by voters equal in number to not less than 2% of the total of the current voter registration of the party designated in such district as com-

piled by the office of the secretary of state, except that for the office of district magistrate judge, by not less than 2% of the total of the current voter registration of the party designated in the county in which such office is to be filled as certified to the secretary of state in accordance with K.S.A. 25-3302, and amendments thereto;

(3) if for a county office, by voters equal in number to not less than 3% of the total of the current voter registration of the party designated in such district or county as compiled by the county election officer and certified to the secretary of state in accordance with K.S.A. 25-3302, and amendments thereto; and

(4) if for a township office, by voters equal in number to not less than 3% of the total of the current voter registration of the party designated in such township as compiled by the county election officer and certified to the secretary of state in accordance with K.S.A. 25-3302, and amendments thereto.

(f) Subject to the requirements of K.S.A. 25-202, and amendments thereto, any political organization filing nomination petitions for a majority of the state or county offices, as provided in this act, shall have a separate primary election ballot as a political party and, upon receipt of such nomination petitions, the respective officers shall prepare a separate state and county ballot for such new party in their respective counties or districts thereof in the same manner as is provided for existing parties.

(g) In any year in which districts are reapportioned for the offices of representative in the United States congress, senator and representative in the legislature of the state of Kansas or member of the state board of education:

(1) If new boundary lines are defined and districts established in the manner prescribed by law on or before May 10, nomination petitions for nomination to such offices shall be signed by voters equal in number to not less than 1% of the total of the current voter registration of the party designated in the district as compiled by the office of the secretary of state.

(2) If new boundary lines are defined and districts established in the manner prescribed by law on or after May 11, nomination petitions for nomination to the following offices shall be signed by registered voters of the party designated in the district equal in number to not less than the following:

(A) For the office of representative in the United States congress 1,000 registered voters;

(B) for the office of member of the state board of education 300 registered voters;

(C) for the office of state senator 75 registered voters; and

(D) for the office of state representative 25 registered voters.

(h) In any year in which districts are reapportioned for the offices of representative in the United States congress, senator and representative

in the legislature of the state of Kansas or member of the state board of education:

(1) If new boundary lines are defined and districts established in the manner prescribed by law on or before May 10, the deadline for filing nomination petitions and declarations of intention to become a candidate for such office, accompanied by the fee required by law, shall be 12 noon on June 1, or if such date falls on a Saturday, Sunday or a holiday, then before 12 noon of the next following day that is not a Saturday, Sunday or holiday.

(2) If new boundary lines are defined and districts established in the manner prescribed by law on or after May 11, the deadline for filing nomination petitions and declarations of intention to become a candidate for such office, accompanied by the fee required by law, shall be 12 noon on June 10, or if such date falls on a Saturday, Sunday or holiday, then before 12 noon of the next day that is not a Saturday, Sunday or holiday.

(i) *Primary elections for municipal office shall be held when otherwise required by law. The names of candidates for municipal offices shall be printed upon the official primary ballot in odd-numbered year elections and in even-numbered years when needed. Persons shall become qualified to become a candidate by one of the following methods:*

(1) *They shall have filed, not later than 12 noon, on June 1, prior to such primary election, or if such date falls on Saturday, Sunday or a holiday, then before 12 noon of the next following day that is not a Saturday, Sunday or a holiday, nomination petitions, as otherwise provided by law; or*

(2) *they shall have filed, not later than the time for filing nomination petitions, as above provided, with the proper officer a declaration of intention to become a candidate, accompanied by the \$20 fee required by law. Such declaration shall be prescribed by the secretary of state as provided in section 15, and amendments thereto.*

Sec. 30. K.S.A. 25-209 is hereby amended to read as follows: 25-209.

(a) As soon as possible after the filing deadline, the secretary of state shall certify to each county election officer the name and post-office address of each person who has filed valid nomination petitions or a declaration of intent to become a candidate for United States senator or representative or for state office, together with the designation of the office for which each is a candidate and the party or principle which the candidate represents.

(b) The county election officer shall ~~forthwith~~, upon receipt thereof, publish for three ~~(3)~~ consecutive weeks in the official paper, a notice which shall set forth under the proper party designation, the title of each national, state, county and township office any part of the district of which is in the county, the names and addresses of all persons certified by the secretary of state as candidates for any national or state office any part of



the district of which is in the county and, in addition thereto, the names and addresses of all persons from whom valid nomination papers or declarations have been filed in the county election officer's office, giving the name and address of each, the day of the primary election, the hours during which the polls will be open and stating that the primary election will be held at the regular voting places. Where such voting places are not well established and customarily known the published notice herein provided for shall give the location of such voting places.

*(c) The secretary of state and county election officers shall utilize the procedures established in this section to the extent applicable for municipal elections conducted in the fall of both odd-numbered and even-numbered years when needed.*

Sec. 31. K.S.A. 25-210 is hereby amended to read as follows: 25-210. *(a) The official primary election ballot for national and state offices and the official primary election ballot for county and township offices of each political party shall be arranged on the ballot, printed, voted, and canvassed in the same manner as is now or hereafter provided by law for the arrangement, printing, voting, and canvassing of official general ballots for national and state offices and official general ballots for county and township offices, except as otherwise provided by law.*

*(b) The official primary election ballot for municipal elections in odd-numbered years shall be arranged and printed by the county election officer.*

Sec. 32. K.S.A. 25-212 is hereby amended to read as follows: 25-212. *(a) In case there are nomination petitions or declarations of intention to become a candidate on file for more than one candidate or for more than one pair of candidates for governor and lieutenant governor, of the same party for any national or state office, the secretary of state shall divide the state or appropriate part thereof, into as many divisions as there are names to go on such party ballot for that office. Such divisions shall be as nearly equal in number of members of such party as is convenient without dividing any one county. In making such division the secretary of state shall take the alphabetical list of counties in regular order until the secretary of state gets the required proportion of party members of such party based upon the party affiliation lists as shown by the certificates of the respective county election officers, and so on through the list of counties until the secretary of state gets the proper proportion of party members in each division. The secretary of state shall also take the alphabetical list of candidates or pairs of candidates in regular order and in certifying to the county election officer the list of names for whom nomination petitions or declarations of intent to become a candidate have been filed, shall place one name or pair of candidates at the head of the list in the first division of counties, another in the second division, and so on with all the candidates for any particular office, so that every candidate or pair*

of candidates for any office shall be at the head of the list in one division of the state and second in another division thereof, and so forth. When, in the case of candidates for the office of congressman, district judge, district magistrate judge, state senator, state representative or state board of education member, the secretary of state finds that the secretary of state cannot get a fair proportion of party members to give each candidate for congressman, district judge, district magistrate judge, state senator, state representative or state board of education member in any given district an equitable or fair opportunity to have the candidate's name first on the ballot in the respective counties of the district, the secretary of state shall order the county election officers in the various counties of the district to rotate the names of the candidates for such district offices according to precinct. If voting machines are used the arrangement of names of candidates or pair of candidates for all offices on the voting machines shall be rotated, as near as may be, according to precinct.

The arrangement of the names certified by the secretary of state shall govern the county election officer in arranging the primary election ballot, and the county election officer in preparing the ballot for such officer's county shall follow the same arrangement as provided in this section for the secretary of state, for the candidates nominated for county offices, using the township and precincts of the county in making the division.

*(b) The secretary of state by rules and regulations adopted on or before July 1, 2016, shall establish the arrangement of names as provided by law for the official primary ballot for municipal elections.*

Sec. 33. K.S.A. 2014 Supp. 25-213 is hereby amended to read as follows: 25-213. *(a)* At all national and state primary elections, the national and state offices as specified for each in this section shall be printed upon the official primary election ballot for national and state offices and the county and township offices as specified for each in this section shall be printed upon the official primary election ballot for county and township offices.

*(b)* The official primary election ballots shall have the following heading:

#### OFFICIAL PRIMARY ELECTION BALLOT

\_\_\_\_\_ Party

To vote for a person whose name is printed on the ballot make a cross or check mark in the square at the left of the person's name. To vote for a person whose name is not printed on the ballot, write the person's name in the blank space, if any is provided, and make a cross or check mark in the square to the left.

The words national and state or the words county and township shall appear on the line preceding the part of the form shown above.

The form shown shall be followed by the names of the persons for whom nomination petitions or declarations have been filed according to

law for political parties having primary elections, and for the national and state offices in the following order: United States senator, United States representative from \_\_\_\_\_ district, governor and lieutenant governor, secretary of state, attorney general, state treasurer, commissioner of insurance, senator \_\_\_\_\_ district, representative \_\_\_\_\_ district, district judge \_\_\_\_\_ district, district magistrate judge \_\_\_\_\_ district, district attorney \_\_\_\_\_ judicial district, and member state board of education \_\_\_\_\_ district. For county and township offices the form shall be followed by the names of persons for whom nomination petitions or declarations have been filed according to law for political parties having primary elections in the following order: Commissioner \_\_\_\_\_ district, county clerk, treasurer, register of deeds, county attorney, sheriff, township trustee, township treasurer, township clerk. When any office is not to be elected, it shall be omitted from the ballot. Other offices to be elected but not listed, shall be inserted in the proper places. For each office there shall be a statement of the number to vote for.

To the left of each name there shall be printed a square. Official primary election ballots may be printed in one or more columns. The names certified by the secretary of state or county election officer shall be printed on official primary election ballots and no others. In case there are no nomination petitions or declarations on file for any particular office, the title to the office shall be printed on the ballot followed by a blank line with a square, and such title, followed by a blank line, may be printed in the list of candidates published in the official paper. No blank line shall be printed following any office where there are nomination petitions or declarations on file for the office except following the offices of precinct committeeman and precinct committeewoman.

(c) Except as otherwise provided in this section, no person's name shall be printed more than once on either the official primary election ballot for national and state offices or the official primary election ballot for county and township offices. No name that is printed on the official primary election ballot as a candidate of a political party shall be printed or written in as a candidate for any office on the official primary election ballot of any other political party. If a person is a candidate for the unexpired term for an office, the person's name may be printed on the same ballot as a candidate for the next regular term for such office. The name of any candidate on the ballot may be printed on the same ballot as such candidate and also as a candidate for precinct committeeman or committeewoman. No name that is printed on the official primary election ballot for national and state offices shall be printed or written in elsewhere on such ballot or on the official primary election ballot for county and township offices except for precinct committeeman or committeewoman. No name that is printed on the official primary election ballot for county and township offices shall be printed or written in on the official primary election ballot for national and state offices or elsewhere on such county

and township ballot except for precinct committeeman or committeewoman.

(d) No person shall be elected to the office of precinct committeeman or precinct committeewoman where no nomination petitions or declarations have been filed, unless the person receives at least five write-in votes. As a result of a primary election, no person shall receive the nomination and no person's name shall be printed on the official general election ballot when no nomination petitions or declarations were filed, unless the person receives votes equal in number to not less than 5% of the total of the current voter registration designated in the state, county or district in which the office is sought, as compiled by the office of the secretary of state, except that a candidate for township office may receive the nomination and have such person's name printed on the ballot where no nomination petitions or declarations have been filed if such candidate receives three or more write-in votes. No such person shall be required to obtain more than 5,000 votes.

(e) *The secretary of state by rules and regulations shall develop the official ballot for municipal elections in odd-numbered year elections.*

Sec. 34. K.S.A. 25-610 is hereby amended to read as follows: 25-610.

(a) The secretary of state shall furnish to each county election officer forms for ballots in their respective counties. The secretary of state shall prepare a rotation of the different candidates appearing on the official general ballot for the national and state offices for each such office. Such rotation shall be developed and arranged so that each candidate shall have an equal opportunity as near as practicable for the respective offices to which they are nominated. In case there is more than one candidate for any national or state office, the secretary of state shall divide the state or part thereof, into as many divisions as there are names to go on the ballot for each particular office. In making such division the secretary of state shall divide, in regular order, the alphabetical list of counties into the required number of divisions, in such a manner that all divisions are as nearly equal as convenient in the number of registered voters in such division as compiled by the office of the secretary of state. The secretary of state, in certifying the list of names of candidates to the county election officers, shall assign, in regular order from the alphabetical list of candidates for each office, the ballot position for each candidate in such a manner that every candidate for any office shall occupy a different ballot position in each division. When, in the case of candidates for national or state offices elected on less than a statewide basis, the secretary of state finds it impossible to make a division which allows each such candidate in any given district an equitable or fair opportunity to have such candidate's name first on the ballot in the respective counties of the district, the secretary of state shall order the county election officers in the various counties of the district to rotate the names of the candidates for such

district offices according to precinct to obtain an equitable division. The names of candidates for the same office but for different terms of service therein shall be arranged in groups according to the length of their respective terms.

In the case of the governor and lieutenant governor running together, when the word “candidate” is used in this section, it shall mean pair of candidates.

*(b) The secretary of state shall establish the general election ballot styles for general elections in odd-numbered year elections for municipalities by rules and regulations adopted on or before July 1, 2016.*

Sec. 35. K.S.A. 2014 Supp. 25-611 is hereby amended to read as follows: 25-611. (a) The arrangement of offices on the official general ballot for national and state offices for those offices to be elected shall be in the following order: Names of candidates for the offices of president \_\_\_\_\_ district, governor and lieutenant governor running together, secretary of state, attorney general, (and any other officers elected from the state as a whole), state senator \_\_\_\_\_ district, state representative \_\_\_\_\_ district, district judge \_\_\_\_\_ district, district magistrate judge \_\_\_\_\_ district, district attorney \_\_\_\_\_ judicial district, and state board of education member \_\_\_\_\_ district.

(b) The arrangement of offices on the official general ballot for county and township ~~and municipal~~ offices for those offices to be elected shall be in the following order: Names of candidates for county commissioner \_\_\_\_\_ district, county clerk, county treasurer, register of deeds, county attorney, sheriff, township trustee, township treasurer, *and* township clerk.

*(c) The secretary of state by rules and regulations adopted on or before July 1, 2016, shall develop the order of arrangement of municipal offices on the general election ballot in odd-numbered year elections.*

Sec. 36. K.S.A. 2014 Supp. 25-618 is hereby amended to read as follows: 25-618. (a) The official general ballot for county and township offices may be separate from the official general ballot for national and state offices or may be combined with the official general ballot provided for in K.S.A. 25-601, and amendments thereto. The secretary of state shall prescribe the ballot format but the ballot shall be substantially in the form shown in this section and K.S.A. 25-611, and amendments thereto.

STATE OF KANSAS  
OFFICIAL GENERAL BALLOT

County and Township Offices

County of \_\_\_\_\_, City (or Township) of \_\_\_\_\_

November \_\_\_\_\_, \_\_\_\_\_ year

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To vote for a person, make a cross or check mark in the square at the left of the person’s name. To vote for a person whose name is not printed on the ballot, write the person’s name in the blank space and make a cross or check mark in the square to the left.

---

FOR COUNTY COMMISSIONER

\_\_\_\_\_ DISTRICT

Vote for One

- \_\_\_\_\_
  - \_\_\_\_\_
  - \_\_\_\_\_
- 

FOR COUNTY CLERK

Vote for One

- \_\_\_\_\_
  - \_\_\_\_\_
  - \_\_\_\_\_
- 

FOR COUNTY TREASURER

Vote for One

- \_\_\_\_\_
  - \_\_\_\_\_
  - \_\_\_\_\_
- 

~~And continuing~~ *Continue* in like manner for all county and township offices to be elected.

(b) *The official general election ballot style for municipalities shall be established by the secretary of state by rules and regulations adopted on or before July 1, 2016.*

Sec. 37. K.S.A. 25-1115 is hereby amended to read as follows: 25-1115. (a) “General election” means the ~~election~~ *elections* held on the Tuesday ~~succeeding~~ *following* the first Monday in November of *both* even-numbered *and odd-numbered* years, ~~the elections held for officers on the first Tuesday in April~~, and in the case of special elections of any officers to fill vacancies, the election at which any such officer is finally elected.

(b) “Primary election” means the ~~election~~ *elections* held on the first Tuesday in August of *both* even-numbered *and odd-numbered* years, ~~the election held five weeks preceding the election on the first Tuesday in~~

~~April~~, and any other preliminary election at which part of the candidates for special election to any national, state, county, city ~~or~~, school *or other municipal* office are eliminated by the process of the election but at which no officer is finally elected.

Sec. 38. K.S.A. 2014 Supp. 25-1122 is hereby amended to read as follows: 25-1122. (a) Any registered voter may file with the county election officer where ~~such the~~ person is a resident, or where ~~such the~~ person is authorized by law to vote as a former precinct resident, an application for an advance voting ballot. The signed application shall be transmitted only to the county election officer by personal delivery, mail, facsimile or as otherwise provided by law.

(b) If the registered voter is applying for an advance voting ballot to be transmitted in person, ~~such the~~ voter shall provide identification pursuant to K.S.A. 25-2908, and amendments thereto.

(c) If the registered voter is applying for an advance voting ballot to be transmitted by mail, ~~such the~~ voter shall provide with the application for an advance voting ballot the voter's current and valid Kansas driver's license number, nondriver's identification card number or a photocopy of any other identification provided by K.S.A. 25-2908, and amendments thereto.

(d) A voter may vote a provisional ballot according to K.S.A. 25-409, and amendments thereto, if:

(1) The voter is unable or refuses to provide current and valid identification; or

(2) the name and address of the voter provided on the application for an advance voting ballot do not match the voter's name and address on the registration book. The voter shall provide a valid form of identification as defined in K.S.A. 25-2908, and amendments thereto, to the county election officer in person or provide a copy by mail or electronic means before the meeting of the county board of canvassers. At the meeting of the county board of canvassers the county election officer shall present copies of identification received from provisional voters and the corresponding provisional ballots. If the county board of canvassers determines that a voter's identification is valid and the provisional ballot was properly cast, the ballot shall be counted.

(e) No county election officer shall provide an advance voting ballot to a person who is requesting an advance voting ballot to be transmitted by mail unless:

(1) The county election official verifies that the signature of the person matches that on file in the county voter registration records. Signature verification may occur by electronic device or by human inspection. In the event that the signature of a person who is requesting an advance voting ballot does not match that on file, the county election officer shall attempt to contact the person and shall offer the person another oppor-

tunity to provide ~~such~~ *the* person's signature for the purposes of verifying the person's identity. If the county election officer is unable to reach the person, the county election officer may transmit a provisional ballot, however, such provisional ballot may not be counted unless a signature is included therewith that can be verified; and

(2) the person provides such person's full Kansas driver's license number, Kansas nondriver's identification card number issued by the division of vehicles, or submits such person's application for an advance voting ballot and a copy of identification provided by K.S.A. 25-2908, and amendments thereto, to the county election officer for verification. If a person applies for an advance voting ballot to be transmitted by mail but fails to provide identification pursuant to this subsection or the identification of ~~such~~ *the* person cannot be verified by the county election officer, the county election officer shall provide information to ~~such~~ *the* person regarding the voter rights provisions of subsection (d) and shall provide ~~such~~ *the* person an opportunity to provide identification pursuant to this subsection. For the purposes of this act, Kansas state offices and offices of any subdivision of the state will allow any person seeking to vote by an advance voting ballot the use of a photocopying device to make one photocopy of an identification document at no cost.

(f) Applications for advance voting ballots to be transmitted to the voter by mail shall be filed only at the following times:

(1) For the primary election occurring on the first Tuesday in August in *both* even-numbered *and* odd-numbered years, between April 1 of such year and the last business day of the week preceding such primary election.

(2) For the general election occurring on the Tuesday ~~succeeding~~ *following* the first Monday in November in *both* even-numbered *and* odd-numbered years, between 90 days prior to such election and the last business day of the week preceding such general election.

~~(3) For the primary election held five weeks preceding the first Tuesday in April, between January 1 of the year of such election and the last business day of the week preceding such primary election.~~

~~(4) For the general election occurring on the first Tuesday in April, between January 1 of the year of such election and the last business day of the week preceding such general election.~~

~~(5)~~(3) For question submitted elections occurring on the date of a primary or general election, the same as is provided for ballots for election of officers at such election.

~~(6)~~(4) For question submitted elections not occurring on the date of a primary or general election, between the time of the first published notice thereof and the last business day of the week preceding such question submitted election, except that if the question submitted election is held on a day other than a Tuesday, the county election officer shall



determine the final date for mailing of advance voting ballots, but such date shall not be more than three business days before such election.

~~(7)~~(5) For any special election of officers, at such time as is specified by the secretary of state.

~~(8)~~(6) For the presidential preference primary, between January 1 of the year in which such primary is held and the last business day of the week preceding such primary election.

The county election officer of any county may receive applications prior to the time specified in this subsection and hold such applications until the beginning of the prescribed application period. Such applications shall be treated as filed on that date.

(g) Unless an earlier date is designated by the county election office, applications for advance voting ballots transmitted to the voter in person in the office of the county election officer shall be filed on the Tuesday next preceding the election and on each subsequent business day until no later than 12:00 noon on the day preceding such election. If the county election officer so provides, applications for advance voting ballots transmitted to the voter in person in the office of the county election officer also may be filed on the Saturday preceding the election. Upon receipt of any such properly executed application, the county election officer shall deliver to the voter such ballots and instructions as are provided for in this act.

An application for an advance voting ballot filed by a voter who has a temporary illness or disability or who is not proficient in reading the English language or by a person rendering assistance to such voter may be filed during the regular advance ballot application periods until the close of the polls on election day.

The county election officer may designate places other than the central county election office as satellite advance voting sites. At any satellite advance voting site, a registered voter may obtain an application for advance voting ballots. ~~Such~~ Ballots and instructions shall be delivered to the voter in the same manner and subject to the same limitations as otherwise provided by this subsection.

(h) Any person having a permanent disability or an illness which has been diagnosed as a permanent illness is hereby authorized to make an application for permanent advance voting status. Applications for permanent advance voting status shall be in the form and contain such information as is required for application for advance voting ballots and also shall contain information which establishes the voter's right to permanent advance voting status.

(i) On receipt of any application filed under the provisions of this section, the county election officer shall prepare and maintain in such officer's office a list of the names of all persons who have filed such applications, together with their correct post office address and the precinct, ward, township or voting area in which ~~such~~ *the* persons claim to

be registered voters or to be authorized by law to vote as former precinct residents and the present resident address of each applicant. ~~Such~~ Names and addresses shall remain so listed until the day of such election. The county election officer shall maintain a separate listing of the names and addresses of persons qualifying for permanent advance voting status. All such lists shall be available for inspection upon request in compliance with this subsection by any registered voter during regular business hours. The county election officer upon receipt of ~~such the~~ applications shall enter upon a record kept by such officer the name and address of each applicant, which record shall conform to the list above required. Before inspection of any advance voting ballot application list, the person desiring to make ~~such the~~ inspection shall provide to the county election officer identification in the form of driver's license or other reliable identification and shall sign a log book or application form maintained by ~~such the~~ officer stating ~~such the~~ person's name and address and showing the date and time of inspection. All records made by the county election officer shall be subject to public inspection, except that the voter identification information required by subsections (b) and (c) and the identifying number on ballots and ballot envelopes and records of such numbers shall not be made public.

(j) If a person on the permanent advance voting list fails to vote in ~~two~~ *four* consecutive general elections held on the Tuesday succeeding the first Monday in November of each even-numbered *and odd-numbered* year, the county election officer may mail a notice to such voter. ~~Such~~ *The* notice shall inform the voter that the voter's name will be removed from the permanent advance voting list unless the voter renews the application for permanent advance voting status within 30 days after the notice is mailed. If the voter fails to renew such application, the county election officer shall remove the voter's name from the permanent advance voting list. Failure to renew the application for permanent advance voting status shall not result in removal of the voter's name from the voter registration list.

(k) The secretary of state may adopt rules and regulations in order to implement the provisions of this section and to define valid forms of identification.

Sec. 39. K.S.A. 25-2006 is hereby amended to read as follows: 25-2006. (a) "General election" means the election held for school officers on the ~~first Tuesday in April in any odd-numbered year, Tuesday following the first Monday in November of odd-numbered years,~~ and in the case of special elections of any school officers to fill vacancies, the election at which any such officer is finally elected.

(b) "Primary election" means the election held ~~five weeks preceding the election~~ on the first Tuesday ~~in April~~ *in August of each odd-numbered year,* and any other preliminary election at which part of the candidates

for special election to any school office are eliminated by the process of the election but at which no officer is finally elected.

Sec. 40. K.S.A. 25-2007 is hereby amended to read as follows: 25-2007. (a) “Question submitted election” means any election at which a special question is to be voted on by the electors of the state or a part of them.

(b) “County election officer” means:

(1) The election commissioner of the home county of the school district if such county has an election commissioner;

(2) the county clerk of the home county of the school district if the county does not have an election commissioner; *and*

(3) the county clerk~~-,~~ or the election commissioner if there is one~~),~~ of the county in which all or the greater part of the population is located in the case of a nonunified school district. In the event that doubt exists concerning which public officer is the county election officer under this subpart, the secretary of state shall specify such officer and such specification shall be conclusive.

(c) “Filing deadline” means ~~the hour, date or time after which it is provided by law no person may become a candidate for election to public office, for school elections the filing deadline is 12:00 o’clock noon on the Tuesday which precedes by 10 weeks the first Tuesday in April of any odd-numbered year~~ *the deadline established in K.S.A. 25-205, and amendments thereto.*

Sec. 41. K.S.A. 25-2010 is hereby amended to read as follows: 25-2010. Election of board members and question submitted elections shall be conducted by the county election officer of the home county of the school district. Board member general elections shall be held on the ~~first Tuesday in April of each odd-numbered year. If a primary election is required to be held, such~~ *Tuesday following the first Monday in November of odd-numbered years.* A primary election shall be held on the ~~first Tuesday preceding by five weeks the first Tuesday in April of odd-numbered years in August of odd-numbered years.~~

Sec. 42. K.S.A. 25-2014 is hereby amended to read as follows: 25-2014. Names of candidates appearing on the ballots in primary and general school elections shall be listed in ~~the various possible orders in rotation order as provided in K.S.A. 25-212 and 25-610, and amendments thereto.~~

Sec. 43. K.S.A. 25-2017 is hereby amended to read as follows: 25-2017. Consistent with this act the county election officer shall prescribe the form ~~and time~~ of every publication notice applicable to any primary or general school election.

Sec. 44. K.S.A. 25-2017a is hereby amended to read as follows: 25-2017a. The clerk of the board of education of every school district shall certify to the county election officer of the home county of the school

district a list of all school offices to be voted upon at each school election, any boundary changes of member districts since the last preceding election and the voting plan to be used as defined in K.S.A. 25-2005, *and amendments thereto*, not later than ~~January~~ *May* 1 of each odd-numbered year. A copy of the above information shall be furnished to the county election officer of every county in which a part of the territory of the school district is located.

Sec. 45. K.S.A. 25-2018 is hereby amended to read as follows: 25-2018. (a) Notices of board member elections and question submitted elections of a school district shall be made as provided in this section.

(b) On or before ~~January 15~~ *June 10 of odd-numbered years*, the county election officer shall publish a notice of election one time in a newspaper having general circulation in the school district. The notice for board member elections shall state: (1) The name of the school district;; (2) the date of the general election;; (3) the date of the primary election if one is held;; (4) the filing deadline and the place of filing;; and (5) the offices or positions to be filled.

(c) All notices provided for by this section shall be given in the form prescribed by the secretary of state to the extent that any notice or part thereof is prescribed by the secretary of state. The provisions of this section shall not be construed to require the secretary of state to prescribe any particular form.

(d) ~~Not less than six weeks prior to the first Tuesday in April~~ *On or before June 10 of each odd-numbered year*, a notice of primary elections shall be published by the county election officer in a newspaper having general circulation in the school district, if a primary election is required to be held. The publication shall be made one time and shall state: (1) The name of the school district;; (2) the date of the primary election;; (3) the names of the candidates and the office or position for which each is a candidate;; (4) the voting place or places and the area each voting place is to serve;; *and* (5) the times of opening and closing of the polls. Description of areas shall be in the terms determined by the county election officer.

(e) ~~Not less than three days prior to the first Tuesday in April~~ *On or before September 1 of each odd-numbered year*, a notice of the general election shall be published by the county election officer one time in a newspaper having general circulation in the school district. The notice shall state: (1) The name of the school district;; (2) the date of the general election;; (3) the names of the candidates and the office or position for which each is a candidate;; (4) the voting place or places and the area each voting place is to serve;; *and* (5) the time of opening and closing of polls. Description of areas shall be in such terms as may be determined by the county election officer.

(f) Notice of any question submitted election of any school district

shall be made in the manner provided by K.S.A. 10-120, and amendments thereto. The notice shall state: (1) the name of the school district;; (2) the date of the election;; (3) the amount of bonds to be issued, if a bond election;; (4) the proposition to be voted upon;; (5) the hours of opening and closing of the polls;; (6) the voting place or places and the area each voting place is to serve;; and (7) any other information specifically required by law. Description of areas shall be in the terms determined by the county election officer.

Sec. 46. K.S.A. 2014 Supp. 25-2020 is hereby amended to read as follows: 25-2020. (a) When a district method of election is in effect in any school district, a person may become a candidate for election to board member by any one of the following methods:

(1) Any person who is an elector in any member district may petition to be a candidate for board member from the member district in which such person resides. Any such person shall file with the county election officer, a petition for such candidacy signed by not less than 50 electors residing in such member district or by a number of such electors equal to not less than 10% of the electors residing in such member district, whichever is less.

(2) Any person who is an elector in any school district may petition to be a candidate for board member at-large from the school district in which such person resides. Any such person shall file with the county election officer, a petition for such candidacy signed by not less than 50 electors residing in such school district.

(3) Any person who is an elector in any member district may become a candidate for board member from the member district in which such person resides by filing with the county election officer a declaration of intention to become such a candidate, and payment therewith of a filing fee in the amount of ~~\$5~~ \$20. Such declaration shall be prescribed by the secretary of state.

(4) Any person who is an elector in any school district may become a candidate for board member at-large from the school district in which such person resides by filing with the county election officer a declaration of intention to become such a candidate, and payment therewith of a filing fee in the amount of ~~\$5~~ \$20. Such declaration shall be prescribed by the secretary of state.

(5) Any such petition or declaration shall specify the member position for which the person is a candidate.

(b) When the election at large method is in effect in any school district, a person may become a candidate for election to board member by either one of the following methods:

(1) Any person who is an elector of the school district may petition to be a candidate for board member. Any such person shall file with the

county election officer a petition for such candidacy signed by not less than 50 electors residing in the school district.

(2) Any person who is an elector in the unified school district may become a candidate for board member by filing with the county election officer a declaration of intention to become such a candidate, and payment therewith of a filing fee in the amount of ~~-\$5~~ \$20. Such declaration shall be prescribed by the secretary of state.

(3) Any such petition or declaration which is for an unexpired term of a member shall so specify.

(c) Any such petition or declaration of intent must be filed before the filing deadline *as prescribed in K.S.A. 25-205, and amendments thereto*. No candidate shall be permitted to withdraw from candidacy after the filing deadline.

(d) Within three days from the date of the filing of a nomination petition or a declaration of intention to become a candidate for board member, the county election officer shall determine the validity of such petition or declaration.

(e) If a nomination petition or declaration is found to be invalid, the county election officer shall notify the candidate on whose behalf the petition or declaration was filed that such nomination petition or declaration has been found to be invalid and the reason for the finding. Such candidate may make objection to the finding of invalidity by the county election officer in accordance with K.S.A. 25-308, and amendments thereto.

Sec. 47. K.S.A. 25-2022 is hereby amended to read as follows: 25-2022. Any board shall have power to fill by appointment any vacancy which occurs thereon, and such appointee shall serve for the unexpired term. When a vacancy occurs, the board shall publish a notice one time in a newspaper having general circulation in the school district stating that the vacancy has occurred and that it will be filled by appointment by the board not sooner than ~~fifteen (15)~~ 15 days after such publication. If such vacancy occurs before ~~January 1 of an odd-numbered year~~ *May 1 of the second year of the term* leaving an unexpired term of more than two years such appointee shall serve until the ~~July 1~~ *second Monday in January* after the following general school election as provided in K.S.A. 25-2023, ~~or any~~ and amendments thereto.

In the latter event, the unexpired term of two years commencing ~~July 1~~ *on the second Monday in January* after the following general school election shall be filled at such election and the ballots or ballot labels and returns of election with respect to such office shall be designated as follows: "To fill the unexpired term."

Sec. 48. K.S.A. 25-2023 is hereby amended to read as follows: 25-2023. ~~Each board member shall qualify by filing an oath of office with the election officer not later than ten (10) days~~ *The term of office of each*

*board member shall commence on the second Monday in January following the date of the election, or not later than five (5) days after issuance of such member's certificate of election, whichever is the later date. Each board member shall take office on the July 1 following the general school election. Each member elected shall qualify by filing an oath of office with the county election office. Each member elected to a board of education shall hold office until a successor is elected or appointed and qualified and shall serve for a term of four (4) years.*

Sec. 49. K.S.A. 2014 Supp. 25-2102 is hereby amended to read as follows: 25-2102. (a) “General election” means the ~~election~~ *elections* held on the Tuesday succeeding the first Monday in November of *both odd-numbered and even-numbered years, the elections held for officers on the first Tuesday in April,* and in the case of special elections of any officers to fill vacancies, the election at which any such officer is finally elected.

(b) “Primary election” means the ~~election~~ *elections* held on the first Tuesday in August of *both odd-numbered and even-numbered years, the election held five weeks preceding the election on the first Tuesday in April,* and any other preliminary election at which part of the candidates for special election to any national, state, county, city or school office are eliminated by the process of the election but at which no officer is finally elected.

(c) “District method” means the election of city officers where the city is divided into member districts or wards.

(d) “Election at large method” means the election of city officers without member districts or wards.

Sec. 50. K.S.A. 25-2107 is hereby amended to read as follows: 25-2107. *(a) The general election of city officers shall be held on the first Tuesday in April. Except as otherwise provided by law or as provided by charter ordinance passed after April 30, 1968, pursuant to article 12, section 5, of the constitution of Kansas, every city shall have an election of city officers in odd-numbered years only, and the terms of city officers shall be two (2) years. Provided, however, That the provisions of this section shall not invalidate, repeal or otherwise affect any charter ordinance of any city of the third class having a population of not less than one thousand five hundred (1,500) nor more than two thousand (2,000) located in a county having a population of not less than fifty thousand (50,000) nor more than one hundred thousand (100,000), which ordinance had become effective prior to April 30, 1968 Tuesday following the first Monday in November of each odd-numbered and even-numbered years, if needed.*

*(b) A primary may be held on the first Tuesday in August of each odd-numbered and even-numbered year, if needed, as prescribed in K.S.A. 25-205 and 25-2108a, and amendments thereto.*

Sec. 51. K.S.A. 2014 Supp. 25-2108a is hereby amended to read as follows: 25-2108a. (a) There shall be a primary election of city officers on the ~~first Tuesday preceding by five weeks the first Tuesday in April of every year that such city has a city election, except as otherwise provided in subsection (b) or subsection (c) of this section~~ *in August of each odd-numbered and even-numbered year, if needed.*

(b) In cities in which a district method of election is in effect, if there are more than three qualified candidates for any member district, the county election officer shall call, and there shall be held, a primary election in each such member district. The names of the two candidates receiving the greatest number of votes for any such member district at the primary election shall appear on the ballots in the general election. If there are three or fewer qualified candidates for any member district there shall not be a primary election and the names of the candidates shall be placed on the ballots in the general election.

(c) In cities in which the election at large method of election is in effect, if there are more than three times the number of candidates as there are members to be elected, the county election officer shall call, and there shall be held, a primary election. The names of twice the number of candidates as there are members to be elected who received the greatest number of votes at the primary election shall appear on the ballots in the general election. If there are not more than three times the number of candidates as there are members to be elected there shall not be a primary election and the names of the candidates shall be placed on the ballots in the general election.

(d) On the ballots in general city elections, blank lines for the names of write-in candidates shall be printed at the end of the list of candidates for each different office. The number of blank lines for each elected office shall be equal to the number of candidates to be elected thereto. The purpose of such blank lines shall be to permit the voter to insert the name of any person not printed on the ballot for whom such voter desires to vote for such office. No lines for write-in candidates shall appear on primary city election ballots.

Sec. 52. K.S.A. 25-2109 is hereby amended to read as follows: 25-2109. The filing deadline for all city elections shall be ~~12:00 o'clock noon of the Tuesday preceding by 10 weeks the first Tuesday in April~~ *at 12 noon on June 1 as provided in K.S.A. 25-205, and amendments thereto.*

Sec. 53. K.S.A. 2014 Supp. 25-2110 is hereby amended to read as follows: 25-2110. (a) ~~In cities of the first and second class, any person desiring to become a candidate for a city office elected at large shall file with the city clerk before the filing deadline a statement of such candidacy on a form furnished by the county election officer as specified by the secretary of state. The city clerk of any city upon receiving any filing under this section shall record the same and transmit it, together with the filing~~



~~fee or petition herein provided, within three business days to the county election officer. In cities of the third class, Any person desiring to become a candidate for city office elected at large shall file with the county election officer of the county in which the city is located, or of the county in which the greater population of the city is located if the city extends into more than one county, or the city clerk, before the filing deadline, established in K.S.A. 25-205, and amendments thereto, a statement declaration of candidacy on a form furnished by the county election officer as specified by the secretary of state.~~

~~(b) In cities having a population of less than 5,000, each such filing shall be accompanied by a filing fee of \$5 or, in lieu of such filing fee, by a petition signed by 25 qualified electors of the city or by a number of such qualified electors of the city equal to not less than 10% of the ballots cast at the last general city election, whichever is less.~~

~~(c) In cities having a population of not less than 5,000 nor more than 100,000, each such filing shall be accompanied by a filing fee of \$10 or, in lieu of such filing fee, by a petition signed by 50 qualified electors of the city or by a number of such qualified electors of the city equal to not less than 1% of the ballots cast and counted at the last general city election, whichever is less.~~

~~(d) In cities having a population of more than 100,000, each such filing shall be accompanied by a filing fee of \$50, or, in lieu of such filing fee, by a petition signed by 100 qualified electors of the city or by a number of qualified electors of the city equal to 1% of the ballots cast at the last general city election, whichever is less. *The number of qualified electors of the city which must sign a nomination petition, shall be established by the city governing body by passage of an ordinance.*~~

~~(c)~~ Within three days from the date of the filing of a nomination petition or a declaration of intention to become a candidate for a city office elected at large, the county election officer shall determine the validity of such petition or declaration.

~~(d)~~ If a nomination petition or declaration is found to be invalid, the county election officer shall notify the candidate on whose behalf the petition or declaration was filed that such nomination petition or declaration has been found to be invalid and the reason for the finding. Such candidate may make objection to the finding of invalidity by the county election officer in accordance with K.S.A. 25-308, and amendments thereto.

~~(e)~~ All city elections shall be conducted by the county election officer of the county in which such city is located, or of the county in which the greater population of the city is located if the city extends into more than one county.

Sec. 54. K.S.A. 25-2113 is hereby amended to read as follows: 25-2113. ~~(a) Except as provided in subsection (b) of this section, City elec-~~

tions shall be nonpartisan or partisan as determined by the governing body and shall be conducted in accordance with chapter 25 of the Kansas Statutes Annotated, and amendments thereto. Laws applicable to elections occurring at the same time as city elections shall apply to city elections to the extent that the same are not in conflict with the provisions of this act.

~~(b) The provisions of this subsection (b) shall apply to cities of the first class in counties which have been declared urban areas as authorized by article 2, section 17, of the constitution of Kansas. Election laws of a general nature which are applicable to partisan elections and which are not in conflict with this subsection (b) or any specific law applicable to election of city officers in any city to which this subsection (b) applies, shall apply to elections held under the provisions of this subsection (b). The county election officer shall prescribe the forms, ballots and ballot labels for every election conducted under this subsection (b), and shall make such rules and regulations not inconsistent with this subsection (b) as may be necessary for the conduct of such elections.~~

Sec. 55. K.S.A. 25-2115 is hereby amended to read as follows: 25-2115. Names of candidates appearing on the ballots in primary and general city elections ~~in cities of the first and second class~~ shall be listed in the various possible orders in rotation *and as provided in K.S.A. 25-212 and 25-610, and amendments thereto.*

Sec. 56. K.S.A. 25-2118 is hereby amended to read as follows: 25-2118. The city clerk shall certify to the county election officer a list of all city offices to be voted upon at each city election not later than ~~January~~ *May 1* of every year that such city has a city election.

Sec. 57. K.S.A. 25-2120 is hereby amended to read as follows: 25-2120. The county election officer who conducts the city election shall promptly certify to the city governing body the determination of election results made by the county board of canvassers. The term of office shall commence ~~with and include the first regular meeting of the governing body on the second Monday in January~~ following certification of the election.

Every person elected or appointed to city office, before entering upon the duties of such office, shall take and subscribe an oath or affirmation as specified in K.S.A. 54-106, *and amendments thereto*, and every such oath or affirmation shall be filed with the city clerk.

Sec. 58. K.S.A. 2014 Supp. 25-2311 is hereby amended to read as follows: 25-2311. (a) County election officers shall provide for the registration of voters at one or more places on all days except the following:

(1) Days when the main offices of the county government are closed for business, except as is otherwise provided by any county election officer under the provisions of K.S.A. 25-2312, and amendments thereto;

(2) days when the main offices of the city government are closed for

business, in the case of deputy county election officers who are city clerks except as is otherwise provided by any county election officer under the provisions of K.S.A. 25-2312, and amendments thereto;

(3) the 20 days preceding the day of primary and general ~~state~~ elections;

~~(4) the 20 days preceding the day of primary city and school elections, if either has a primary;~~

~~(5) the 20 days preceding each first Tuesday in April of odd-numbered years, being the day of city and school general elections;~~

~~(6)~~(4) the 20 days preceding the day of any election other than one specified in ~~paragraphs (3), (4) and (5)~~ of this subsection; and

~~(7)~~(5) the day of any primary or general election or any question submitted election.

(b) For the purposes of this section in counting days that registration books are to be closed, all of the days including Sunday and legal holidays shall be counted.

(c) The secretary of state shall notify every county election officer of the dates when registration shall be closed preceding primary and general ~~state, city and school~~ elections. The days so specified by the secretary of state shall be conclusive. Such notice shall be given by the secretary of state by mail at least 60 days preceding every primary and general ~~state, city and school~~ election.

(d) The last days before closing of registration books as directed by the secretary of state under subsection (c) ~~of this section~~, county election officers shall provide for registration of voters during regular business hours, during the noon hours and at other than regular business hours upon such days as the county election officers deem necessary. The last three business days before closing of registration books prior to ~~state~~ primary and general elections, county election officers may provide for registration of voters until 9 p.m. in ~~cities of the first and second class~~ *any city*.

(e) County election officers shall accept and process applications received by voter registration agencies and the division of motor vehicles not later than the 21st day preceding the date of any election; mailed voter registration applications that are postmarked not later than the 21st day preceding the date of any election; or, if the postmark is illegible or missing, is received in the mail not later than the ninth day preceding the day of any election.

(f) The secretary of state may adopt rules and regulations interpreting the provisions of this section and specifying the days when registration shall be open, days when registration shall be closed, and days when it is optional with the county election officer for registration to be open or closed.

(g) Before each primary and general election held in even-numbered *and odd-numbered* years, and at times and in a form prescribed by the

secretary of state, each county election officer shall certify to the secretary of state the number of registered voters in each precinct of the county as shown by the registration books in the office of such county election officer.

Sec. 59. K.S.A. 25-2502 is hereby amended to read as follows: 25-2502. (a) “General election” means the ~~election~~ *elections* held on the Tuesday ~~succeeding~~ *following* the first Monday in November of *both* even-numbered *and odd-numbered* years, ~~the elections held for officers on the first Tuesday in April~~, and in the case of special elections of any officers to fill vacancies, the election at which any such officer is finally elected.

(b) “Primary election” means the ~~election~~ *elections* held on the first Tuesday in August of *both* even-numbered *and odd-numbered* years, ~~the election held five weeks preceding the election on the first Tuesday in April~~, and any other preliminary election at which part of the candidates for special election to any national, state, county, township, city ~~or~~, school *or other municipal* office are eliminated by the process of the election but at which no officer is finally elected.

Sec. 60. K.S.A. 25-2804 is hereby amended to read as follows: 25-2804. (a) Each person recommended as provided in ~~subsection (a) of~~ K.S.A. 25-2803(a), and amendments thereto, shall be a resident of the area served by the voting place in which such person is to be a judge or clerk.

(b) Except as otherwise provided by this subsection, all judges and clerks shall have the qualifications of an elector in the election at which they serve, and no judge or clerk shall be a candidate for any office, other than the office of precinct committeeman or precinct committeewoman, to be elected at such election. The county election officer may appoint persons who are at least 16 years of age to serve as election judges or clerks if such persons meet all other requirements for qualification of an elector *and have a letter of recommendation from a school teacher, counselor or administrator*. ~~No more than one person under the age of 18 may be appointed to each election board~~ *1/3 of the persons appointed to each election board may be under the age of 18*.

(c) The county election officer may establish a pool of trained judges and clerks who shall be recommended by the county chairpersons specified in ~~subsection (a) of~~ K.S.A. 25-2803(a), and amendments thereto. Judges and clerks in such pool may serve at voting places other than their own if:

(1) The chairpersons specified in ~~subsection (a) of~~ K.S.A. 25-2803(a), and amendments thereto, or either of them, have failed to make appropriate recommendations;

(2) it is impossible to obtain judges and clerks for a voting place in any other way; or

(3) voting machines are used, in which case the third judge, who shall be trained in the use of voting machines, need not necessarily live in the area of the voting place.

(d) Any judge or clerk serving in a voting place not located in the area in which such judge or clerk resides or serving on a special election board established under ~~subsection (c) of K.S.A. 25-1133(c)~~, and amendments thereto, shall be allowed to vote an advance voting ballot in accordance with the provisions of K.S.A. 25-1119, and amendments thereto, or shall be excused from duties as such judge or clerk to vote at the voting place in the area where such judge or clerk resides.

Sec. 61. K.S.A. 25-2901 is hereby amended to read as follows: 25-2901. When a voter receives a ballot, or set of ballots, such voter shall go promptly and directly to one of the voting booths and mark the ballots therein. No voter shall be allowed to occupy a booth already occupied by another voter. No voter shall be allowed to occupy a booth more than ~~five~~ 10 minutes if other voters are waiting to occupy the same. The voter shall mark the ballot by making a cross or check mark in the voting squares at the left of the names of candidates.

Sec. 62. K.S.A. 25-3503 is hereby amended to read as follows: 25-3503. (a) In the event that any vacancy occurs to which this act applies, and such occurrence is not more than ~~ninety (90)~~ 90 days and not less than ~~thirty (30)~~ 30 days before any primary election ~~of state officers~~, the election provided for in this act shall be held on the same date as the primary election ~~of state officers~~.

~~(b) In the event that any vacancy occurs to which this act applies, and such occurrence is not more than ninety (90) days and not less than thirty (30) days before any regular primary or general election of city and school officers occurring in an odd-numbered year, the election provided for in this act shall be held within such ninety (90) days and on the same date as such primary or general election.~~

~~(c)(b)~~ In the event that any vacancy occurs to which this act applies, and such occurrence is not more than ~~thirty (30)~~ 30 days before any primary election ~~of state officers~~ and before the general election ~~of state officers~~, at such general election votes cast for the office ~~of congressman~~ *for members of congress* in the district in which such vacancy has occurred shall be deemed to be cast to fill the vacancy for the unexpired term, as well as for the election for the next regular term. The governor shall proclaim the date of the election to be the same as the general election ~~of state officers~~.

~~(d)(c)~~ In the event that any vacancy occurs to which this act applies, on or after the date of any general election ~~of state officers~~ and before the term of office in which the vacancy has occurred expires, votes cast for the office ~~of congressman~~ *for members of congress* in the district in which such vacancy occurs shall be deemed to have been cast to fill such

vacancy for the unexpired term, as well as for election for the next regular term. The governor's approval of this act shall be deemed to proclaim that every regular election of a representative to the United States congress shall be an election for the unexpired term if any should occur, as well as election for the next regular term. In cases to which subsection ~~(c) of this section~~ (b) or this subsection applies, the person elected for the next regular term shall be deemed to have been elected for the balance of the unexpired term also.

Sec. 63. K.S.A. 2014 Supp. 42-706 is hereby amended to read as follows: 42-706. (a) The officers of such district shall be a board of directors consisting of three members who shall be persons entitled to vote as provided in subsection ~~(h)~~ (g) and residents of a county in which the district or a portion thereof is located, or county adjoining a county in which such irrigation district or a portion thereof is located. Such members shall hold office for a period of ~~three~~ two or four years, *such term of office being established by the board of directors by passage of a resolution*, and each shall serve until a successor has been elected and qualified. The members of the board of directors first elected after the creation of an irrigation district shall hold their respective offices until the next regular election for the election of directors as provided in subsection (e) or (f) of this section except that the terms of the three directors shall be as provided in subsection (e) of this section.

(b) The chief engineer of the division of water resources, after the incorporation of such irrigation district, shall establish and designate the polling place or places therein where the first election will be conducted and fix the time for such election within 60 days after the date of incorporation. In any irrigation district of more than 35,000 acres, the chief engineer of the division of water resources shall, prior to designating polling places, establish three voting areas within such district as equal as possible in acreage and shall designate the same as the first, second or third voting area. Such polling place or places may thereafter be changed by the board of directors, and the board may arrange for polling places outside the corporate boundaries of the district if such places are more convenient than locations within the district. Prior to the holding of the first election in newly created districts, the chief engineer of the division of water resources shall appoint from the qualified electors of the district three persons for such election for each voting place who shall constitute boards of election for such district for such election. If the members appointed do not attend at the opening of the polls on the day of election, at the opening hour, the electors present at that hour shall elect from the electors present members of the election board necessary to fill the place of any absent member.

(c) The board of directors of every district of more than 35,000 acres which was incorporated prior to the effective date of this act shall establish

three voting areas within the district as equal as possible in acreage and designate the same as the first, second or third voting area. The board shall also establish and designate the polling place or places within each voting area. At the first election held after the effective date of this act, a director shall be elected from each voting area and the person receiving the highest number of votes shall serve for a term of three years, the person receiving the second highest number of votes shall serve for a term of two years, and the person receiving the third highest number of votes shall serve for a term of one year. At each subsequent election, only one director shall be elected each year for a term of three years. Any director elected under this provision must be a person entitled to vote as provided in subsection (h) for the term length established by the board.

(d) (1) Except as provided in paragraph (2), all elections shall be conducted in accordance with the general election laws of the state except as otherwise provided in this act. Advance voting as provided in article 11 of chapter 25 of the Kansas Statutes Annotated, and amendments thereto, shall be provided for by the county election officers and boards of directors for those persons entitled to vote under subsection (h) (g). The forms for the ballot envelope declaration as provided in K.S.A. 25-1120, and amendments thereto, and the applications for advance ballots as provided in K.S.A. 25-1122d, and amendments thereto, shall be modified to establish that such person is a qualified owner of irrigable land within the district. After polls are closed the election boards shall proceed to canvass the votes cast thereat, shall certify to the county election officer of the county in which all or the greater part of the population of the irrigation district is located and the chief engineer the result of such election. The clerks shall then securely wrap the ballots cast at such elections and shall express or mail the same by registered mail to the county election officer of the county in which all or the greater part of the population of the irrigation district is located. The county election officer shall canvass the ballots, verify the results and declare the person receiving the highest number of votes duly elected as director except that at the first election after creation of a district the county election officer of the county in which all or the greater part of the population of the irrigation district is located shall declare the three persons receiving the highest number of votes duly elected as directors except that in districts divided into three voting areas, the person receiving the highest number of votes in each voting area shall be duly elected as director. Such county election officer shall immediately mail, to each person elected to the office of director a certificate of election signed by such officer. The directors shall thereupon qualify and enter upon the duties of their office. Directors shall qualify by taking and subscribing to an oath of office of substantially the same tenor as oath of office prescribed for county officials. Each member of the board of directors shall execute an official bond in the sum of \$1,000 which oath and bond shall be filed with the county election officer

of the county in which all or the greater part of the population of the irrigation district is located. The treasurer of each irrigation district shall execute to the district a corporate surety bond in an amount at least equal to 125% of the amount, as near as can be ascertained, that shall be in such person's hands as treasurer at any one time. The amount and sufficiency of the bond of the treasurer shall be determined by the county election officer. Upon approval of the bond, the county election officer shall endorse such approval thereon and file the same in the office of the county election officer and shall immediately notify the county treasurer of the county in which the registered office of the irrigation district is located of such approval and filing. In the event of the breach of any condition of the treasurer's bond, the president and secretary of the board shall cause a suit to be commenced thereon in the name of the irrigation district. It shall not be necessary to include the treasurer as a party to the action and the money collected shall be applied to the use of the district, as the same should have been applied by the treasurer. Should the president and secretary neglect or refuse to prosecute such a suit, then any person entitled to vote as provided in subsection ~~(h)~~ (g) may cause such suit to be instituted. Premiums on surety bonds for such directors and treasurers of irrigation districts shall be paid by the district out of its general funds. In case the office of any director shall become vacant the remaining members of the board shall fill the vacancy by appointment. A director appointed to fill a vacancy shall serve the unexpired term of the director whose term such person was appointed to fill.

(2) For any election except the election required in subsection (b), the board of directors may adopt a procedure providing for the election of members by mail ballot. Such procedure shall require the board to mail ballots to all persons entitled to vote, to receive and tabulate the ballots, to canvass the election and to certify the results to the county election officer. The irrigation district shall be responsible for the direct expenses of conducting the election. The ballot envelope used for mailing ballots shall contain a declaration establishing that the person who signs the declaration is a qualified owner of irrigable land within the district.

(e) All regular elections of directors of irrigation districts shall be held ~~the first Tuesday in March except as provided by subsection (g)~~ *Tuesday following the first Monday in November in odd-numbered years.* Any districts organized after the regular ~~March~~ election shall hold its election at the next regular ~~March~~ election following incorporation of the district and, at this election three directors shall be elected and the person receiving the highest number of votes shall serve for a term of ~~three~~ *four* years, ~~the person~~ *persons* receiving the second *and third* highest number of votes shall serve for a term of two years, ~~and the person receiving the third highest number of votes shall serve for a term of one year.~~ In case the first election after creation of a district is held between June 1 of any year and the day preceding the ~~first Tuesday in March~~ *following the first*



*Monday in November* of the next succeeding *odd-numbered* year, the next regular ~~March~~ election shall be held in the second succeeding *odd-numbered* year. At each subsequent regular election, only one director shall be elected each year for a term of ~~three~~ *four* years. ~~All persons desiring to be voted upon as directors shall at least 30 days before the day of holding of the elections, file such person's name with the county election officer of the county in which all or the greater part of the population of the irrigation district is located, affixed to a statement that such person desires such person's name to be placed on the ticket as a candidate for member of board of directors of the district in such election. Any person desiring to be a candidate for election to the board of directors shall file a candidate's declaration of intention with the county election officer of the county in which all or the greater part of the population of the district is located. Such candidate's filing shall utilize the procedures provided in section 15, and amendments thereto, and K.S.A. 25-205, and amendments thereto. The county election officer shall make up the ticket, at expense of the irrigation district prepare the ballot, and place the names thereon in alphabetical order and shall supply election officials with necessary ballots and polling books at the irrigation district's expense. At least five days before any election held subsequent to first election of directors, the boards of directors shall name and appoint three persons for each voting place, who shall be qualified electors in the district. At least five days before any election, the county clerks of the various counties within which a portion of the district is located, shall cause to be ascertained the names of all persons entitled to vote as provided in subsection (h) (g) and shall furnish lists thereof to each election board within such county and to the secretary of the board of directors of the district. Notice of the time and places of holding of the election, signed by the president and attested by the secretary of the district shall be given in some newspaper or newspapers general election, shall be published by the county election officer in a newspaper of general circulation in the district for one issue at least five days prior to date of the election in accordance with K.S.A. 25-105, and amendments thereto. The return results of all special or bond elections shall be made available to the secretary of the district, and canvassed by the board of directors. All expenses of election, not otherwise provided for herein, shall be paid for out of the general funds of the irrigation district. Election officials shall receive the same compensation as provided under general election laws.~~

(f) In lieu of the election procedures provided in this section pertaining to regular elections of directors in accordance with the general election laws of the state, the board of directors of any irrigation district of less than 35,000 acres in size may call an annual meeting of all persons entitled to vote as provided in subsection (h) (g) for the purpose of electing directors. Such annual meeting shall be held on the first Tuesday in March, except as provided by subsection (g). Notice of the time and place

of holding said annual meeting shall be given in some newspaper or newspapers of general circulation in the district for one issue at least 30 days prior to date of such meeting. Elections at the annual meeting shall be by ballot, with absentee voting as provided under subsection (d) of this section. All persons desiring to be voted upon as director shall at least 30 days before the day of holding the annual meeting file such person's name with the secretary of the board of directors of the district, affixed to a statement that such person desires such person's name to be placed on the ballot as a candidate for member of board of directors of the district. The board of directors shall appoint three owners of irrigable land in the district to serve as an election board at the annual meeting. After the votes are cast at the annual meeting the election board shall proceed to canvass the votes and shall certify to the county election officer of the county in which all or the greater part of the population of the irrigation district is located and the chief engineer the result of such election. All provisions of this section not inconsistent with the provisions of subsection (f) shall apply to the election of directors at the annual meeting.

~~(g) In any case where the time for any regular election of directors as described in subsection (c), or the election as described in subsection (f), is the same for any two districts having the same district manager, such election shall be held on the first Wednesday following the first Tuesday in March by the district organized latest in time.~~

~~(h)~~(g) Until such time as assessments are made in the district pursuant to K.S.A. 42-715, and amendments thereto, those persons entitled to vote shall be "qualified owners of land" within the irrigation district, as such term is defined in K.S.A. 42-701, and amendments thereto, and who are otherwise qualified electors.

After lands have been assessed in the district pursuant to K.S.A. 42-715, and amendments thereto, those persons entitled to vote shall be "qualified owners of land" within the irrigation district as such term is defined in K.S.A. 42-701, and amendments thereto, which has been assessed pursuant to K.S.A. 42-715, and amendments thereto, and who are otherwise qualified electors. For voting purposes, any person entitled to vote under this subsection who owns land in more than one voting area shall vote in the voting area which includes the greatest portion of such person's land. As used in this section, the term "qualified electors" shall include a person who is the legal qualified owner of irrigable land or a person, who is authorized, in writing, to vote for a trust, corporation, association or partnership which is the legal qualified owner of irrigable land. Such person is not required to be a resident of the district. Such trust, corporation, association or partnership shall be allowed only one vote. The person authorized by such entity to vote shall be someone who is not otherwise entitled to a vote under this section.

Sec. 64. K.S.A. 71-1408 is hereby amended to read as follows: 71-

1408. Change of method of election in any community college district may be made in the manner provided in this act at any time during the period beginning on the first Wednesday in ~~April~~ *November* of each odd-numbered year and ending on the first Tuesday in ~~December~~ *June* of each even-numbered year, if such change is also approved in a manner authorized in this act before the end of such period. The new method of election in such district shall be followed in the election of trustees next following such change and shall continue in force until again changed in the manner provided in this act. Change of method of election shall not shorten the term of any trustee serving on the board at the time the change is made.

Sec. 65. K.S.A. 71-1412 is hereby amended to read as follows: 71-1412. Each member of the board of trustees of a community college shall be elected for a four-year term commencing on the ~~July 1~~ *second Monday in January* following election. Members shall serve until their successors are elected or appointed and qualified.

Sec. 66. K.S.A. 71-1413 is hereby amended to read as follows: 71-1413. (a) Elections of trustees of community colleges shall be conducted by the county election officer of the county in which the main campus of the college is located. In any college district having territory in more than one county, the county election officers of all such counties shall cooperate with the county election officer of the county in which the main campus is located, and upon establishing any new community college or adding territory to any of the community college districts, the state board, in accordance with this section, shall specify the county in which the main campus shall be located for the purpose of this section. General community college elections shall be held on the ~~first Tuesday in April of each odd-numbered year~~ *following the first Monday in November of each odd-numbered year*.

(b) Any primary community college election shall be held on the ~~Tuesday preceding by five weeks the first Tuesday in April of odd-numbered years~~ *first Tuesday of August of each odd-numbered year in accordance with K.S.A. 25-205, and amendments thereto*.

(c) *Notice of the time and place of holding each primary and general election shall be published by the county election officer in a newspaper published in the county in accordance with K.S.A. 25-105 and 25-209, and amendments thereto.*

Sec. 67. K.S.A. 71-1414 is hereby amended to read as follows: 71-1414. (a) (1) In college districts where a district method of election is in effect, a person may become a candidate for election to trustee of a community college by any one of the following methods:

(A) Any person who is an elector of any member district may petition to be a candidate for member from the member district in which such person resides. Any such person shall file with the election officer a pe-

tion for such person's candidacy signed by not less than 50 electors residing in such person's member district.

(B) Any person who is an elector of any member district may become a candidate for member from the member district in which such person resides by filing with the election officer a declaration of intent to be such a candidate, and payment therewith of a filing fee in the amount of ~~-\$5~~ \$20.

(C) If a community college adopts and implements a seven member board of trustees plan, any person who is an elector of the college district may petition to be a candidate for the at-large member position. Any such person shall file with the county election officer a petition for such candidacy signed by not less than 50 electors residing in such college district.

(D) If a community college adopts and implements a seven member board of trustees plan, any person who is an elector of the college district may become a candidate for the at-large member position by filing with the county election officer a declaration of intent to be such a candidate, and payment therewith of a filing fee in the amount of ~~-\$5~~ \$20.

(2) Every petition or declaration of intent filed under this subsection must specify the member position for which the person is a candidate.

(b) In college districts where the election-at-large method of election is in effect, a person may become a candidate for election to trustee of a community college by either one of the following methods:

(1) Any person who is an elector of the college district may petition to be a candidate for trustee. Any such person shall file with the election officer a petition for such person's candidacy signed by not less than 50 electors residing in the college district.

(2) Any person who is an elector of the college district may become a candidate for trustee by filing with the election officer a declaration of intent to be such a candidate, and payment therewith of a filing fee in the amount of ~~-\$5~~ \$20.

(c) Every petition or declaration of intent filed under this section must be filed on or before ~~12 o'clock~~ 12 noon on the Tuesday which precedes by 10 weeks the first Tuesday in April of any odd-numbered year. No such petition or declaration shall be filed sooner than the second Tuesday of the December which next precedes the community college election *June 1 of each odd-numbered year as provided in section 15, and amendments thereto, and K.S.A. 25-205, and amendments thereto.*

Sec. 68. K.S.A. 71-1419 is hereby amended to read as follows: 71-1419. ~~(a)~~ The election of trustees of community colleges shall be non-partisan and laws applicable only to partisan elections shall not apply in such elections. All laws applicable to elections, the violation of which is a crime, shall be applicable to election of trustees of community colleges.

~~(b) Except as is provided in (a) above, laws applicable to local elections, including voter registration laws, occurring at the same time as~~

~~election of trustees shall apply to the election of trustees to the extent that the same are not in conflict with the provisions of this act. The provisions of this subsection (b) shall not apply to election notices.~~

~~(c) Ballots for election of trustees shall be canvassed by the members of election boards canvassing ballots in other local elections insofar as is practicable, and where it is not practicable, the county election officer shall provide for such canvass by other appropriate means.~~

Sec. 69. K.S.A. 72-8008 is hereby amended to read as follows: 72-8008. Change of method of election or voting plan or both in any school district may be made in the manner provided in this act at any time during the period beginning on the first Wednesday in ~~April~~ *November* of each ~~odd-numbered~~ *even-numbered* year and ending on the first Tuesday in ~~December~~ *June* of each ~~even-numbered~~ *odd-numbered* year, if such change is also approved in a manner authorized in this act before the end of such period. The new method of election and voting plan in such school district shall be followed in the election of members next following such change and shall continue in force until again changed in the manner provided in this act. Change of method of election or voting plan shall not shorten the term of any member serving on the board at the time the change is made, and the county election officer shall not submit to election any plan of change which violates this prohibition.

Sec. 70. K.S.A. 80-2508 is hereby amended to read as follows: 80-2508. (a) Subject to the limitations provided in this act, any of the four methods described in this section may be used in the selection of members of boards. The four methods are:

(1) Elections of board members shall be held at the annual meeting of the qualified electors of the hospital district for the positions on the board which are to expire in such year.

(2) Board members shall be appointed by the governing bodies of the political subdivisions joining in the operation and maintenance of the hospital.

(3) (A) Elections of board members for ~~three-year~~ *four-year* terms shall be held on the ~~first Tuesday in April of each year~~ *following the first Monday in November of odd-numbered years* for the positions on the board which are to expire in such year. All positions shall be at-large. Each board member shall take office on the ~~May 1~~ *second Monday in January* following the date of election.

(B) Any person desiring to become a candidate for board member shall file with the county election officer of the county in which the political subdivisions joining in the operation and maintenance of the hospital, or the greater portion of the area thereof, are located, before the filing deadline specified in K.S.A. 25-2109, and amendments thereto, either a petition signed by not less than 50 electors eligible to vote for a

candidate or a declaration of intent to become a candidate together with a filing fee in the amount of ~~\$10~~ \$20.

(C) The county election officer of the county specified in paragraph (B) shall prepare the ballots for such election including ballots for that portion of the district located in any other county. The county election officers of each county shall conduct the election in their respective counties, and the board of county canvassers of each such county shall certify the results of the votes cast in its county to the board of county canvassers in the county in which the ballots for the election were prepared.

(D) Ballots shall be prepared in such manner that each voter is instructed to vote for the same number of candidates as the number of positions to be filled. Such instruction shall specify that the voter may vote for fewer than the total number of candidates for which the voter is qualified to vote.

~~(E) Where not in conflict with this provision of this subsection, the laws applicable to the election of city officers shall apply to the election of members of the board.~~

(4) (A) Elections of board members for four-year terms shall be held on the ~~first~~ Tuesday *succeeding the first Monday in April* November of each *odd-numbered* year for the positions on the board which are to expire in such year. All positions shall be at-large. Each board member shall take office on the ~~May 1 following the date of election~~ *second Monday in January*.

(B) Any person desiring to become a candidate for board member shall file with the county election officer of the county in which the political subdivisions joining in the operation and maintenance of the hospital, or the greater portion of the area thereof, are located, before the filing deadline specified in K.S.A. 25-2109, and amendments thereto, either a petition signed by not less than 50 electors eligible to vote for a candidate or a declaration of intent to become a candidate together with a filing fee in the amount of ~~\$10~~ \$20.

(C) The county election officer of the county specified in paragraph (B) shall prepare the ballots for such election including ballots for that portion of the district located in any other county. The county election officers of each county shall conduct the election in their respective counties, and the board of county canvassers of each such county shall certify the results of the votes cast in its county to the board of county canvassers in the county in which the ballots for the election were prepared.

(D) Ballots shall be prepared in such manner that each voter is instructed to vote for the same number of candidates as the number of positions to be filled. Such instruction shall specify that the voter may vote for fewer than the total number of candidates for which the voter is qualified to vote.

~~(E) Where not in conflict with this provision of this subsection, the~~

~~laws applicable to the election of city officers shall apply to the election of members of the board.~~

(b) If the method of selection of members of the board of any hospital is the method provided for in ~~provision (1) or provision (2)~~ of subsection (a)(1) or (2), such method of selection may be changed to the method provided for in ~~provision (3) or provision (4)~~ of subsection (a)(3) or (4) by majority vote of the qualified electors voting at an annual meeting thereof. Whenever the method of selection of members of a board is changed to the method provided for in ~~provision (3) or provision (4)~~ of subsection (a)(3) or (4), the term of each member serving on the board at the time of the change of method of selection shall expire on May 1 of the year in which the term of such member is to expire, except that for the purpose of electing members to the board at a time to coincide with elections for other purposes, the board may extend the term of any member for not to exceed one year from the date such member's term would otherwise expire and the board of Sublette hospital district may change prior to the election the length of term for one member to be elected at the 1997 election from four years to two years. If the members of the board are currently selected pursuant to ~~provision (3)~~ of subsection (a)(3), the method of selection may be changed to the method provided for in ~~provision (4)~~ of subsection (a)(4) by a majority vote of the board members.

New Sec. 71. (a) The purpose of this section is to provide an orderly and prompt means of filling vacancies in the governing body of a municipality. Prolonged vacancies in the governing body of a municipality deprive citizens of their right to representation and act as impediments to the orderly function of government of municipalities.

(b) As used in this section, the following terms are defined as follows:

(1) "Governing body" shall include the mayor and members of the council, the mayor and commissioners or the chairperson and members of the board of supervisors, depending on the form of government of the city or the consolidated city and county.

(2) "Municipality" means any city or any consolidated city and county.

(c) Except as provided in subsection (d), the governing body of any municipality where a vacancy exists shall appoint, by a majority vote of the remaining members, a person to fill the vacancy within 60 days of the vacancy. If the appointment is not made within the 60-day time frame, the governing body shall pass a resolution calling for a special election to fill such vacancy to be held within 45 days of the passage of such resolution. Candidates for the vacant office shall file for such office as provided in K.S.A. 25-2110a, and amendments thereto. The special election shall be conducted by the county election officer. The candidate receiving the highest number of votes for the vacant position shall assume such office upon certification of the election results.

(d) The provisions of subsection (c) shall not apply to any municipality which has a procedure for filling vacancies in its governing body and which has filled such vacancies within 60 days of the vacancy.

Sec. 72. K.S.A. 12-344 is hereby amended to read as follows: 12-344.

(a) Any plan submitted by the commission shall provide for the exercise of powers of local legislation and administration not inconsistent with the constitution or other laws of this state.

(b) If the commission submits a plan providing for the consolidation of certain city and county offices, functions, services and operations, the plan shall:

(1) Include a description of the form, structure, functions, powers and officers and the duties of such officers recommended in the plan;

(2) provide for the method of amendment of the plan;

(3) authorize the appointment of, or elimination of elective officials and offices;

(4) specify the effective date of the consolidation; and

(5) include other provisions determined necessary by the commission.

(c) If the plan provides for the consolidation of the city and county, in addition to the requirements of subsection (b), the plan shall:

(1) Fix the boundaries of the governing body's election districts, provide a method for changing the boundaries from time-to-time, any at-large positions on the governing body, fix the number, term and initial compensation of the governing body of the consolidated city-county and the method of election;

(2) determine whether elections of the governing body of the consolidated city-county shall be partisan or nonpartisan elections and the time at which such elections shall be held;

(3) determine the distribution of legislative and administrative duties of the consolidated city-county officials, provide for consolidation or expansion of services as necessary, authorize the appointment of a consolidated city-county administrator or a city-county manager, if deemed advisable, and prescribe the general structure of the consolidated city-county government;

(4) provide for the official name of the consolidated city-county; and

(5) provide for the transfer or other disposition of property and other rights, claims and assets of the county and city.

(d) *Vacancies in the governing body shall be filled as provided in section 71, and amendments thereto.*

Sec. 73. K.S.A. 2014 Supp. 12-363 is hereby amended to read as follows: 12-363. (a) Any plan submitted by the commission shall provide for the exercise of powers of local legislation and administration not inconsistent with the constitution or other laws of this state.

(b) If the commission submits a plan providing for the unification of



certain city and county offices, functions, services and operations, the plan shall:

- (1) Include a description of the form, structure, functions, powers and officers and the duties of such officers recommended in the plan-;
- (2) provide for the method of amendment of the plan-;
- (3) specify the effective date of the unification-; *and*
- (4) include other provisions determined necessary by the commission.

(c) If the plan provides for the unification of the city and county, in addition to the requirements of subsection (b) the plan shall:

(1) Provide that the members of the governing body be elected from districts or on an at-large basis and fix the number, term and initial compensation of the governing body of the unified city-county and the method of election-;

(2) determine whether elections of the governing body of the unified city-county shall be partisan or nonpartisan elections and the time at which such elections shall be held-;

(3) determine the distribution of legislative and administrative duties of the unified city-county officials, provide for unification or expansion of services as necessary, authorize the appointment of a city-county administrator or manager, if deemed advisable, and prescribe the general structure of the unified city-county government-;

(4) provide for the official name of the unified city-county-;

(5) provide for the transfer or other disposition of property and other rights, claims and assets of the county and city-; *and*

(6) fix the rate of the retailers' sales tax, if any.

(d) *Vacancies in the governing body shall be filled as provided in section 71, and amendments thereto.*

Sec. 74. K.S.A. 2-623, 12-344, 12-1001, 12-1002, 12-1003, 12-1004, 12-1005, 12-1005a, 12-1005b, 12-1005c, 12-1005d, 12-1005e, 12-1005f, 12-1005g, 12-1005h, 12-1005j, 12-1005k, 12-1005l, 12-1006, 12-1007, 12-1008, 12-1009, 12-1010, 12-1011, 12-1012, 12-1013, 12-1014, 12-1015, 12-1017, 12-1018, 12-1019, 12-1020, 12-1021, 12-1022, 12-1023, 12-1024, 12-1025, 12-1027, 12-1028, 12-1028a, 12-1029, 12-1030, 12-1031, 12-1032, 12-1033, 12-1034, 12-1035, 12-1036, 12-1036a, 12-1036b, 12-1036c, 12-1036d, 12-1036e, 12-1036f, 12-1036g, 12-1036h, 12-1037, 12-1038, 13-1220, 13-1221, 19-2760, 19-2762, 19-3505, 19-3507, 22a-102, 24-504, 25-209, 25-210, 25-212, 25-306b, 25-610, 25-1115, 25-2006, 25-2007, 25-2010, 25-2014, 25-2017, 25-2017a, 25-2018, 25-2022, 25-2023, 25-2107, 25-2109, 25-2113, 25-2115, 25-2118, 25-2120, 25-2502, 25-2804, 25-2901, 25-3503, 25-3905, 25-4501, 71-1408, 71-1412, 71-1413, 71-1414, 71-1417, 71-1419, 72-8008 and 80-2508 and K.S.A. 2014 Supp. 2-624, 12-363, 24-412, 24-414, 24-459, 24-506, 25-205, 25-213, 25-611,

25-618, 25-1122, 25-2020, 25-2102, 25-2108a, 25-2110, 25-2311, 25-3904, 25-3904a and 42-706 are hereby repealed.

Sec. 75. This act shall take effect and be in force from and after its publication in the statute book.

Approved June 8, 2015.

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CHAPTER 89  
HOUSE BILL No. 2025

AN ACT concerning public safety; relating to peer support counseling sessions for emergency services personnel and law enforcement personnel; the Kansas law enforcement training act; amending K.S.A. 22-2202 and K.S.A. 2014 Supp. 74-5616 and 74-5622 and repealing the existing sections.

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

Section 1. K.S.A. 2014 Supp. 74-5616 is hereby amended to read as follows: 74-5616. (a) No person shall be appointed as a full-time law enforcement officer unless the person holds a full-time active law enforcement certificate or a provisional law enforcement certificate. No person shall be appointed as a part-time officer unless the person holds a full-time active law enforcement certificate, a part-time active law enforcement certificate or a provisional certificate.

(b) The commission may suspend, condition or revoke the certification of a police officer or law enforcement officer, reprimand or censure a police officer or law enforcement officer, or deny the certification of a police officer or law enforcement officer who:

(1) Fails to meet and maintain the requirements of K.S.A. 74-5605 or 74-5607a, and amendments thereto;

(2) has knowingly submitted false or misleading documents or willfully failed to obtain any certification under the Kansas law enforcement training act;

(3) provides false information or otherwise fails to cooperate in a commission investigation to determine a person's continued suitability for law enforcement certification;

(4) fails to complete the annual continuing education required by K.S.A. 74-5607a, and amendments thereto, and implementing rules and regulations or otherwise fails to comply with the requirements of the Kansas law enforcement training act;

(5) engaged in conduct which, if charged as a crime, would constitute a felony crime under the laws of this state, a misdemeanor crime of domestic violence as defined in the Kansas law enforcement training act at the time the conduct occurred or a misdemeanor crime that the commission determines reflects on the honesty, trustworthiness, integrity or

competence of the applicant as defined by rules and regulations of the commission;

(6) has used racial or other biased-based policing prohibited by K.S.A. 2014 Supp. 22-4609, and amendments thereto; or

(7) has engaged in unprofessional conduct as defined by rules and regulations of the commission.

(c) The procedure for the censure or reprimand of a police officer or law enforcement officer, or ordering a condition, suspension, revocation or denial of certification of a person as a police officer or law enforcement officer or an applicant for certification, shall be in accordance with the Kansas administrative procedure act.

(d) The commission may commence an emergency proceeding under the Kansas administrative procedure act to suspend the certification of any police officer or law enforcement officer who engages in conduct constituting grounds for discipline in this section and whose continued performance of duties constitutes an immediate danger to the public.

(e) Any action of the commission pursuant to this section is subject to review in accordance with the Kansas judicial review act. Upon request of the commission, the attorney general shall prosecute or defend any action for review on behalf of the state, but the county or district attorney of the county where the police or law enforcement officer has been employed as such shall appear and prosecute or defend such action upon request of the attorney general or commission. The commission may elect to retain the services of a private attorney to appear and prosecute or defend any action on behalf of the commission.

*(f) The agency head or other appointing authority for a police officer or law enforcement officer under investigation for a violation of this section shall provide all reports, documentation, transcripts, recordings and other information to the commission when requested during the course of such investigation.*

Sec. 2. K.S.A. 2014 Supp. 74-5622 is hereby amended to read as follows: 74-5622. (a) Certification by the commission will remain active for a period of five years after leaving employment as a law enforcement officer. Certification which has lapsed due to more than five years since employment as a law enforcement officer may be reinstated if the applicant, within one year of reappointment:

(1) Satisfactorily completes the current basic training required under K.S.A. 74-5607a, and amendments thereto;

(2) passes a written competency test and firearms proficiency qualification course developed and administered by the Kansas law enforcement training center; or

(3) obtains from the commission pursuant to ~~subsection (b)~~ of K.S.A. 74-5608a(b), and amendments thereto, a waiver based on the training, experience and circumstances of the applicant.

(b) (1) A person whose certificate issued under the Kansas law enforcement training act has been ~~suspended or~~ revoked may petition the commission to reinstate the certificate *after the expiration of five years from the effective date of such revocation. If the commission denies a petition for reinstatement, such person may petition the commission to reinstate the certificate after the expiration of five years from such denial.*

(2) The commission may reinstate a ~~suspended or~~ revoked certificate upon a finding that the petitioner is otherwise qualified for certification under the Kansas law enforcement training act and is sufficiently rehabilitated to warrant the public trust. The burden shall be upon the petitioner to establish rehabilitation by clear and convincing evidence.

(3) In determining whether a petitioner is sufficiently rehabilitated to warrant the public trust, the commission may consider any relevant evidence, and may, but shall not be required, to consider the following factors:

~~(1)(A)~~ The present moral fitness of the petitioner for performance of duties as a police officer or law enforcement officer;

~~(2)(B)~~ the demonstrated consciousness of the wrongful conduct and disrepute which the conduct has brought upon the law enforcement profession and the administration of justice;

~~(3)(C)~~ the extent of the petitioner's rehabilitation;

~~(4)(D)~~ the nature and seriousness of the original misconduct;

~~(5)(E)~~ the conduct subsequent to discipline;

~~(6)(F)~~ the time elapsed since the original discipline; and

~~(7)(G)~~ the petitioner's character, maturity and experience at the time of the original revocation.

(4) *The proceedings on a petition for reinstatement shall be conducted in accordance with the Kansas administrative procedure act.*

New Sec. 3. (a) For the purposes of this section:

(1) "Emergency services personnel" means any employee or volunteer of an emergency services provider who is engaged in providing or supporting firefighting, dispatching services and emergency medical services.

(2) "Emergency services provider" means any public employer that employs persons to provide firefighting, dispatching services and emergency medical services.

(3) "Employee assistance program" means a program established by a law enforcement agency or emergency services provider to provide professional counseling or support services to employees of a law enforcement agency, emergency services provider or a professional mental health provider associated with a peer support team.

(4) "Law enforcement agency" means any public agency that employs law enforcement officers.

(5) "Law enforcement personnel" means a law enforcement officer,

as defined in K.S.A. 22-2202 or 74-5602, and amendments thereto, an employee or volunteer of a law enforcement agency.

(6) “Peer support counseling session” means any session conducted by a peer support specialist that is called or requested in response to a critical incident or traumatic event involving the personnel of the law enforcement agency or emergency services provider.

(7) “Peer support specialist” is a person:

(A) Designated by a law enforcement agency, emergency services provider, employee assistance program or peer support team leader to lead, moderate or assist in a peer support counseling session;

(B) who is a member of a peer support team; and

(C) has received training in counseling and providing emotional and moral support to law enforcement officers or emergency services personnel who have been involved in emotionally traumatic incidents by reason of their employment.

(8) “Peer support team” means a group of peer support specialists serving one or more law enforcement providers or emergency services providers.

(b) Any communication made by a participant or peer support specialist in a peer support counseling session pursuant to this section, and any oral or written information conveyed in or as the result of the peer support counseling session, are confidential and may not be disclosed by any person participating in the peer support counseling session.

(c) Any communication relating to a peer support counseling session made confidential under subsection (b) that is made between peer support specialists, between peer support specialists and the supervisors or staff of an employee assistance program, or between the supervisors or staff of an employee assistance program, is confidential and may not be disclosed.

(d) The provisions of this section apply only to peer support counseling sessions conducted by a peer support specialist.

(e) (1) The provisions of this section apply to all oral communications, notes, records and reports arising out of a peer support counseling session.

(2) Any notes, records or reports arising out of a peer support counseling session shall not be public records and shall not be subject to the open records act, K.S.A. 45-215 et seq., and amendments thereto. The provisions of this paragraph shall expire on July 1, 2020, unless the legislature acts to reenact such provisions. The provisions of this paragraph shall be reviewed by the legislature prior to July 1, 2020.

(f) Any communication made by a participant or peer support specialist in a peer support counseling session subject to this section, and any oral or written information conveyed in a peer support counseling session subject to this section, are not admissible in any judicial proceeding, administrative proceeding, arbitration proceeding or other adjudicatory pro-

ceeding. Communications and information made confidential under this section shall not be disclosed by the participants in any judicial proceeding, administrative proceeding, arbitration proceeding or other adjudicatory proceeding. The limitations on disclosure imposed by this subsection include disclosure during any discovery conducted as part of an adjudicatory proceeding.

(g) Nothing in this section limits the discovery or introduction into evidence of knowledge acquired by any law enforcement personnel or emergency services personnel from observation made during the course of employment, or material or information acquired during the course of employment, that is otherwise subject to discovery or introduction into evidence.

(h) This section does not apply to any:

(1) Threat of suicide or criminal act made by a participant in a peer support counseling session, or any information conveyed in a peer support counseling session relating to a threat of suicide or criminal act;

(2) information relating to abuse of spouses, children or the elderly, or other information that is required to be reported by law;

(3) admission of criminal conduct;

(4) disclosure of testimony by a participant who received peer support counseling services and expressly consented to such disclosure; or

(5) disclosure of testimony by the surviving spouse or executor or administrator of the estate of a deceased participant who received peer support counseling services and such surviving spouse or executor or administrator expressly consented to such disclosure.

(i) This section does not prohibit any communications between peer support specialists who conduct peer support counseling sessions, or any communications between peer support specialists and the supervisors or staff of an employee assistance program.

(j) This section does not prohibit communications regarding fitness of an employee for duty between an employee assistance program and an employer.

(k) This section shall be part of and supplemental to article 4 of chapter 60 of the Kansas Statutes Annotated, and amendments thereto.

Sec. 4. K.S.A. 22-2202 is hereby amended to read as follows: 22-2202. ~~(1)~~ (a) “Appellate court” means the supreme court or court of appeals, depending on the context in which the term is used and the respective jurisdiction of those courts over appeals in criminal cases, as provided in K.S.A. 22-3601, and amendments thereto.

~~(2)~~ (b) “Appearance bond” means an agreement, with or without security, entered into by a person in custody by which the person is bound to comply with the conditions specified in the agreement.

~~(3)~~ (c) “Arraignment” means the formal act of calling the defendant before a court having jurisdiction to impose sentence for the offense

charged, informing the defendant of the offense with which the defendant is charged, and asking the defendant whether the defendant is guilty or not guilty.

~~(4)~~(d) “Arrest” means the taking of a person into custody in order that the person may be forthcoming to answer for the commission of a crime. The giving of a notice to appear is not an arrest.

~~(5)~~(e) “Bail” means the security given for the purpose of insuring compliance with the terms of an appearance bond.

~~(6)~~(f) “Bind over” means require a defendant to appear and answer before a district judge having jurisdiction to try the defendant for the felony with which the defendant is charged.

~~(7)~~(g) “Charge” means a written statement presented to a court accusing a person of the commission of a crime and includes a complaint, information or indictment.

~~(8)~~(h) “Complaint” means a written statement under oath of the essential facts constituting a crime, except that a citation or notice to appear issued by a law enforcement officer pursuant to and in compliance with K.S.A. 8-2106, and amendments thereto, or a citation or notice to appear issued pursuant to and in compliance with K.S.A. 32-1049, *and amendments thereto*, shall be deemed a valid complaint if it is signed by the law enforcement officer.

~~(9)~~(i) “Custody” means the restraint of a person pursuant to an arrest or the order of a court or magistrate.

~~(10)~~(j) “Detention” means the temporary restraint of a person by a law enforcement officer.

~~(11)~~(k) “Indictment” means a written statement, presented by a grand jury to a court, which charges the commission of a crime.

~~(12)~~(l) “Information” means a verified written statement signed by a county attorney or other authorized representative of the state of Kansas presented to a court, which charges the commission of a crime. An information verified upon information and belief by the county attorney or other authorized representative of the state of Kansas shall be sufficient.

~~(13)~~(m) “Law enforcement officer” means any person who by virtue of office or public employment is vested by law with a duty to maintain public order or to make arrests for violation of the laws of the state of Kansas or ordinances of any municipality thereof or with a duty to maintain or assert custody or supervision over persons accused or convicted of crime, and includes court services officers, *community corrections officers*, parole officers and directors, security personnel and keepers of correctional institutions, jails or other institutions for the detention of persons accused or convicted of crime, while acting within the scope of their authority.

~~(14)~~(n) “Magistrate” means an officer having power to issue a warrant for the arrest of a person charged with a crime and includes justices

of the supreme court, judges of the court of appeals and judges of district courts.

~~(15)~~(o) “Notice to appear” means a written request, issued by a law enforcement officer, that a person appear before a designated court at a stated time and place.

~~(16)~~(p) “Preliminary examination” means a hearing before a magistrate on a complaint or information to determine if a felony has been committed and if there is probable cause to believe that the person charged committed it.

~~(17)~~(q) “Prosecuting attorney” means any attorney who is authorized by law to appear for and on behalf of the state of Kansas in a criminal case, and includes the attorney general, an assistant attorney general, the county or district attorney, an assistant county or district attorney and any special prosecutor whose appearance is approved by the court. In the case of prosecution for violation of a city ordinance, also, “prosecuting attorney” means the city attorney or any assistant city attorney.

~~(18)~~(r) “Search warrant” means a written order made by a magistrate directed to a law enforcement officer commanding the officer to search the premises described in the search warrant and to seize property described or identified in the search warrant.

~~(19)~~(s) “Summons” means a written order issued by a magistrate directing that a person appear before a designated court at a stated time and place and answer to a charge pending against the person.

~~(20)~~(t) “Warrant” means a written order made by a magistrate directed to any law enforcement officer commanding the officer to arrest the person named or described in the warrant.

Sec. 5. K.S.A. 22-2202 and K.S.A. 2014 Supp. 74-5616 and 74-5622 are hereby repealed.

Sec. 6. This act shall take effect and be in force from and after its publication in the statute book.

Approved June 8, 2015.

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## CHAPTER 90

HOUSE BILL No. 2055

(Amends Chapter 5)

AN ACT concerning crimes, punishment and criminal procedure; relating to battery; criminal history; aggravated battery, driving under the influence; out-of-state misdemeanors; search warrants; amending K.S.A. 2014 Supp. 21-5413, 22-2502 and 21-6811, as amended by section 2 of 2015 House Bill No. 2053, and repealing the existing sections.

WHEREAS, The provisions of K.S.A. 2014 Supp. 21-6811(c), as amended by this act, shall be known and may be cited as Mija Stockman's Law; Now, therefore,

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

Section 1. K.S.A. 2014 Supp. 21-5413 is hereby amended to read as follows: 21-5413. (a) Battery is:

(1) Knowingly or recklessly causing bodily harm to another person; or

(2) knowingly causing physical contact with another person when done in a rude, insulting or angry manner;

(b) Aggravated battery is:

(1) (A) Knowingly causing great bodily harm to another person or disfigurement of another person;

(B) knowingly causing bodily harm to another person with a deadly weapon, or in any manner whereby great bodily harm, disfigurement or death can be inflicted; or

(C) knowingly causing physical contact with another person when done in a rude, insulting or angry manner with a deadly weapon, or in any manner whereby great bodily harm, disfigurement or death can be inflicted;

(2) (A) recklessly causing great bodily harm to another person or disfigurement of another person; or

(B) recklessly causing bodily harm to another person with a deadly weapon, or in any manner whereby great bodily harm, disfigurement or death can be inflicted; or

(3) (A) committing an act described in K.S.A. 8-1567, and amendments thereto, when great bodily harm to another person or disfigurement of another person results from such act; or

(B) committing an act described in K.S.A. 8-1567, and amendments thereto, when bodily harm to another person results from such act under circumstances whereby great bodily harm, disfigurement or death can result from such act.

(c) Battery against a law enforcement officer is:

(1) Battery, as defined in subsection (a)(2), committed against a:

(A) Uniformed or properly identified university or campus police officer while such officer is engaged in the performance of such officer's duty; ~~or~~

(B) uniformed or properly identified state, county or city law enforcement officer, other than a state correctional officer or employee, a city or county correctional officer or employee, ~~a juvenile correctional facility officer or employee~~ or a juvenile detention facility officer, or employee, while such officer is engaged in the performance of such officer's duty;

~~or~~

(C) judge, while such judge is engaged in the performance of such judge's duty;

(D) attorney, while such attorney is engaged in the performance of such attorney's duty; or

(E) community corrections officer or court services officer, while such officer is engaged in the performance of such officer's duty;

(2) battery, as defined in subsection (a)(1), committed against a:

(A) Uniformed or properly identified university or campus police officer while such officer is engaged in the performance of such officer's duty; or

(B) uniformed or properly identified state, county or city law enforcement officer, other than a state correctional officer or employee, a city or county correctional officer or employee, ~~a juvenile correctional facility officer or employee~~ or a juvenile detention facility officer, or employee, while such officer is engaged in the performance of such officer's duty;

~~or~~

(C) judge, while such judge is engaged in the performance of such judge's duty;

(D) attorney, while such attorney is engaged in the performance of such attorney's duty; or

(E) community corrections officer or court services officer, while such officer is engaged in the performance of such officer's duty; or

(3) battery, as defined in subsection (a) committed against a:

(A) State correctional officer or employee by a person in custody of the secretary of corrections, while such officer or employee is engaged in the performance of such officer's or employee's duty;

(B) ~~juvenile correctional facility~~ state correctional officer or employee by a person confined in such juvenile correctional facility, while such officer or employee is engaged in the performance of such officer's or employee's duty;

(C) juvenile detention facility officer or employee by a person confined in such juvenile detention facility, while such officer or employee is engaged in the performance of such officer's or employee's duty; or

(D) city or county correctional officer or employee by a person confined in a city holding facility or county jail facility, while such officer or employee is engaged in the performance of such officer's or employee's duty.

(d) Aggravated battery against a law enforcement officer is:

(1) An aggravated battery, as defined in subsection (b)(1)(A) committed against a:

(A) Uniformed or properly identified state, county or city law enforcement officer while the officer is engaged in the performance of the officer's duty; ~~or~~

(B) uniformed or properly identified university or campus police officer while such officer is engaged in the performance of such officer's duty;

(C) *judge, while such judge is engaged in the performance of such judge's duty;*

(D) *attorney, while such attorney is engaged in the performance of such attorney's duty; or*

(E) *community corrections officer or court services officer, while such officer is engaged in the performance of such officer's duty;*

(2) an aggravated battery, as defined in subsection (b)(1)(B) or (b)(1)(C), committed against a:

(A) Uniformed or properly identified state, county or city law enforcement officer while the officer is engaged in the performance of the officer's duty; ~~or~~

(B) uniformed or properly identified university or campus police officer while such officer is engaged in the performance of such officer's duty; ~~or~~

(C) *judge, while such judge is engaged in the performance of such judge's duty;*

(D) *attorney, while such attorney is engaged in the performance of such attorney's duty; or*

(E) *community corrections officer or court services officer, while such officer is engaged in the performance of such officer's duty; or*

(3) knowingly causing, with a motor vehicle, bodily harm to a:

(A) Uniformed or properly identified state, county or city law enforcement officer while the officer is engaged in the performance of the officer's duty; or

(B) uniformed or properly identified university or campus police officer while such officer is engaged in the performance of such officer's duty.

(e) Battery against a school employee is a battery, as defined in subsection (a), committed against a school employee in or on any school property or grounds upon which is located a building or structure used by a unified school district or an accredited nonpublic school for student instruction or attendance or extracurricular activities of pupils enrolled in kindergarten or any of the grades one through 12 or at any regularly scheduled school sponsored activity or event, while such employee is engaged in the performance of such employee's duty.

(f) Battery against a mental health employee is a battery, as defined in subsection (a), committed against a mental health employee by a per-

son in the custody of the secretary for aging and disability services, while such employee is engaged in the performance of such employee's duty.

- (g) (1) Battery is a class B person misdemeanor.
- (2) Aggravated battery as defined in:
  - (A) Subsection (b)(1)(A) is a severity level 4, person felony;
  - (B) subsection (b)(1)(B) or (b)(1)(C) is a severity level 7, person felony;
  - (C) subsection (b)(2)(A) or (b)(3)(A) is a severity level 5, person felony; and
  - (D) subsection (b)(2)(B) or (b)(3)(B) is a severity level 8, person felony.
- (3) Battery against a law enforcement officer as defined in:
  - (A) Subsection (c)(1) is a class A person misdemeanor;
  - (B) subsection (c)(2) is a severity level 7, person felony; and
  - (C) subsection (c)(3) is a severity level 5, person felony.
- (4) Aggravated battery against a law enforcement officer as defined in:
  - (A) Subsection (d)(1) or (d)(3) is a severity level 3, person felony; and
  - (B) subsection (d)(2) is a severity level 4, person felony.
- (5) Battery against a school employee is a class A person misdemeanor.
- (6) Battery against a mental health employee is a severity level 7, person felony.
- (h) As used in this section:
  - (1) "Correctional institution" means any institution or facility under the supervision and control of the secretary of corrections;
  - (2) "state correctional officer or employee" means any officer or employee of the Kansas department of corrections or any independent contractor, or any employee of such contractor, *whose duties include* working at a correctional institution;
  - ~~(3) "juvenile correctional facility officer or employee" means any officer or employee of the juvenile justice authority or any independent contractor, or any employee of such contractor, working at a juvenile correctional facility, as defined in K.S.A. 2014 Supp. 38-2302, and amendments thereto;~~
  - ~~(4)~~(3) "juvenile detention facility officer or employee" means any officer or employee of a juvenile detention facility as defined in K.S.A. 2014 Supp. 38-2302, and amendments thereto;
  - ~~(5)~~(4) "city or county correctional officer or employee" means any correctional officer or employee of the city or county or any independent contractor, or any employee of such contractor, *whose duties include* working at a city holding facility or county jail facility;
  - ~~(6)~~(5) "school employee" means any employee of a unified school district or an accredited nonpublic school for student instruction or at-

tendance or extracurricular activities of pupils enrolled in kindergarten or any of the grades one through 12; ~~and~~

~~(7)~~(6) “mental health employee” means: (A) An employee of the Kansas department for aging and disability services working at Larned state hospital, Osawatomie state hospital and ~~Rainbow mental health facility~~, Kansas neurological institute and Parsons state hospital and training center and the treatment staff as defined in K.S.A. 59-29a02, and amendments thereto; and (B) *contractors and employees of contractors under contract to provide services to the Kansas department for aging and disability services working at any such institution or facility;*

(7) “judge” means *a duly elected or appointed justice of the supreme court, judge of the court of appeals, judge of any district court of Kansas, district magistrate judge or municipal court judge;*

(8) “attorney” means *a: (A) County attorney, assistant county attorney, special assistant county attorney, district attorney, assistant district attorney, special assistant district attorney, attorney general, assistant attorney general or special assistant attorney general; and (B) public defender, assistant public defender, contract counsel for the state board of indigents’ defense services or an attorney who is appointed by the court to perform services for an indigent person as provided by article 45 of chapter 22 of the Kansas Statutes Annotated, and amendments thereto;*

(9) “community corrections officer” means *an employee of a community correctional services program responsible for supervision of adults or juveniles as assigned by the court to community corrections supervision and any other employee of a community correctional services program that provides enhanced supervision of offenders such as house arrest and surveillance programs; and*

(10) “court services officer” means *an employee of the Kansas judicial branch or local judicial district responsible for supervising, monitoring or writing reports relating to adults or juveniles as assigned by the court, or performing related duties as assigned by the court.*

Sec. 2. K.S.A. 2014 Supp. 21-6811, as amended by section 2 of 2015 House Bill No. 2053, is hereby amended to read as follows: 21-6811. In addition to the provisions of K.S.A. 2014 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. 2014 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. 2014 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. 2014 Supp. 21-5405(a)(3), and amendments thereto, each prior adult conviction, diversion in lieu of criminal prosecution or juvenile adjudication for: (A) ~~Any~~ *Any* act described in K.S.A. 8-2,144 or 8-1567 or K.S.A. 2014 Supp. 8-1025, 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 ~~the~~ *any* act described in K.S.A. 8-2,144 or 8-1567 or K.S.A. 2014 Supp. 8-1025, 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. 2014 Supp. 21-5413(b)(3), 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 non-person felony for criminal history purposes: (i) Any act described in K.S.A. 8-2,144 or 8-1567 or K.S.A. 2014 Supp. 8-1025, 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 or K.S.A. 2014 Supp. 8-1025, 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 or K.S.A. 2014 Supp. 8-1025, 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 or K.S.A. 2014 Supp. 8-1025, 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. 2014 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. 2014 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 another state, it will be counted as a felony in Kansas.

(B) *If a crime is a misdemeanor in another state, the state of Kansas shall refer to the comparable offense in order to classify the out-of-state crime as a class A, B or C misdemeanor. If the comparable misdemeanor crime 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 crime, 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 nonperson. In designating a crime 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 offense in effect on the date the current crime of conviction was committed, the out-of-state conviction shall be classified as a nonperson crime.

(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. 2014 Supp. 21-6810(d)(3)(B), (d)(3)(C), (d)(3)(D) and (d)(4), 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. 2014 Supp. 21-5301, 21-5302 or 21-5303, and amendments thereto, to commit a crime shall be treated as a person or non-person 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. 2014 Supp. 21-5405(a)(3) 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 ~~this act~~ *2015 House Bill No. 2053* are procedural in nature and shall be construed and applied retroactively.

Sec. 3. K.S.A. 2014 Supp. 22-2502 is hereby amended to read as follows: 22-2502. (a) A search warrant shall be issued only upon the oral or written statement, including those conveyed or received by electronic communication, of any person under oath or affirmation which states facts sufficient to show probable cause that a crime has been, is being or is about to be committed and which particularly describes a person, place or means of conveyance to be searched and things to be seized. Any statement which is made orally shall be either taken down by a certified shorthand reporter, sworn to under oath and made part of the application for a search warrant, or recorded before the magistrate from whom the search warrant is requested and sworn to under oath. Any statement orally made shall be reduced to writing as soon thereafter as possible. If the magistrate is satisfied that grounds for the application exist or that there is probable cause to believe that they exist, the magistrate may issue a search warrant for:

(1) The search or seizure of the following:

(A) *Any thing that can be seized under the fourth amendment of the United States constitution;*

~~(A)~~(B) any thing which has been used in the commission of a crime, or any contraband or any property which constitutes or may be considered a part of the evidence, fruits or instrumentalities of a crime under the laws of this state, any other state or of the United States. The term "fruits" as used in this act shall be interpreted to include any property into which the thing or things unlawfully taken or possessed may have been converted;

~~(B)~~(C) any person who has been kidnapped in violation of the laws



of this state or who has been kidnapped in another jurisdiction and is now concealed within this state;

~~(D)~~ any human fetus or human corpse;

~~(E)~~ any biological material, DNA, cellular material, blood, hair or fingerprints;

~~(F)~~ any person for whom a valid felony arrest warrant has been issued in this state or in another jurisdiction; or

~~(G)~~ (i) any information concerning the user of an electronic communication service; any information concerning the location of electronic communications systems, including, but not limited to, towers transmitting cellular signals involved in any wire communication; and any other information made through an electronic communications system; or

(ii) the jurisdiction granted in this paragraph shall extend to information held by entities registered to do business in the state of Kansas, submitting to the jurisdiction thereof, and entities primarily located outside the state of Kansas if the jurisdiction in which the entity is primarily located recognizes the authority of the magistrate to issue the search warrant; or

(2) the installation, maintenance and use of a tracking device.

(b) (1) The search warrant under subsection (a)(2) shall authorize the installation and use of the tracking device to track and collect tracking data relating to a person or property for a specified period of time, not to exceed 30 days from the date of the installation of the device.

(2) The search warrant under subsection (a)(2) may authorize the retrieval of the tracking data recorded by the tracking device during the specified period of time for authorized use of such tracking device within a reasonable time after the expiration of such warrant, for good cause shown.

(3) The magistrate may, for good cause shown, grant one or more extensions of a search warrant under subsection (a)(2) for the use of a tracking device, not to exceed 30 days each.

(c) Before ruling on a request for a search warrant, the magistrate may require the affiant to appear personally and may examine under oath the affiant and any witnesses that the affiant may produce. Such proceeding shall be taken down by a certified shorthand reporter or recording equipment and made part of the application for a search warrant.

(d) For a warrant executed prior to July 1, 2014, affidavits or sworn testimony in support of the probable cause requirement of this section or search warrants for tracking devices shall not be made available for examination without a written order of the court, except that such affidavits or testimony when requested shall be made available to the defendant or the defendant's counsel for such disposition as either may desire.

(e) (1) For a warrant executed on or after July 1, 2014, affidavits or sworn testimony in support of the probable cause requirement of this

section or search warrants for tracking devices shall not be open to the public until the warrant has been executed. After the warrant has been executed, such affidavits or sworn testimony shall be made available to:

(A) The defendant or the defendant's counsel, when requested, for such disposition as either may desire; and

(B) any person, when requested, in accordance with the requirements of this subsection.

(2) Any person may request that affidavits or sworn testimony be disclosed by filing such request with the clerk of the court. The clerk of the court shall promptly notify the defendant or the defendant's counsel, the prosecutor and the magistrate that such request was filed.

(3) Within five business days after receiving notice of a request for disclosure from the clerk of the court, the defendant or the defendant's counsel and the prosecutor may submit to the magistrate, under seal, either:

(A) Proposed redactions, if any, to the affidavits or sworn testimony and the reasons supporting such proposed redactions; or

(B) a motion to seal the affidavits or sworn testimony and the reasons supporting such proposed seal.

(4) The magistrate shall review the requested affidavits or sworn testimony and any proposed redactions or motion to seal submitted by the defendant, the defendant's counsel or the prosecutor. The magistrate shall make appropriate redactions, or seal the affidavits or sworn testimony, as necessary to prevent public disclosure of information that would:

(A) Jeopardize the safety or well being of a victim, witness, confidential source or undercover agent, or cause the destruction of evidence;

(B) reveal information obtained from a court-ordered wiretap or from a search warrant for a tracking device that has not expired;

(C) interfere with any prospective law enforcement action, criminal investigation or prosecution;

(D) reveal the identity of any confidential source or undercover agent;

(E) reveal confidential investigative techniques or procedures not known to the general public;

(F) endanger the life or physical safety of any person;

(G) reveal the name, address, telephone number or any other information which specifically and individually identifies the victim of any sexual offense described in article 35 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 55 of chapter 21 of the Kansas Statutes Annotated or K.S.A. 2014 Supp. 21-6419 through 21-6422, and amendments thereto;

(H) reveal the name of any minor; or

(I) reveal any date of birth, personal or business telephone number, driver's license number, nondriver's identification number, social security

number, employee identification number, taxpayer identification number, vehicle identification number or financial account information.

(5) Within five business days after receiving proposed redactions or a motion to seal from the defendant, the defendant's counsel or the prosecutor, or within 10 business days after receiving notice of a request for disclosure, whichever is earlier, the magistrate shall either:

(A) Order disclosure of the affidavits or sworn testimony with appropriate redactions, if any; or

(B) order the affidavits or sworn testimony sealed and not subject to public disclosure.

(f) As used in this section:

(1) "Electronic communication" means the use of electronic equipment to send or transfer a copy of an original document;

(2) "electronic communication service" and "electronic communication system" have the meaning as defined in K.S.A. 22-2514, and amendments thereto;

(3) "tracking data" means information gathered or recorded by a tracking device; and

(4) "tracking device" means an electronic or mechanical device that permits a person to remotely determine or track the position or movement of a person or object. "Tracking device" includes, but is not limited to, a device that stores geographic data for subsequent access or analysis and a device that allows for the real-time monitoring of movement.

(g) Nothing in this section shall be construed as requiring a search warrant for cellular location information in an emergency situation pursuant to K.S.A. 22-4615, and amendments thereto.

Sec. 4. K.S.A. 2014 Supp. 21-5413, 22-2502 and 21-6811, as amended by section 2 of 2015 House Bill No. 2053, are hereby repealed.

Sec. 5. This act shall take effect and be in force from and after its publication in the statute book.

Approved June 8, 2015.

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## CHAPTER 91

### HOUSE BILL No. 2003

AN ACT concerning cities; relating to annexation; amending K.S.A. 12-520c and K.S.A. 2014 Supp. 12-520 and repealing the existing sections.

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

Section 1. K.S.A. 2014 Supp. 12-520 is hereby amended to read as follows: 12-520. (a) Except as hereinafter provided, the governing body

of any city, by ordinance, may annex land to such city if any one or more of the following conditions exist:

(1) The land is platted, and some part of the land adjoins the city.

(2) The land *adjoins the city and* is owned by or held in trust for the city or any agency thereof.

(3) The land adjoins the city and is owned by or held in trust for any governmental unit other than another city except that no city may annex land owned by a county without the express permission of the board of county commissioners of the county other than as provided in subsection (f).

(4) The land lies within or mainly within the city and has a common perimeter with the city boundary line of more than 50%.

(5) The land if annexed will make the city boundary line straight or harmonious and some part thereof adjoins the city, except no land in excess of 21 acres shall be annexed for this purpose.

(6) The tract is so situated that  $\frac{2}{3}$  of any boundary line adjoins the city, except no tract in excess of 21 acres shall be annexed under this condition.

(7) The land adjoins the city and a written petition for or consent to annexation is filed with the city by the owner.

(b) No portion of any unplatted tract of land devoted to agricultural use of 21 acres or more shall be annexed by any city under the authority of this section without the written consent of the owner thereof.

(c) No city may annex, pursuant to this section, any improvement district incorporated and organized pursuant to K.S.A. 19-2753 et seq., and amendments thereto, or any land within such improvement district. The provisions of this subsection shall apply to such improvement districts for which the petition for incorporation and organization was presented on or before January 1, 1987.

(d) Subject to the provisions of this section and ~~subsection (e) of~~ K.S.A. 12-520a(e), and amendments thereto, a city may annex, pursuant to this section, any fire district or any land within such fire district.

~~(e) Whenever any city annexes any land under the authority of paragraph 2 of subsection (a) which does not adjoin the city, tracts of land adjoining the land so annexed shall not be deemed to be adjoining the city for the purpose of annexation under the authority of this section until the adjoining land or the land so annexed adjoins the remainder of the city by reason of the annexation of the intervening territory.~~

~~(f)~~—No city may annex the right-of-way of any highway under the authority of this section unless at the time of the annexation the abutting property upon one or both sides thereof is already within the city or is annexed to the city in the same proceeding. The board of county commissioners may notify the city of the existence of *the right-of-way* of any highway which has not become part of the city by annexation and which has a common boundary with the city. The notification shall include a

legal description and a map identifying the location of the highway. The governing body of the city shall certify by ordinance that the certification is correct and declare the highway, or portion of the highway extending to the center line where another city boundary line abuts the opposing side of the highway, annexed to the city as of the date of the publication of the ordinance.

~~(g)~~(f) The governing body of any city by one ordinance may annex one or more separate tracts or lands each of which conforms to any one or more of the foregoing conditions. The invalidity of the annexation of any tract or land in one ordinance shall not affect the validity of the remaining tracts or lands which are annexed by the ordinance and which conform to any one or more of the foregoing conditions.

~~(h)~~(g) No city may utilize any provision of this section to annex a narrow corridor of land to gain access to noncontiguous tracts of land. The corridor of land must have a tangible value and purpose other than for enhancing future annexations of land by the city.

Sec. 2. K.S.A. 12-520c is hereby amended to read as follows: 12-520c. (a) The governing body of any city may by ordinance annex land not adjoining the city if the following conditions exist:

- (1) The land is located within the same county as ~~such~~ the city;
- (2) the owner or owners of the land petition for or consent in writing to the annexation of ~~such~~ the land; and
- (3) the board of county commissioners of the county, *by a 2/3 vote of the members thereof*, find and determine that the annexation of ~~such~~ the land will not hinder or prevent the proper growth and development of the area or that of any other incorporated city located within ~~such~~ the county.

(b) No land adjoining any land annexed by any city under the provisions of this section shall be deemed to be adjoining the city for the purpose of annexation under any other act or section of this act until ~~such~~ the adjoining land or the land annexed under this section shall adjoin the remainder of the city by reason of the annexation of the intervening territory.

(c) Whenever the governing body of any city deems it advisable to annex land under the provisions of this section ~~such~~, the governing body shall by resolution request the board of county commissioners of the county to make a finding as required under subsection (a)(3) ~~of this section~~. The city clerk shall file a certified copy of ~~such~~ the resolution with the board of county commissioners who shall, within ~~thirty~~ (30) 30 days following the receipt ~~thereof of the resolution~~, make findings and notify the governing body of the city ~~thereof of the board's decision~~. ~~Such findings shall be spread at length upon the journal of proceedings of said board. The failure of such board to spread such findings upon the journal shall not invalidate the same.~~

Any owner or city aggrieved by the decision of the board of county commissioners may appeal from the decision of such board to the district court of the ~~same~~ county in the manner and method set forth in K.S.A. 19-223, *and amendments thereto*. Any city so appealing shall not be required to execute the bond prescribed therein.

Sec. 3. K.S.A. 12-520c and K.S.A. 2014 Supp. 12-520 are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.

Approved June 8, 2015.



CHAPTER 92

Senate Substitute for HOUSE BILL No. 2353  
(Amends Chapter 4)

TO SEC.  
Education, department of ..... 1, 2

AN ACT concerning education; relating to the financing and instruction thereof; relating to the state board of regents; concerning university support staff; making and concerning appropriations for the fiscal years ending June 30, 2016, and June 30, 2017, for the department of education; amending K.S.A. 72-5423 and K.S.A. 2014 Supp. 72-1046b, as amended by section 29 of 2015 House Substitute for Senate Bill No. 7, 72-3715, as amended by section 36 of 2015 House Substitute for Senate Bill No. 7, 72-5413, 72-6434, as amended by section 38 of 2015 House Substitute for Senate Bill No. 7, 72-8814, as amended by section 63 of 2015 House Substitute for Senate Bill No. 7, 75-2319, as amended by section 72 of 2015 House Substitute for Senate Bill No. 7, 76-715a and 76-715b and Sections 5 and 6 of 2015 House Substitute for Senate Bill No. 7 and repealing the existing sections; also repealing K.S.A. 2014 Supp. 72-6434, as amended by section 7 of this act, and 72-8814, as amended by section 8 of this act.

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

Section 1.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Block grants to USDs..... \$4,500,000

Sec. 2.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Block grants to USDs..... \$4,500,000

Sec. 3. Section 5 of 2015 House Substitute for Senate Bill No. 7 is hereby amended to read as follows: Sec. 5. (a) As used in sections 4

through 22 of 2015 House Substitute for Senate Bill No. 7, and amendments thereto:

(1) (A) “At-risk pupils” means pupils who are eligible for free meals under the national school lunch act and who are enrolled in a district which maintains an approved at-risk pupil assistance plan.

(B) The term “at-risk pupils” shall not include any pupil: (i) Enrolled in any of the grades one through 12 who is in attendance less than full time; or (ii) who is over 19 years of age. The provisions of this paragraph shall not apply to any pupil who has an individualized education program.

(2) “Board” means the board of education of a school district.

(3) “Current school year” means the school year during which general state aid is determined by the state board under section 6 of 2015 House Substitute for Senate Bill No. 7, and amendments thereto.

(4) “Enrollment” means: (A) (i) Subject to the provisions of subsection (a)(4)(A)(ii), for school districts scheduling the school days or school hours of the school term on a trimestral or quarterly basis, the number of pupils regularly enrolled in the district on September 20 plus the number of pupils regularly enrolled in the school district on February 20 less the number of pupils regularly enrolled on February 20 who were counted in the enrollment of the school district on September 20;

(ii) for school districts not described in subsection (a)(4)(A)(i), the number of pupils regularly enrolled in the school district on September 20; and

(iii) a pupil who is a foreign exchange student shall not be counted unless such student is regularly enrolled in the school district on September 20 and attending kindergarten or any of the grades one through 12 maintained by the school district for at least one semester or two quarters or the equivalent thereof;

(B) if enrollment in a school district in any school year has decreased from enrollment in the preceding school year, enrollment of the school district in the current school year means whichever is the greater of:

(i) Enrollment in the preceding school year minus enrollment in such school year of preschool-aged at-risk pupils, if any such pupils were enrolled, plus enrollment in the current school year of preschool-aged at-risk pupils, if any such pupils are enrolled; or

(ii) the sum of enrollment in the current school year of preschool-aged at-risk pupils, if any such pupils are enrolled and the average of the sum of:

(a) Enrollment of the school district in the current school year minus enrollment in such school year of preschool-aged at-risk pupils, if any such pupils are enrolled;

(b) enrollment in the preceding school year minus enrollment in such school year of preschool-aged at-risk pupils, if any such pupils were enrolled; and

(c) enrollment in the school year next preceding the preceding school

year minus enrollment in such school year of preschool-aged at-risk pupils, if any such pupils were enrolled.

(5) “February 20” has its usual meaning, except that in any year in which February 20 is not a day on which school is maintained, it shall mean the first day after February 20 on which school is maintained.

(6) *“Federal impact aid” means an amount equal to the federally qualified percentage of the amount of moneys a district receives in the current school year under the provisions of title I of public law 874 and congressional appropriations therefor, excluding amounts received for assistance in cases of major disaster and amounts received under the low-rent housing program. The amount of federal impact aid defined herein as an amount equal to the federally qualified percentage of the amount of moneys provided for the district under title I of public law 874 shall be determined by the state board in accordance with terms and conditions imposed under the provisions of the public law and rules and regulations thereunder.*

~~(6)~~(7) “Preceding school year” means the school year immediately before the current school year.

~~(7)~~(8) “Preschool-aged at-risk pupil” means an at-risk pupil who has attained the age of four years, is under the age of eligibility for attendance at kindergarten, and has been selected by the state board in accordance with guidelines consonant with guidelines governing the selection of pupils for participation in head start programs.

~~(8)~~(9) “Preschool-aged exceptional children” means exceptional children, except gifted children, who have attained the age of three years but are under the age of eligibility for attendance at kindergarten.

~~(9)~~(10) “Pupil” means any person who is regularly enrolled in a district and attending kindergarten or any of the grades one through 12 maintained by the district, or who is regularly enrolled in a district and attending kindergarten or any of the grades one through 12 in another district in accordance with an agreement entered into under authority of K.S.A. 72-8233, and amendments thereto, or who is regularly enrolled in a district and attending special education services provided for preschool-aged exceptional children by the district.

~~(10)~~(11) “School district” means a unified school district organized and operated under the laws of this state.

~~(11)~~(12) “School year” means the 12-month period ending June 30.

~~(12)~~(13) “September 20” has its usual meaning, except that in any year in which September 20 is not a day on which school is maintained, it shall mean the first day after September 20 on which school is maintained.

~~(13)~~(14) “State board” means the state board of education.

(b) The provisions of this section shall be effective from and after July 1, 2015, through June 30, 2017.



Sec. 4. Section 6 of 2015 House Substitute for Senate Bill No. 7 is hereby amended to read as follows: Sec. 6. (a) For school year 2015-2016 and school year 2016-2017, the state board shall disburse general state aid to each school district in an amount equal to:

(1) Subject to the provisions of subsections (b) through ~~(e)~~ (f), the amount of general state aid such school district received for school year 2014-2015, if any, pursuant to K.S.A. 72-6416, prior to its repeal, as prorated in accordance with K.S.A. 72-6410, prior to its repeal, less:

(A) The amount directly attributable to the ancillary school facilities weighting as determined for school year 2014-2015 under K.S.A. 72-6443, prior to its repeal;

(B) the amount directly attributable to the cost of living weighting as determined for school year 2014-2015 under K.S.A. 2014 Supp. 72-6450, prior to its repeal;

(C) the amount directly attributable to declining enrollment state aid as determined for school year 2014-2015 under K.S.A. 2014 Supp. 72-6452, prior to its repeal; and

(D) the amount directly attributable to virtual school state aid as determined for school year 2014-2015 under K.S.A. 2014 Supp. 72-3715, and amendments thereto, plus;

(2) the amount of supplemental general state aid such school district received for school year 2014-2015, if any, pursuant to K.S.A. 72-6434, prior to its repeal, as prorated in accordance with K.S.A. 72-6434, prior to its repeal, plus;

(3) the amount of capital outlay state aid such school district received for school year 2014-2015, if any, pursuant to K.S.A. 2014 Supp. 72-8814, prior to its repeal, plus;

(4) (A) an amount that is directly attributable to the proceeds of the tax levied by the school district pursuant to section 14 of *2015 House Substitute for Senate Bill No. 7*, and amendments thereto, provided, the school district has levied such tax;

(B) an amount that is directly attributable to the proceeds of the tax levied by the school district pursuant to section 15 of *2015 House Substitute for Senate Bill No. 7*, and amendments thereto, provided, the school district has levied such tax;

(C) an amount that is directly attributable to the proceeds of the tax levied by the school district pursuant to section 16 of *2015 House Substitute for Senate Bill No. 7*, and amendments thereto, provided, the school district has levied such tax, plus;

(5) the amount of virtual school state aid such school district is to receive under K.S.A. 2014 Supp. 72-3715, and amendments thereto, plus;

(6) an amount certified by the board of trustees of the Kansas public employees retirement system which is equal to the participating employer's obligation of such school district to the system, less;

(7) an amount equal to 0.4% of the amount determined under subsection (a)(1).

(b) For any school district whose school financing sources exceeded its state financial aid for school year 2014-2015 as calculated under the school district finance and quality performance act, prior to its repeal, the amount such school district is entitled to receive under subsection (a)(1) shall be the proceeds of the tax levied by the school district pursuant to section 11, and amendments thereto, less the difference between such school district's school financing sources and its state financial aid for school year 2014-2015 as calculated under the school district finance and quality performance act, prior to its repeal.

(c) For any school district formed by consolidation in accordance with article 87 of chapter 72 of the Kansas Statutes Annotated, and amendments thereto, prior to the effective date of this act, and whose state financial aid for school year 2014-2015 was determined under K.S.A. 72-6445a, prior to its repeal, the amount of general state aid for such school district determined under subsection (a)(1) shall be determined as if such school district was not subject to K.S.A. 72-6445a, prior to its repeal, for school year 2014-2015.

(d) For any school district that consolidated in accordance with article 87 of chapter 72 of the Kansas Statutes Annotated, and amendments thereto, and such consolidation becomes effective on or after July 1, 2015, the amount of general state aid for such school district determined under subsection (a)(1) shall be the sum of the general state aid each of the former school districts would have received under subsection (a)(1).

(e) (1) For any school district that was entitled to receive school facilities weighting for school year 2014-2015 under K.S.A. 72-6415b, prior to its repeal, and which would not have been eligible to receive such weighting for school year 2015-2016 under K.S.A. 72-6415b, prior to its repeal, an amount directly attributable to the school facilities weighting as determined for school year 2014-2015 under K.S.A. 72-6415, prior to its repeal, for such school district shall be subtracted from the amount of general state aid for such school district determined under subsection (a)(1).

(2) For any school district which would have been eligible to receive school facilities weighting for school year 2015-2016 under K.S.A. 72-6415b, prior to its repeal, but which did not receive such weighting for school year 2014-2015, an amount directly attributable to the school facilities weighting as would have been determined under K.S.A. 72-6415, prior to its repeal, for school year 2015-2016 shall be added to the amount of general state aid for such school district determined under subsection (a)(1).

(3) For any school district which would have been eligible to receive school facilities weighting for school year 2016-2017 under K.S.A. 72-6415b, prior to its repeal, but which did not receive such weighting for

school year 2014-2015, and which would not have been eligible to receive such weighting for school year 2015-2016 under K.S.A. 72-6415b, prior to its repeal, an amount directly attributable to the school facilities weighting as would have been determined under K.S.A. 72-6415, prior to its repeal, for school year 2016-2017 shall be added to the amount of general state aid for such school district determined under subsection (a)(1).

*(f) (1) For any school district that received federal impact aid for school year 2014-2015, if such school district receives federal impact aid in school year 2015-2016 in an amount that is less than the amount such school district received in school year 2014-2015, then an amount equal to the difference between the amount of federal impact aid received by such school district in such school years shall be added to the amount of general state aid for such school district for school year 2015-2016 as determined under subsection (a)(1).*

*(2) For any school district that received federal impact aid for school year 2014-2015, if such school district receives federal impact aid in school year 2016-2017 in an amount that is less than the amount such school district received in school year 2014-2015, then an amount equal to the difference between the amount of federal impact aid received by such school district in such school years shall be added to the amount of general state aid for such school district for school year 2016-2017 as determined under subsection (a)(1).*

~~(f)~~(g) The general state aid for each school district shall be disbursed in accordance with appropriation acts. In the event the appropriation for general state aid exceeds the amount determined under subsection (a) for any school year, then the state board shall disburse such excess amount to each school district in proportion to such school district's enrollment.

~~(g)~~(h) The provisions of this section shall be effective from and after July 1, 2015, through June 30, 2017.

Sec. 5. From and after July 1, 2015, K.S.A. 2014 Supp. 72-1046b, as amended by section 29 of 2015 House Substitute for Senate Bill No. 7, is hereby amended to read as follows: 72-1046b. (a) As used in this section:

(1) "School district" means a school district organized and operating under the laws of this state and no part of which is located in Johnson county, Sedgwick county, Shawnee county or Wyandotte county.

(2) "Non-resident pupil" or "pupil" means a pupil who is enrolled and in attendance at a school located in a district in which such pupil is not a resident and who: (A) Lives 2½ or more miles from the attendance center the pupil would attend in the district in which the pupil resides and is not a resident of Johnson county, Sedgwick county, Shawnee county or Wyandotte county; or (B) is a member of the family of a pupil meeting the condition prescribed in subpart (A).

(3) "Member of the family" means a brother or sister of the whole

or half blood or by adoption, a stepbrother or stepsister, and a foster brother or foster sister.

(b) The board of education of any school district may allow any pupil who is not a resident of the district to enroll in and attend school in such district. The board of education of such district may furnish or provide transportation to any non-resident pupil who is enrolled in and attending school in the district pursuant to this section. If the district agrees to furnish or provide transportation to a non-resident pupil, such transportation shall be furnished or provided until the end of the school year. Prior to providing or furnishing transportation to a non-resident pupil, the district shall notify the board of education of the district in which the pupil resides that transportation will be furnished or provided.

(c) Pupils attending school in a school district in which the pupil does not reside pursuant to this section shall be counted as regularly enrolled in and attending school in the district where the pupil is enrolled for the purpose of computations under the classroom learning assuring student success act, section 4 of 2015 House Substitute for Senate Bill No. 7 et seq., and amendments thereto, and for the purposes of the statutory provisions contained in article 83 of chapter 72 of the Kansas Statutes Annotated, and amendments thereto. Such non-resident pupil shall not be charged for the costs of attendance at school.

*(d) Any pupil who was not a resident of the district in school year 2014-2015, but was allowed to enroll in and attend school in such district in school year 2014-2015 by the board of education of such district and any member of the family of such pupil regardless of whether such family member enrolled in and attended school in such district in school year 2014-2015, shall be allowed to enroll in and attend school in such district in school years 2015-2016 and 2016-2017 regardless of whether such pupil or family member of such pupil is a resident of the district in either school year, provided such pupil or such pupil's family member is in compliance with any attendance and behavior policies of the district. If transportation was furnished or provided to such pupil in school year 2014-2015 by the district, then transportation shall be furnished or provided by the district to such pupil and any family member of such pupil in school years 2015-2016 and 2016-2017, provided there is no change in such pupil's residence and no requirement for the district to furnish transportation to any additional residence.*

Sec. 6. From and after July 1, 2015, K.S.A. 2014 Supp. 72-3715, as amended by section 36 of 2015 House Substitute for Senate Bill No. 7, is hereby amended to read as follows: 72-3715. (a) In order to be included in the full-time equivalent enrollment of a virtual school, a pupil shall be in attendance at the virtual school on: (1) A single school day on or before September 19 of each school year; and (2) on a single school day on or after September 20, but before October 4 of each school year.

(b) A school district which offers a virtual school shall determine the full-time equivalent enrollment of each pupil enrolled in the virtual school on September 20 of each school year as follows:

(1) Determine the number of hours the pupil was in attendance on a single school day on or before September 19 of each school year;

(2) determine the number of hours the pupil was in attendance on a single school day on or after September 20, but before October 4 of each school year;

(3) add the numbers obtained under paragraphs (1) and (2);

(4) divide the sum obtained under paragraph (3) by 12. The quotient is the full-time equivalent enrollment of the pupil.

(c) The school days on which a district determines the full-time equivalent enrollment of a pupil under subsections (b)(1) and (2) shall be the school days on which the pupil has the highest number of hours of attendance at the virtual school. No more than six hours of attendance may be counted in a single school day. Attendance may be shown by a pupil's on-line activity or entries in the pupil's virtual school journal or log of activities.

(d) Subject to the availability of appropriations and within the limits of any such appropriations, each school year a school district which offers a virtual school shall receive virtual school state aid.

The state board of education shall determine the amount of virtual school state aid a school district is to receive as follows:

(1) For school year 2015-2016:

(A) Determine the number of pupils enrolled in virtual school on a full-time basis, excluding those pupils who are over 18 years of age, and multiply the total number of such pupils by \$5,000;

(B) determine the full-time equivalent enrollment of pupils enrolled in virtual school on a part-time basis, excluding those pupils who are over 18 years of age, and multiply the total full-time equivalent enrollment of such pupils by \$4,045;

(C) for pupils enrolled in a virtual school who are over 18 years of age, determine the number of one-hour credit courses such pupils have passed and multiply the total number of such courses by \$933; and

(D) add the amounts calculated under subsections (d)(1)(A) through (d)(1)(C). The resulting sum is the amount of virtual school state aid the school district shall receive.

(2) For school year 2016-2017:

(A) Determine the number of pupils enrolled in virtual school on a full-time basis, excluding those pupils who are over 18 years of age, and multiply the total number of such pupils by \$5,600;

(B) determine the full-time equivalent enrollment of pupils enrolled in virtual school on a part-time basis, excluding those pupils who are over 18 years of age, and multiply the total full-time equivalent enrollment of such pupils by \$1,700;

(C) for pupils enrolled in a virtual school who are over 18 years of age, determine the number of one-hour credit courses such pupils have passed and multiply the total number of such courses by \$933; and

(D) add the amounts calculated under subsections (d)(2)(A) through (d)(2)(C). The resulting sum is the amount of virtual school state aid the school district shall receive.

(3) For purposes of this subsection:

(A) "Full-time" means attendance in a virtual school for no less than six hours as determined pursuant to subsection (b).

(B) "Part-time" means attendance in a virtual school for less than six hours as determined pursuant to subsection (b).

(e) There is hereby established in every school district a fund which shall be called the virtual school fund, which fund shall consist of all moneys deposited therein or transferred thereto according to law. The expenses of a school district directly attributable to virtual schools offered by a school district may be paid from the virtual school fund. The cost of an advance placement course provided to a pupil by a virtual school shall be paid by the virtual school. Amounts deposited in the virtual school fund may be transferred to the general fund of the school district as approved by the board of education.

Any balance remaining in the virtual school fund at the end of the budget year shall be carried forward into the virtual school fund for succeeding budget years. Such fund shall not be subject to the provisions of K.S.A. 79-2925 through 79-2937, and amendments thereto.

In preparing the budget of such school district, the amounts credited to and the amount on hand in the virtual school fund, and the amount expended therefrom shall be included in the annual budget for the information of the residents of the school district. Interest earned on the investment of moneys in any such fund shall be credited to that fund.

*(f) For the purposes of this section, a pupil enrolled in a virtual school who is not a resident of the state of Kansas shall not be counted in the full-time equivalent enrollment of the virtual school. The virtual school shall record the permanent address of any pupil enrolled in such virtual school.*

Sec. 7. K.S.A. 2014 Supp. 72-6434, as amended by section 38 of 2015 House Substitute for Senate Bill No. 7, is hereby amended to read as follows: 72-6434. (a) For school year 2014-2015, each district that has adopted a local option budget is eligible for entitlement to an amount of supplemental general state aid. Except as provided by K.S.A. 2014 Supp. 72-6434b, and amendments thereto, entitlement of a district to supplemental general state aid shall be determined by the state board as provided in this subsection. The state board shall:

(1) Determine the amount of the assessed valuation per pupil in the preceding school year of each district in the state;

(2) rank the districts from low to high on the basis of the amounts of assessed valuation per pupil determined under subsection (a)(1);

(3) identify the amount of the assessed valuation per pupil located at the 81.2 percentile of the amounts ranked under subsection (a)(2);

(4) divide the assessed valuation per pupil of the district as determined under subsection (a)(1) by the amount identified under subsection (a)(3);

(5) (A) if the quotient obtained under subsection (a)(4) is less than one, subtract the quotient obtained under subsection (a)(4) from one, and multiply such difference by the amount of the local option budget of the school district; or

(B) if the quotient obtained under subsection (a)(4) equals or exceeds one, the school district shall not be entitled to receive supplemental general state aid; and

(6) determine the amount of supplemental general state aid for each school district eligible to receive such state aid as follows:

(A) For those school districts ranked in the lowest quintile of those school districts eligible to receive supplemental general state aid under subsection (a)(5), multiply the product calculated under subsection (a)(5)(A) by 97%;

(B) for those school districts ranked in the second lowest quintile of those school districts eligible to receive supplemental general state aid under subsection (a)(5), multiply the product calculated under subsection (a)(5)(A) by 95%;

(C) for those school districts ranked in the third lowest quintile of those school districts eligible to receive supplemental general state aid under subsection (a)(5), multiply the product calculated under subsection (a)(5)(A) by 92%;

(D) for those school districts ranked in the second highest quintile of those school districts eligible to receive supplemental general state aid under subsection (a)(5), multiply the product calculated under subsection (a)(5)(A) by 82%; and

(E) for those school districts ranked in the highest quintile of those school districts eligible to receive supplemental general state aid under subsection (a)(5), multiply the product calculated under subsection (a)(5)(A) by 72%.

(b) If the amount of appropriations for supplemental general state aid is less than the amount each district is entitled to receive for the school year, the state board shall prorate the amount appropriated among the districts in proportion to the amount each district is entitled to receive.

(c) The state board shall prescribe the dates upon which the distribution of payments of supplemental general state aid to school districts shall be due. Payments of supplemental general state aid shall be distributed to districts on the dates prescribed by the state board. The state board shall certify to the director of accounts and reports the amount due

each district, and the director of accounts and reports shall draw a warrant on the state treasurer payable to the treasurer of the district. Upon receipt of the warrant, the treasurer of the district shall credit the amount thereof to the supplemental general fund of the district to be used for the purposes of such fund.

(d) If any amount of supplemental general state aid that is due to be paid during the month of June of a school year pursuant to the other provisions of this section is not paid on or before June 30 of such school year, then such payment shall be paid on or after the ensuing July 1, as soon as moneys are available therefor. Any payment of supplemental general state aid that is due to be paid during the month of June of a school year and that is paid to school districts on or after the ensuing July 1 shall be recorded and accounted for by school districts as a receipt for the school year ending on the preceding June 30.

(e) (1) Except as provided by paragraph (2), moneys received as supplemental general state aid shall be used to meet the requirements under the school performance accreditation system adopted by the state board, to provide programs and services required by law and to improve student performance.

(2) Amounts of supplemental general state aid attributable to any percentage over 25% of state financial aid determined for the current school year may be transferred to the capital improvements fund of the district and the capital outlay fund of the district if such transfers are specified in the resolution authorizing the adoption of a local option budget in excess of 25%.

(f) For the purposes of determining the total amount of state moneys paid to school districts, all moneys appropriated as supplemental general state aid shall be deemed to be state moneys for educational and support services for school districts.

(g) For school year 2014-2015, for those school districts whose total assessed valuation for school year 2015-2016 is less than such district's total assessed valuation for school year 2014-2015, and the difference in total assessed valuation between school year 2014-2015 and school year 2015-2016 is an amount that is greater than 25% of the total assessed valuation of such district for school year 2014-2015, and such reduction in total assessed valuation is the ~~direct~~ result of the classification of tangible personal property within such district for property tax purposes pursuant to K.S.A. 2014 Supp. 79-507, and amendments thereto, the assessed valuation per pupil for purposes of determining supplemental general state aid shall be based on such school district's total assessed valuation for school year 2015-2016.

Sec. 8. K.S.A. 2014 Supp. 72-8814, as amended by section 63 of 2015 Senate Bill No. 7, is hereby amended to read as follows: 72-8814. (a) There is hereby established in the state treasury the school district capital



outlay state aid fund. Such fund shall consist of all amounts transferred thereto under the provisions of subsection (c).

(b) For school year 2014-2015, each school district which levies a tax pursuant to K.S.A. 72-8801 et seq., and amendments thereto, shall be entitled to receive payment from the school district capital outlay state aid fund in an amount determined by the state board of education as provided in this subsection. The state board of education shall:

(1) Determine the amount of the assessed valuation per pupil (AVPP) of each school district in the state and round such amount to the nearest \$1,000. The rounded amount is the AVPP of a school district for the purposes of this section;

(2) prepare a schedule of dollar amounts using the amount of the AVPP of the school district with the lowest AVPP of all school districts as the point of beginning. The schedule of dollar amounts shall range upward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the highest AVPP of all school districts;

(3) determine a state aid percentage factor for each school district by assigning a state aid computation percentage to the amount of the lowest AVPP shown on the schedule and decreasing the state aid computation percentage assigned to the amount of the lowest AVPP by one percentage point for each \$1,000 interval above the amount of the lowest AVPP. Except as provided by K.S.A. 2014 Supp. 72-8814b, and amendments thereto, the state aid percentage factor of a school district is the percentage assigned to the schedule amount that is equal to the amount of the AVPP of the school district. The state aid computation percentage is 75%;

(4) determine the amount levied by each school district pursuant to K.S.A. 72-8801 et seq., and amendments thereto; and

(5) multiply the amount computed under subsection (b)(4), but not to exceed 8 mills, by the applicable state aid percentage factor for the school district. The product is the amount of payment the school district is entitled to receive from the school district capital outlay state aid fund in the school year.

(c) During the fiscal year ending June 30, 2015:

(1) On February 20, 2015, the director of accounts and reports shall transfer \$25,300,000 from the state general fund to the school district capital outlay state aid fund. The state board of education shall distribute such moneys to pay the proportionate share of the entitlements to each school district as determined under the provisions of subsection (b); and

(2) on June 20, 2015, the director of accounts and reports shall transfer the remaining amount of moneys to which the school districts are entitled to receive from the state general fund to the school district capital outlay state aid fund pursuant to the provisions of subsection (b). Such transferred amount shall not exceed ~~\$2,202,500~~ \$3,958,900. The state

board of education shall distribute such moneys to pay the share of the entitlement to each school district as determined under the provisions of subsection (b).

(d) Payments from the school district capital outlay state aid fund shall be distributed to school districts at times determined by the state board of education. The state board of education shall certify to the director of accounts and reports the amount due each school district entitled to payment from the fund, and the director of accounts and reports shall draw a warrant on the state treasurer payable to the treasurer of the school district. Upon receipt of the warrant, the treasurer of the school district shall credit the amount thereof to the capital outlay fund of the school district to be used for the purposes of such fund.

(e) Amounts transferred to the capital outlay fund of a school district as authorized by K.S.A. 72-6433, and amendments thereto, shall not be included in the computation when determining the amount of state aid to which a district is entitled to receive under this section.

(f) For school year 2014-2015, for those school districts whose total assessed valuation for school year 2015-2016 is less than such district's total assessed valuation for school year 2014-2015, and the difference in total assessed valuation between school year 2014-2015 and school year 2015-2016 is an amount that is greater than 25% of the total assessed valuation of such district for school year 2014-2015, and such reduction in total assessed valuation is the ~~direct~~ result of the classification of tangible personal property within such district for property tax purposes ~~pursuant to K.S.A. 2014 Supp. 79-507, and amendments thereto~~, the assessed valuation per pupil for purposes of determining capital outlay state aid shall be based on such school district's total assessed valuation for school year 2015-2016.

Sec. 9. From and after July 1, 2015, K.S.A. 2014 Supp. 75-2319, as amended by section 72 of 2015 House Substitute for Senate Bill No. 7, is hereby amended to read as follows: 75-2319. (a) There is hereby established in the state treasury the school district capital improvements fund. The fund shall consist of all amounts transferred thereto under the provisions of subsection (c).

(b) Subject to the provisions of subsection (f), in each school year, each school district which is obligated to make payments from its capital improvements fund shall be entitled to receive payment from the school district capital improvements fund in an amount determined by the state board of education as provided in this subsection.

(1) For general obligation bonds approved for issuance at an election held prior to July 1, 2015, the state board of education shall:

(A) Determine the amount of the assessed valuation per pupil (AVPP) of each school district in the state and round such amount to the

nearest \$1,000. The rounded amount is the AVPP of a school district for the purposes of this subsection (b)(1);

(B) determine the median AVPP of all school districts;

(C) prepare a schedule of dollar amounts using the amount of the median AVPP of all school districts as the point of beginning. The schedule of dollar amounts shall range upward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the highest AVPP of all school districts and shall range downward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the lowest AVPP of all school districts;

(D) determine a state aid percentage factor for each school district by assigning a state aid computation percentage to the amount of the median AVPP shown on the schedule, decreasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each \$1,000 interval above the amount of the median AVPP, and increasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each \$1,000 interval below the amount of the median AVPP. Except as provided by K.S.A. 2014 Supp. 75-2319c, and amendments thereto, the state aid percentage factor of a school district is the percentage assigned to the schedule amount that is equal to the amount of the AVPP of the school district. The state aid percentage factor of a school district shall not exceed 100%. The state aid computation percentage is 25%;

(E) determine the amount of payments that a school district is obligated to make from its bond and interest fund attributable to ~~contractual bond obligations incurred by the school district~~ *general obligation bonds approved for issuance at an election held prior to July 1, 2015*; and

(F) multiply the amount determined under subsection (b)(1)(E) by the applicable state aid percentage factor.

(2) For general obligation bonds approved for issuance at an election held on or after July 1, 2015, but prior to July 1, 2017, the state board of education shall:

(A) Determine the amount of the AVPP of each school district in the state and round such amount to the nearest \$1,000. The rounded amount is the AVPP of a school district for the purposes of this subsection (b)(2);

(B) prepare a schedule of dollar amounts using the amount of the AVPP of the school district with the lowest AVPP of all school districts as the point of beginning. The schedule of dollar amounts shall range upward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the highest AVPP of all school districts;

(C) determine a state aid percentage factor for each school district by assigning a state aid computation percentage to the amount of the

lowest AVPP shown on the schedule and decreasing the state aid computation percentage assigned to the amount of the lowest AVPP by one percentage point for each \$1,000 interval above the amount of the lowest AVPP. Except as provided by K.S.A. 2014 Supp. 75-2319c, and amendments thereto, the state aid percentage factor of a school district is the percentage assigned to the schedule amount that is equal to the amount of the AVPP of the school district. The state aid computation percentage is 75%;

(D) determine the amount of payments that a school district is obligated to make from its bond and interest fund attributable to ~~contractual bond obligations incurred by the school district~~ *general obligation bonds approved for issuance at an election held on or after July 1, 2015, but prior to July 1, 2017*; and

(E) multiply the amount determined under subsection (b)(2)(D) by the applicable state aid percentage factor.

(3) The sum of the amount determined under subsection (b)(1)(F) and the amount determined under subsection (b)(2)(E) is the amount of payment the school district is entitled to receive from the school district capital improvements fund in the school year.

(c) The state board of education shall certify to the director of accounts and reports the entitlements of school districts determined under the provisions of subsection (b), and an amount equal thereto shall be transferred by the director from the state general fund to the school district capital improvements fund for distribution to school districts. All transfers made in accordance with the provisions of this subsection shall be considered to be demand transfers from the state general fund, except that all such transfers during the fiscal years ending June 30, 2013, June 30, 2014, June 30, 2015, and June 30, 2016, shall be considered to be revenue transfers from the state general fund.

(d) Payments from the school district capital improvements fund shall be distributed to school districts at times determined by the state board of education to be necessary to assist school districts in making scheduled payments pursuant to contractual bond obligations. The state board of education shall certify to the director of accounts and reports the amount due each school district entitled to payment from the fund, and the director of accounts and reports shall draw a warrant on the state treasurer payable to the treasurer of the school district. Upon receipt of the warrant, the treasurer of the school district shall credit the amount thereof to the bond and interest fund of the school district to be used for the purposes of such fund.

(e) The provisions of this section apply only to contractual obligations incurred by school districts pursuant to general obligation bonds issued upon approval of a majority of the qualified electors of the school district voting at an election upon the question of the issuance of such bonds.

Sec. 10. From and after July 1, 2015, K.S.A. 2014 Supp. 76-715a is hereby amended to read as follows: 76-715a. (a) The state board of regents, in accordance with the provisions of this section, may authorize any state institution of higher education to convert all classified staff employee positions or any portion thereof in the institution to the unclassified service of state employment. *Except as otherwise provided for leave time in K.S.A. 2014 Supp. 76-715b, and amendments thereto*, those classified staff employees whose positions are converted from classified to unclassified status shall retain all health and flexible benefits and leave and retirement benefits provided to them under the state classified employee system. Each institution designated by the board shall develop a plan for a system for administration of all other aspects of employment for these employees, including personnel policies and procedures, and each such system of administration shall be subject to approval by the state board of regents. Such personnel policies and procedures shall include a disciplinary and grievance process which provides for the right to appeal and due process procedures. Development of such plan shall be subject to input from affected classified employees. Implementation of this section shall not cause a salary reduction or layoff of any classified employee. This section shall not be implemented by the state board of regents at any state institution of higher education unless an election has been held for classified staff employees affected by such proposal at such institution and the classified staff employees voting at the election by majority vote approve the conversion of the classified staff employee positions affected by such proposal at that institution to unclassified positions. Any such election held after the effective date of this act shall be preceded by an official announcement providing at least 90 day's notice of the date, time and place of the election. After a vote of approval, the state educational institution shall provide all affected employees with opportunities for input into the development of the plan that is to be presented to the state board of regents.

(b) For the limited purposes of this section, and K.S.A. 74-4925, and amendments thereto, these newly designated unclassified employees shall be referred to as "university support staff" and the university of Kansas medical center shall be considered a state institution of higher education separate from the university of Kansas, Lawrence, and its campuses.

(c) Nothing in this act shall affect the representation rights of collective bargaining organizations that represent employees of a state institution of higher education, nor shall the provisions of this act affect any term or condition of any collective bargaining agreement in effect on the effective date of this act.

Sec. 11. From and after July 1, 2015, K.S.A. 2014 Supp. 76-715b is hereby amended to read as follows: 76-715b. (a) As used in this section:

(1) "State board" means the state board of regents.

(2) “State educational institution” has the meaning ascribed thereto in K.S.A. 76-711, and amendments thereto.

(3) “Leave time” means vacation leave and discretionary day leave.

(b) The state board may adopt a policy which authorizes state educational institutions to provide leave time to the classified employees *and university support staff* of any such institution in an amount not to exceed the amount of leave time provided to unclassified employees of such institution.

(c) Subject to the policy of the state board adopted pursuant to this section, each state educational institution may provide leave time to classified employees *and university support staff* of such institution. The amount of leave time may vary from the amount of leave time provided to classified *or unclassified* employees of state agencies that are not state educational institutions.

(d) The state board shall adopt any rules and regulations necessary to implement the provisions of this act.

Sec. 12. From and after July 1, 2015, K.S.A. 2014 Supp. 72-5413 is hereby amended to read as follows: 72-5413. As used in this act, and ~~in acts amendatory thereof or supplemental~~ *amendments* thereto:

(a) The term “persons” includes one or more individuals, organizations, associations, corporations, boards, committees, commissions, agencies, or their representatives.

(b) “Board of education” means the state board of education pursuant to its authority under K.S.A. 76-1001a and 76-1101a, and amendments thereto, the board of education of any school district, the board of control of any area vocational-technical school and the board of trustees of any community college.

(c) “Professional employee” means any person employed by a board of education in a position which requires a certificate issued by the state board of education or employed by a board of education in a professional, educational or instructional capacity, but shall not mean any such person who is an administrative employee and, commencing in the 2006-2007 school year, shall not mean any person who is a retirant from school employment of the Kansas public employees retirement system, regardless of whether an agreement between a board of education and an exclusive representative of professional employees that covers terms and conditions of professional service provides to the contrary.

(d) “Administrative employee” means, in the case of a school district, any person who is employed by a board of education in an administrative capacity and who is fulfilling duties for which an administrator’s certificate is required under K.S.A. 72-7513, and amendments thereto; and, in the case of an area vocational-technical school or community college, any person who is employed by the board of control or the board of trustees in an administrative capacity and who is acting in that capacity and who

has authority, in the interest of the board of control or the board of trustees, to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward or discipline other employees, or responsibly to direct them or to adjust their grievances, or effectively to recommend a preponderance of such actions, if in connection with the foregoing, the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment.

(e) “Professional employees’ organizations” means any one or more organizations, agencies, committees, councils or groups of any kind in which professional employees participate, and which exist for the purpose, in whole or part, of engaging in professional negotiation with boards of education with respect to the terms and conditions of professional service or for the purpose of professional development or liability protection.

(f) “Representative” means any professional employees’ organization or any person it authorizes or designates to act in its behalf or any person a board of education authorizes or designates to act in its behalf.

(g) “Professional negotiation” means meeting, conferring, consulting and discussing in a good faith effort by both parties to reach agreement with respect to the terms and conditions of professional service.

(h) “Mediation” means the effort through interpretation and advice by an impartial third party to assist in reconciling a dispute concerning terms and conditions of professional service which arose in the course of professional negotiation between a board of education or its representatives and representatives of the recognized professional employees’ organization.

(i) “Fact-finding” means the investigation by an individual or board of a dispute concerning terms and conditions of professional service which arose in the course of professional negotiation, and the submission of a report by such individual or board to the parties to such dispute which includes a determination of the issues involved, findings of fact regarding such issues, and the recommendation of the fact-finding individual or board for resolution of the dispute.

(j) “Strike” means an action taken for the purpose of coercing a change in the terms and conditions of professional service or the rights, privileges or obligations thereof, through any failure by concerted action with others to report for duty including, but not limited to, any work stoppage, slowdown, or refusal to work.

(k) “Lockout” means action taken by a board of education to provoke interruptions of or prevent the continuity of work normally and usually performed by the professional employees for the purpose of coercing professional employees into relinquishing rights guaranteed by this act and the act of which this section is amendatory.

(l) (1) “Terms and conditions of professional service” means: (A) Salaries and wages, including pay for duties under supplemental contracts;

hours and amounts of work; vacation allowance, holiday, sick, extended, sabbatical; and other leave, and number of holidays; retirement; insurance benefits; wearing apparel; pay for overtime; jury duty; grievance procedure, including binding arbitration of grievances; disciplinary procedure; resignations; termination and nonrenewal of contracts; reemployment of professional employees; terms and form of the individual professional employee contract; probationary period; professional employee appraisal procedures; each of the foregoing being a term and condition of professional service, regardless of its impact on the employee or on the operation of the educational system; (B) matters which relate to privileges to be granted the recognized professional employees' organization, including, but not limited to, voluntary payroll deductions; dissemination of information regarding the professional negotiation process and related matters to members of the bargaining unit on school or college premises through direct contact with members of the bargaining unit; reasonable leaves of absence for members of the bargaining unit for organizational purposes, such as engaging in professional negotiation and partaking of instructional programs properly related to the representation of the bargaining unit; any of the foregoing privileges which are granted the recognized professional employees' organization through the professional negotiation process shall not be granted to any other professional employees' organization; and (C) such other matters as the parties mutually agree upon as properly related to professional service including, but not limited to, employment incentive or retention bonuses authorized under K.S.A. 72-8246, and amendments thereto.

(2) Nothing in this act, and amendments thereto, shall authorize any professional employees' organization to be granted the exclusive privilege of access to the use of school or college facilities for meetings, the use of bulletin boards on or about the facility or the use of school or college mail systems.

(3) Nothing in this act, and amendments thereto, shall authorize the diminution of any right, duty or obligation of either the professional employee or the board of education which have been fixed by statute or by the constitution of this state. Except as otherwise expressly provided in this subsection (1), the fact that any matter may be the subject of a statute or the constitution of this state does not preclude negotiation thereon so long as the negotiation proposal would not prevent the fulfillment of the statutory or constitutional objective.

(4) Matters which relate to the duration of the school term, and specifically to consideration and determination by a board of education of the question of the development and adoption of a policy to provide for a school term consisting of school hours, are not included within the meaning of terms and conditions of professional service and are not subject to professional negotiation.

(m) "Secretary" means the secretary of labor or a designee thereof.



(n) “Statutory declaration of impasse date” means ~~June 1~~ July 31 in the current school year.

(o) “Supplemental contracts” means contracts for employment duties other than those services covered in the principal or primary contract of employment of the professional employee and shall include, but not be limited to, such services as coaching, supervising, directing and assisting extracurricular activities, chaperoning, ticket-taking, lunchroom supervision, and other similar and related activities.

Sec. 13. From and after July 1, 2015, K.S.A. 72-5423 is hereby amended to read as follows: 72-5423. (a) Nothing in this act, or the act of which this section is amendatory, shall be construed to change or affect any right or duty conferred or imposed by law upon any board of education, except that boards of education are required to comply with this act, and the act of which this section is amendatory, in recognizing professional employees’ organizations, and when such an organization is recognized, the board of education and the professional employees’ organization shall enter into professional negotiations on request of either party at any time during the school year prior to issuance or renewal of the annual teachers’ contracts. Notices to negotiate on new items or to amend an existing contract must be filed on or before ~~February 1~~ March 31 in any school year by either party, such notices shall be in writing and delivered to the chief administrative officer of the board of education or to the representative of the bargaining unit and shall contain in reasonable and understandable detail the purpose of the new or amended items desired.

(b)(1) *Upon entering negotiations pursuant to this section, the parties shall negotiate compensation of professional employees and hours and amounts of work. In addition, each party may select not more than three additional terms and conditions of professional service from the list described in K.S.A. 72-5413(l)(1), and amendments thereto, for negotiation. All other terms and conditions of professional service described in K.S.A. 72-5413(l)(1), and amendments thereto, shall be deemed permissive topics for negotiation and shall only be negotiated upon the mutual agreement of the parties.*

(2) *For purposes of this section, the term “compensation” means salary and wages, supplemental contract salaries and pay for overtime.*

(3) *The provisions of this subsection shall not apply to negotiations between a board of education and a professional employees’ organization negotiating for the purpose of reaching their first agreement.*

(c) Except as otherwise expressly provided in this subsection, every meeting, conference, consultation and discussion between a professional employees’ organization or its representatives and a board of education or its representatives during the course of professional negotiation and every hearing conducted by the secretary under K.S.A. 72-5426, and

amendments thereto, for determination of the question of the existence of impasse is subject to the provisions of the Kansas open meetings law, and any amendments or supplements thereto. Meetings, conferences, consultations and discussions held by the secretary under K.S.A. 72-5426, and amendments thereto, for investigation of the question of the existence of impasse, and meetings, conferences, consultations and discussions held during the course of and in connection with, and the meeting required at the conclusion of, impasse resolution proceedings, as provided for in K.S.A. 72-5427 and 72-5428, and amendments ~~to such sections thereto~~, are specifically made exempt from the provisions of the Kansas open meetings law, and any amendments or supplements thereto.

~~(c)~~(d) Nothing in this act, or the act of which this section is amendatory, shall be construed to authorize a strike by professional employees.

~~(d)~~(e) Any agreement lawfully made under the provisions of this act, or the act of which this section is amendatory, may be adopted by reference and made a part of the employment contract between any professional employee of the applicable negotiating unit and a board of education for a period of not to exceed three years.

(f) *Those individuals selected by the board of education and the professional employees' organization to conduct negotiations pursuant to this act shall complete training on conducting negotiations each year. The content and format of the training for these individuals shall be determined by the respective party each individual represents in negotiations.*

Sec. 14. K.S.A. 2014 Supp. 72-6434, as amended by section 38 of 2015 House Substitute for Senate Bill No. 7, and 72-8814, as amended by section 63 of 2015 House Substitute for Senate Bill No. 7, are hereby repealed.

Sec. 15. From and after July 1, 2015, K.S.A. 72-5423 and K.S.A. 2014 Supp. 72-1046b, as amended by section 29 of 2015 House Substitute for Senate Bill No. 7, 72-3715, as amended by section 36 of 2015 House Substitute for Senate Bill No. 7, 72-5413, 72-6434, as amended by section 7 of this act, 72-8814, as amended by section 8 of this act, 75-2319, as amended by section 72 of 2015 House Substitute for Senate Bill No. 7, 76-715a and 76-715b and Sections 5 and 6 of 2015 House Substitute for Senate Bill No. 7 are hereby repealed.

Sec. 16. This act shall take effect and be in force from and after its publication in the Kansas register.

Approved June 9, 2015.

Published in the *Kansas Register* June 11, 2015.

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## CHAPTER 93

HOUSE BILL No. 2331

(Amends Chapter 16)

AN ACT concerning firearms; relating to possession of firearms; amending K.S.A. 2014 Supp. 12-16,124 and 75-7c04, as amended by section 9 of 2015 Senate Bill No. 45, and repealing the existing sections.

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

Section 1. K.S.A. 2014 Supp. 12-16,124 is hereby amended to read as follows: 12-16,124. (a) No city or county shall adopt or enforce any ordinance, resolution or regulation, and no agent of any city or county shall take any administrative action, governing *the requirement of fees, licenses or permits for, the commerce in or the sale, purchase, transfer, ownership, storage, carrying* ~~or, transporting or taxation~~ of firearms or ammunition, or any component or combination thereof.

~~(b) No city or county shall adopt or enforce any ordinance, resolution or regulation relating to the sale of a firearm by an individual, who holds a federal firearms license, that is more restrictive than any ordinance, resolution or regulation relating to the sale of any other commercial good.~~

~~(c)(b)~~ Any ordinance, resolution or regulation prohibited by either subsection (a) ~~or (b)~~ that was adopted prior to July 1, ~~2014~~ 2015, shall be null and void.

~~(d)~~(c) Nothing in this section shall:

(1) Prohibit a city or county from adopting and enforcing any ordinance, resolution or regulation relating to the personnel policies of such city or county and the carrying of firearms by employees of such city or county, except that any such ordinance, resolution or regulation shall comply with the provisions of K.S.A. 2014 Supp. 75-7c01 et seq., and amendments thereto;

(2) prohibit a city or county from adopting any ordinance, resolution or regulation pursuant to K.S.A. 2014 Supp. 75-7c20, and amendments thereto; ~~or~~

(3) prohibit a law enforcement officer, as defined in K.S.A. 22-2202, and amendments thereto, from acting within the scope of such officer's duties; *or*

(4) *prohibit a city or county from levying and collecting any retailers' sales tax on the sale of firearms, ammunition or any component or combination thereof as authorized by K.S.A. 12-189, and amendments thereto.*

Sec. 2. K.S.A. 2014 Supp. 75-7c04, as amended by section 9 of 2015 Senate Bill No. 45, is hereby amended to read as follows: 75-7c04. (a) The attorney general shall not issue a license pursuant to this act if the applicant:

(1) Is not a resident of the county where application for licensure is made or is not a resident of the state;

(2) is prohibited from shipping, transporting, possessing or receiving

a firearm or ammunition under 18 U.S.C. § 922(g) or (n), and amendments thereto, or K.S.A. 21-4204, prior to its repeal, or K.S.A. 2014 Supp. 21-6301(a)(10) through (a)(13) or K.S.A. 2014 Supp. 21-6304(a)(1) through (a)(3), and amendments thereto; or

~~(3) has been convicted of or was adjudicated a juvenile offender because of the commission of an act which if done by an adult would constitute the commission of any of the offenses described in K.S.A. 2014 Supp. 21-6304(a)(1) and (a)(3), and amendments thereto; or~~

~~(4) is less than 21 years of age.~~

(b) (1) The attorney general shall adopt rules and regulations establishing procedures and standards as authorized by this act for an eight-hour handgun safety and training course required by this section. Such standards shall include: (A) A requirement that trainees receive training in the safe storage of handguns, actual firing of handguns and instruction in the laws of this state governing the carrying of concealed handguns and the use of deadly force; (B) general guidelines for courses which are compatible with the industry standard for basic handgun training for civilians; (C) qualifications of instructors; and (D) a requirement that the course be: (i) A handgun course certified or sponsored by the attorney general; or (ii) a handgun course certified or sponsored by the national rifle association or by a law enforcement agency, college, private or public institution or organization or handgun training school, if the attorney general determines that such course meets or exceeds the standards required by rules and regulations adopted by the attorney general and is taught by instructors certified by the attorney general or by the national rifle association, if the attorney general determines that the requirements for certification of instructors by such association meet or exceed the standards required by rules and regulations adopted by the attorney general. Any person wanting to be certified by the attorney general as an instructor shall submit to the attorney general an application in the form required by the attorney general and a fee not to exceed \$150.

(2) The cost of the handgun safety and training course required by this section shall be paid by the applicant. The following shall constitute satisfactory evidence of satisfactory completion of an approved handgun safety and training course:

(A) Evidence of completion of the course, in the form provided by rules and regulations adopted by the attorney general;

(B) an affidavit from the instructor, school, club, organization or group that conducted or taught such course attesting to the completion of the course by the applicant; or

(C) a determination by the attorney general pursuant to subsection (c).

(c) The attorney general may:

(1) Create a list of concealed carry handgun licenses or permits issued

by other jurisdictions which the attorney general finds have training requirements that are equal to or greater than those of this state; and

(2) review each application received pursuant to K.S.A. 2014 Supp. 75-7c05, and amendments thereto, to determine if the applicant's previous training qualifications were equal to or greater than those of this state.

(d) For the purposes of this section:

(1) "Equal to or greater than" means the applicant's prior training meets or exceeds the training established in this section by having required, at a minimum, the applicant to: (A) Receive instruction on the laws of self-defense; and (B) demonstrate training and competency in the safe handling, storage and actual firing of handguns.

(2) "Jurisdiction" means another state or the District of Columbia.

(3) "License or permit" means a concealed carry handgun license or permit from another jurisdiction which has not expired and, except for any residency requirement of the issuing jurisdiction, is currently in good standing.

Sec. 3. K.S.A. 2014 Supp. 12-16,124 and 75-7c04, as amended by section 9 of 2015 Senate Bill No. 45, are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.

Approved June 9, 2015.

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## CHAPTER 94

### SENATE BILL No. 113

AN ACT concerning human trafficking and related crimes; relating to commercial sexual exploitation of a child; civil action for victims; restitution; amending K.S.A. 2014 Supp. 21-5501, 21-6328, 22-3424, 22-3436, 22-3701, 22-3727, 22-3727a, 22-4614, 23-2225, 23-3222, 38-2202, 38-2271, 38-2309, 38-2310, 39-970, 44-706, 59-2132, 59-29a14, 60-455, 60-5001, 65-5117, 72-1397, 74-7305, 75-452 and 76-11a13 and repealing the existing sections; also repealing K.S.A. 2013 Supp. 38-2310, as amended by section 2 of chapter 131 of the 2014 Session Laws of Kansas.

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

New Section 1. (a) A victim of the conduct of another that would constitute conduct prohibited by K.S.A. 2014 Supp. 21-5426, and amendments thereto, human trafficking or aggravated human trafficking, or K.S.A. 2014 Supp. 21-6422, and amendments thereto, commercial sexual exploitation of a child, may bring an action in an appropriate state court against the person or persons who engaged in such conduct if the victim suffered personal or psychological injury as a result of the conduct. Such

victim may seek actual damages, exemplary or punitive damages, injunctive relief and any other appropriate relief.

(b) In an action under this section, the court shall award a prevailing plaintiff the cost of the suit, including reasonable attorney fees. A victim who is awarded damages under this section shall be deemed to have sustained damages of at least \$150,000.

(c) Notwithstanding any other provision of law, any action commenced under this section shall be filed within 10 years after the later of the date on which the victim:

- (1) Was freed from the human trafficking situation; or
- (2) attained 18 years of age.

(d) At the victim's request, the attorney general may pursue cases on behalf of any Kansas victim under this section. All damages obtained shall go to the victim, and the attorney general may seek reasonable attorney fees and costs.

(e) Any action brought under this section shall be subject to the provisions of K.S.A. 74-7312, and amendments thereto.

(f) This section does not preclude any other remedy available to the victim under federal law or law of this state.

Sec. 2. K.S.A. 2014 Supp. 21-5501 is hereby amended to read as follows: 21-5501. The following definitions shall apply when the words and phrases defined are used in article 55 of chapter 21 of the Kansas Statutes Annotated, and K.S.A. 2014 Supp. 21-6419 through ~~21-6421~~ 21-6422, and amendments thereto, except when a particular context clearly requires a different meaning:

(a) "Sexual intercourse" means any penetration of the female sex organ by a finger, the male sex organ or any object. Any penetration, however slight, is sufficient to constitute sexual intercourse. "Sexual intercourse" does not include penetration of the female sex organ by a finger or object in the course of the performance of:

- (1) Generally recognized health care practices; or
- (2) a body cavity search conducted in accordance with K.S.A. 22-2520 through 22-2524, and amendments thereto.

(b) "Sodomy" means oral contact or oral penetration of the female genitalia or oral contact of the male genitalia; anal penetration, however slight, of a male or female by any body part or object; or oral or anal copulation or sexual intercourse between a person and an animal. "Sodomy" does not include penetration of the anal opening by a finger or object in the course of the performance of:

- (1) Generally recognized health care practices; or
- (2) a body cavity search conducted in accordance with K.S.A. 22-2520 through 22-2524, and amendments thereto.

(c) "Spouse" means a lawful husband or wife, unless the couple is living apart in separate residences or either spouse has filed an action for

annulment, separate maintenance or divorce or for relief under the protection from abuse act.

(d) “Unlawful sexual act” means any rape, indecent liberties with a child, aggravated indecent liberties with a child, criminal sodomy, aggravated criminal sodomy, lewd and lascivious behavior, sexual battery or aggravated sexual battery, as defined in this code.

Sec. 3. K.S.A. 2014 Supp. 21-6328 is hereby amended to read as follows: 21-6328. As used in the Kansas racketeer influenced and corrupt organization act:

(a) “Beneficial interest” means:

(1) The interest of a person as a beneficiary under any trust arrangement pursuant to which a trustee holds legal or record title to real property for the benefit of such person; or

(2) the interest of a person under any other form of express fiduciary arrangement pursuant to which any other person holds legal or record title to real property for the benefit of such person.

The term “beneficial interest” does not include the interest of a stock holder in a corporation or the interest of a partner in either a general partnership or a limited partnership. A beneficial interest shall be deemed to be located where the real property owned by the trustee is located.

(b) “Covered person” means any person who:

(1) Is a criminal street gang member or criminal street gang associate, as defined in K.S.A. 2014 Supp. 21-6313, and amendments thereto;

(2) has engaged in or is engaging in any conduct prohibited by K.S.A. 2014 Supp. 21-5426, and amendments thereto, human trafficking or aggravated human trafficking, *or K.S.A. 2014 Supp. 21-6422, and amendments thereto, commercial sexual exploitation of a child; or*

(3) has engaged in or is engaging in any conduct prohibited by K.S.A. 2014 Supp. 21-5703, and amendments thereto, unlawful manufacturing of controlled substances, or K.S.A. 2014 Supp. 21-5705, and amendments thereto, unlawful cultivation or distribution of controlled substances.

(c) “Documentary material” means any book, paper, document, writing, drawing, graph, chart, photograph, phonorecord, magnetic tape, computer printout, other data compilation from which information can be obtained or from which information can be translated into usable form, or other tangible item.

(d) “Enterprise” means any individual, sole proprietorship, partnership, corporation, business trust, union chartered under the laws of this state, or other legal entity, or any unchartered union, association, or group of individuals associated in fact although not a legal entity; and it includes illicit as well as licit enterprises and governmental, as well as other, entities. A criminal street gang, as defined in K.S.A. 2014 Supp. 21-6313, and amendments thereto, constitutes an enterprise.

(e) “Pattern of racketeering activity” means engaging in at least two

incidents of racketeering activity that have the same or similar intents, results, accomplices, victims or methods of commission or that otherwise are interrelated by distinguishing characteristics and are not isolated incidents, provided at least one of such incidents occurred after the effective date of this act and that the last of such incidents occurred within 5 years, excluding any period of imprisonment, after a prior incident of racketeering activity.

(f) “Racketeering activity” means to commit, attempt to commit, conspire to commit or to solicit, coerce or intimidate another person to commit:

(1) Any felony or misdemeanor violation of: The felony provisions of K.S.A. 8-1568, and amendments thereto, fleeing or attempting to elude a police officer; K.S.A. 9-508 et seq., and amendments thereto, Kansas money transmitter act; article 12a of chapter 17 of the Kansas Statutes Annotated, and amendments thereto, Kansas uniform securities act; K.S.A. 2014 Supp. 21-5401, and amendments thereto, capital murder; K.S.A. 2014 Supp. 21-5402, and amendments thereto, murder in the first degree; K.S.A. 2014 Supp. 21-5403, and amendments thereto, murder in the second degree; K.S.A. 2014 Supp. 21-5408, and amendments thereto, kidnapping or aggravated kidnapping; K.S.A. 2014 Supp. 21-5412, and amendments thereto; K.S.A. 2014 Supp. 21-5413, and amendments thereto; K.S.A. 2014 Supp. 21-5414, and amendments thereto, domestic battery; K.S.A. 2014 Supp. 21-5415, and amendments thereto, criminal threat or aggravated criminal threat; K.S.A. 2014 Supp. 21-5420, and amendments thereto, robbery or aggravated robbery; K.S.A. 2014 Supp. 21-5421, and amendments thereto, terrorism; K.S.A. 2014 Supp. 21-5422, and amendments thereto, illegal use of weapons of mass destruction; K.S.A. 2014 Supp. 21-5423, and amendments thereto; K.S.A. 2014 Supp. 21-5426, and amendments thereto, human trafficking or aggravated human trafficking; K.S.A. 2014 Supp. 21-5428, and amendments thereto, blackmail; K.S.A. 2014 Supp. 21-5510, and amendments thereto, sexual exploitation of a child; K.S.A. 2014 Supp. 21-5601, and amendments thereto, endangering a child or aggravated endangering a child; K.S.A. 2014 Supp. 21-5602, and amendments thereto, abuse of a child; K.S.A. 2014 Supp. 21-5603, and amendments thereto, contributing to a child’s misconduct or deprivation; ~~subsection (b) of~~ K.S.A. 2014 Supp. 21-5607(b), and amendments thereto, furnishing alcoholic beverages to a minor for illicit purposes; article 57 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, crimes involving controlled substances; K.S.A. 2014 Supp. 21-5801, and amendments thereto, theft; K.S.A. 2014 Supp. 21-5803, and amendments thereto, criminal deprivation of property; K.S.A. 2014 Supp. 21-5805, and amendments thereto; K.S.A. 2014 Supp. 21-5807, and amendments thereto, burglary or aggravated burglary; K.S.A. 2014 Supp. 21-5812, and amendments thereto, arson or aggravated arson; K.S.A. 2014 Supp. 21-5813, and amendments



thereto, criminal damage to property; K.S.A. 2014 Supp. 21-5814, and amendments thereto, criminal use of an explosive; K.S.A. 2014 Supp. 21-5818, and amendments thereto, tampering with a pipeline; K.S.A. 2014 Supp. 21-5821, and amendments thereto, giving a worthless check; K.S.A. 2014 Supp. 21-5823, and amendments thereto, forgery; K.S.A. 2014 Supp. 21-5824, and amendments thereto, making false information; K.S.A. 2014 Supp. 21-5825, and amendments thereto, counterfeiting; K.S.A. 2014 Supp. 21-5826, and amendments thereto, destroying written instrument; K.S.A. 2014 Supp. 21-5828, and amendments thereto, criminal use of a financial card; K.S.A. 2014 Supp. 21-5838, and amendments thereto, conducting a pyramid promotional scheme; K.S.A. 2014 Supp. 21-5839, and amendments thereto; K.S.A. 2014 Supp. 21-5903, and amendments thereto, perjury; K.S.A. 2014 Supp. 21-5904, and amendments thereto, interference with law enforcement; K.S.A. 2014 Supp. 21-5905, and amendments thereto, interference with the judicial process; K.S.A. 2014 Supp. 21-5909, and amendments thereto, intimidation of a witness or victim or aggravated intimidation of a witness or victim; K.S.A. 2014 Supp. 21-5912, and amendments thereto, aiding escape; K.S.A. 2014 Supp. 21-5913, and amendments thereto, obstructing apprehension or prosecution; K.S.A. 2014 Supp. 21-5918, and amendments thereto; K.S.A. 2014 Supp. 21-6001, and amendments thereto, bribery; K.S.A. 2014 Supp. 21-6002, and amendments thereto, official misconduct; K.S.A. 2014 Supp. 21-6301, and amendments thereto, criminal use of weapons; K.S.A. 2014 Supp. 21-6302, and amendments thereto, criminal carrying of a weapon; K.S.A. 2014 Supp. 21-6303, and amendments thereto, criminal distribution of firearms to a felon; K.S.A. 2014 Supp. 21-6304, and amendments thereto, criminal possession of a firearm by a convicted felon; K.S.A. 2014 Supp. 21-6305, and amendments thereto, aggravated weapons violation by a convicted felon; K.S.A. 2014 Supp. 21-6306, and amendments thereto, defacing identification marks of a firearm; K.S.A. 2014 Supp. 21-6308, and amendments thereto, criminal discharge of a firearm; K.S.A. 2014 Supp. 21-6310, and amendments thereto, unlawful endangerment; K.S.A. 2014 Supp. 21-6312, and amendments thereto; K.S.A. 2014 Supp. ~~21-6313 through 21-6316~~ 21-6314 and 21-6315, and amendments thereto; K.S.A. 2014 Supp. 21-6401, and amendments thereto, *promoting obscenity or promoting obscenity to minors*; K.S.A. 2014 Supp. 21-6404, and amendments thereto, gambling; K.S.A. 2014 Supp. 21-6405, and amendments thereto, illegal bingo operation; K.S.A. 2014 Supp. 21-6406, and amendments thereto, commercial gambling; K.S.A. 2014 Supp. 21-6407, and amendments thereto, dealing in gambling devices; K.S.A. 2014 Supp. 21-6408, and amendments thereto; K.S.A. 2014 Supp. 21-6409, and amendments thereto, installing communication facilities for gamblers; ~~subsections (a) or (b) of~~ K.S.A. 2014 Supp. 21-6414(a) or (b), and amendments thereto, unlawful conduct of dog fighting or unlawful possession of dog fighting paraphernalia; ~~sub-~~

~~sections (a) or (b) of K.S.A. 2014 Supp. 21-6417(a) or (b), and amendments thereto, unlawful conduct of cockfighting or unlawful possession of cockfighting paraphernalia; K.S.A. 2014 Supp. 21-6419, and amendments thereto, selling sexual relations; K.S.A. 2014 Supp. 21-6420, and amendments thereto, promoting the sale of sexual relations; K.S.A. 2014 Supp. 21-6422, and amendments thereto, commercial sexual exploitation of a child; K.S.A. 2014 Supp. 21-6501, and amendments thereto, extortion; K.S.A. 2014 Supp. 21-6502, and amendments thereto, debt adjusting; K.S.A. 2014 Supp. 21-6504, and amendments thereto, equity skimming; K.S.A. 2014 Supp. 21-6506, and amendments thereto, commercial bribery; K.S.A. 2014 Supp. 21-6507, and amendments thereto, sports bribery; K.S.A. 2014 Supp. 21-6508, and amendments thereto, tampering with a sports contest; K.S.A. 39-720, and amendments thereto, social welfare service fraud; K.S.A. 40-2,118, and amendments thereto, fraudulent insurance acts; K.S.A. 41-101 et seq., and amendments thereto, Kansas liquor control act; K.S.A. 44-5,125, and amendments thereto, workers' compensation act; K.S.A. 65-1657, and amendments thereto, nonresident pharmacy registration; K.S.A. 65-3441, and amendments thereto, hazardous waste; K.S.A. 65-4167, and amendments thereto, trafficking in counterfeit drugs; article 88 of chapter 74 of the Kansas Statutes Annotated, and amendments thereto, Kansas parimutuel racing act; or K.S.A. 79-3321, and amendments thereto, Kansas cigarette and tobacco products act; or~~

(2) any conduct defined as “racketeering activity” under 18 U.S.C. § 1961(1).

(g) “Real property” means any real property or any interest in such real property, including, but not limited to, any lease of or mortgage upon such real property.

(h) “Trustee” means:

(1) Any person acting as trustee pursuant to a trust in which the trustee holds legal or record title to real property;

(2) any person who holds legal or record title to real property in which any other person has a beneficial interest; or

(3) any successor trustee or trustees to any or all of the foregoing persons.

The term “trustee” does not include any person appointed or acting as a personal representative as defined in K.S.A. 59-102, and amendments thereto, or appointed or acting as a trustee of any testamentary trust or as a trustee of any indenture of trust under which any bonds have been or are to be issued.

(i) “Unlawful debt” means any money or other thing of value constituting principal or interest of a debt that is legally unenforceable in this state in whole or in part because the debt was incurred or contracted:

(1) In violation of any of the following provisions of law: Article 88 of chapter 74 of the Kansas Statutes Annotated, and amendments thereto,

Kansas parimutuel racing act; K.S.A. 2014 Supp. 21-6404, and amendments thereto, gambling; K.S.A. 2014 Supp. 21-6405, and amendments thereto, illegal bingo operation; K.S.A. 2014 Supp. 21-6406, and amendments thereto, commercial gambling; K.S.A. 2014 Supp. 21-6407, and amendments thereto, dealing in gambling devices; K.S.A. 2014 Supp. 21-6408, and amendments thereto, *unlawful possession of a gambling device*; or K.S.A. 2014 Supp. 21-6409, and amendments thereto, installing communication facilities for gamblers; or

(2) in gambling activity in violation of federal law or in the business of lending money at a rate usurious under state or federal law.

Sec. 4. K.S.A. 2014 Supp. 22-3424 is hereby amended to read as follows: 22-3424. (a) The judgment shall be rendered and sentence imposed in open court.

(b) If the verdict or finding is not guilty, judgment shall be rendered immediately and the defendant shall be discharged from custody and the obligation of the defendant's appearance bond.

(c) If the verdict or finding is guilty, judgment shall be rendered and sentence pronounced without unreasonable delay, allowing adequate time for the filing and disposition of post-trial motions and for completion of such presentence investigation as the court may require.

(d) (1) If the verdict or finding is guilty, upon request of the victim or the victim's family and before imposing sentence, the court shall hold a hearing to establish restitution. The defendant may waive the right to the hearing and accept the amount of restitution as established by the court. If the court orders restitution to be paid to the victim or the victim's family, the order shall be enforced as a judgment of restitution pursuant to K.S.A. 60-4301 through 60-4304, *and amendments thereto*.

(2) (A) *The court shall order a person convicted of human trafficking or aggravated human trafficking, K.S.A. 21-3446 or 21-3447, prior to their repeal, or K.S.A. 2014 Supp. 21-5426, and amendments thereto, or commercial sexual exploitation of a child, K.S.A. 2014 Supp. 21-6422, and amendments thereto, to pay restitution to the victim of the offense for:*

(i) *Expenses incurred or reasonably certain to be incurred by the victim as a result of the offense, including reasonable attorney fees and costs; and*

(ii) *an amount equal to three times the greatest of the following, with no reduction for expenses the defendant incurred to maintain the victim:*

(a) *The gross income to the defendant for, or the value to the defendant of, the victim's labor or services or sexual activity;*

(b) *the amount the defendant contracted to pay the victim; or*

(c) *the value of the victim's labor or services or sexual activity, calculated under the minimum wage and overtime provisions of the federal fair labor standards act, 29 U.S.C. § 201 et seq., or under K.S.A. 44-1203,*

and amendments thereto, whichever is higher, even if the provisions do not apply to the victim's labor or services or sexual activity.

(B) The court shall order restitution under subsection (d)(2) even if the victim is unavailable to accept payment of restitution.

(C) If the victim does not claim restitution ordered under subsection (d)(2) for five years after entry of the order, the restitution must be paid to the human trafficking victim assistance fund created by K.S.A. 2014 Supp. 75-758, and amendments thereto, to help victims.

(e) Before imposing sentence the court shall: (1) Allow the prosecuting attorney to address the court, if the prosecuting attorney so requests; (2) afford counsel an opportunity to speak on behalf of the defendant; (3) allow the victim or such members of the victim's family as the court deems appropriate to address the court, if the victim or the victim's family so requests; and (4) address the defendant personally and ask the defendant if the defendant wishes to make a statement on the defendant's own behalf and to present any evidence in mitigation of punishment.

(f) After imposing sentence in a case which has gone to trial on a plea of not guilty, the court shall advise the defendant of the defendant's right to appeal and of the right of a person who is unable to pay the costs of an appeal to appeal in forma pauperis.

Sec. 5. K.S.A. 2014 Supp. 22-3436 is hereby amended to read as follows: 22-3436. *This section applies* if a defendant is charged with a crime pursuant to articles 54, 55 or 56 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6104, 21-6325, 21-6326 or 21-6418 through ~~21-6421~~ 21-6422, and amendments thereto;

(a) The prosecuting attorney, as defined in K.S.A. 22-2202, and amendments thereto, shall: (1) Inform the victim or the victim's family before any dismissal or declining of prosecuting charges; (2) inform the victim or the victim's family of the nature of any proposed plea agreement; and (3) inform and give notice to the victim or the victim's family of the rights established in subsection (b);

(b) The victim of a crime or the victim's family have the right to be present at any hearing where a plea agreement is reviewed or accepted and the parties may submit written arguments to the court prior to the date of the hearing.

Sec. 6. K.S.A. 2014 Supp. 22-3701 is hereby amended to read as follows: 22-3701. ~~(a)~~ (a) The governor may pardon, or commute the sentence of, any person convicted of a crime in any court of this state upon such terms and conditions as prescribed in the order granting the pardon or commutation.

~~(2)(b)~~ (b) The prisoner review board, hereafter referred to as the board, shall adopt rules and regulations governing the procedure for initiating,

processing, and reviewing applications for pardon, or commutation of sentence filed by and on behalf of persons convicted of crime.

~~(3)~~(c) Except as otherwise provided, no pardon or commutation of sentence shall be granted until more than 30 days after written notice of the application therefor has been given to: ~~(a)~~(1) The prosecuting attorney and the judge of the court in which the defendant was convicted; and ~~(b)~~(2) any victim of the person's crime or the victim's family, if the person was convicted of a crime specified in article 34, 35 or 36 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or articles 54, 55 or 56 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6104, 21-6325, 21-6326 or 21-6418 through ~~21-6421~~ 21-6422, and amendments thereto. Notice of such application for pardon or commutation of sentence shall be given by the secretary of corrections to the victim who is alive and whose address is known to the secretary of corrections, or if the victim is deceased, to the victim's family if the family's address is known to the secretary of corrections. Notice of such application shall be given by publication in the official county paper of the county of conviction. The form of notice shall be prescribed by the board. If the applicant executes a poverty affidavit, the cost of one publication of the notice during a ~~twelve-month~~ 12-month period shall be paid by the state. If more than one notice of application is published during any ~~twelve-month~~ 12-month period the additional cost of publication shall be paid by the applicant. Subject to the provisions of subsection ~~(4)~~(d), if written notification is not given to such victim who is alive and whose address is known to the secretary of corrections or, if the victim is deceased, to the victim's family if the family's address is known to the secretary of corrections, the governor shall not grant or deny such application until a time at least 30 days after notification is given by publication as provided in this section.

~~(4)~~(d) All applications for pardon or commutation of sentence shall be referred to the board. The board shall examine each case and submit a report, together with such information as the board may have concerning the applicant, to the governor within 120 days after referral to the board. The governor shall not grant or deny any such application until the governor has received the report of the board or until 120 days after the referral to the board, whichever time is the shorter and the provisions of subsection ~~(3)~~(c) have been satisfied.

Sec. 7. K.S.A. 2014 Supp. 22-3727 is hereby amended to read as follows: 22-3727. (a) Prior to the release of any inmate on parole, conditional release, expiration of sentence or postrelease supervision, if an inmate is released into the community under a program under the supervision of the secretary of corrections, or after the escape of an inmate or death of an inmate while in the secretary of corrections' custody, the secretary of corrections shall give written notice of such release, escape

or death to any victim of the inmate's crime who is alive and whose address is known to the secretary or, if the victim is deceased, to the victim's family if the family's address is known to the secretary. Such notice shall be required to be given to the victim or the victim's family only if the inmate was convicted of any crime in article 33, 34, 35 or 36 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or articles 53, 54, 55 or 56 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6104, 21-6325, 21-6326 or 21-6418 through ~~21-6421~~ 21-6422, and amendments thereto. Except for notifications of releases due to a court order, escape or death, notification shall be given at least 14 working days prior to the release of such inmate. Failure to notify the victim or the victim's family as provided in this section shall not be a reason for postponement of parole, conditional release or other forms of release.

(b) As used in this section, "victim's family" means a spouse, surviving spouse, children, parents, legal guardian, siblings, ~~stepparent~~ *stepparents* or grandparents.

Sec. 8. K.S.A. 2014 Supp. 22-3727a is hereby amended to read as follows: 22-3727a. (a) The county or district attorney shall, as soon as practicable, provide notification as provided in K.S.A. 22-3303, 22-3305, 22-3428, 22-3428a, 22-3430 and 22-3431, and amendments thereto, and upon the escape or death of a committed defendant while in the custody of the secretary for aging and disability services, to any victim of the defendant's crime whose address is known to the county or district attorney, and the victim's family, if so requested and the family's addresses are known to the county or district attorney. Such notice shall be required to be given only if the defendant was charged with any crime in article 33, 34, 35 or 36 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or articles 53, 54, 55 or 56 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6104, 21-6325, 21-6326 or 21-6418 through ~~21-6421~~ 21-6422, and amendments thereto.

(b) As used in this section, "victim's family" means a spouse, surviving spouse, children, parents, legal guardian, siblings, ~~stepparent~~ *stepparents* or grandparents.

Sec. 9. K.S.A. 2014 Supp. 22-4614 is hereby amended to read as follows: 22-4614. No law enforcement officer, government official or prosecutor shall request or require any person who is alleged to be a victim of an offense described in article 55 of chapter 21 of the Kansas Statutes Annotated; or K.S.A. 2014 Supp. 21-6419 through ~~21-6421~~ 21-6422, and amendments thereto, *human trafficking or aggravated human trafficking as defined in K.S.A. 2014 Supp. 21-5426, and amendments thereto, or incest as defined in subsection (a) of K.S.A. 2014 Supp. 21-5604, and amendments thereto, or aggravated incest as defined in subsection (a)(2) of subsection (b)(2) of K.S.A. 2014 Supp. 21-5604, and*

amendments thereto, to submit to a polygraph examination or similar truth telling device as a condition for proceeding with an investigation, or charging or prosecuting such an offense.

Sec. 10. K.S.A. 2014 Supp. 23-2225 is hereby amended to read as follows: 23-2225. (a) Except as provided in subsection (d), a parent granted rights pursuant to ~~subsection (d) of K.S.A. 2014 Supp. 23-2215(d)~~, and amendments thereto, shall give written notice to the other parent who has been granted rights pursuant to ~~subsection (d) of K.S.A. 2014 Supp. 23-2215(d)~~, and amendments thereto, not less than 30 days prior to: (1) Changing the residence of the child; or (2) removing the child from this state for a period of time exceeding 90 days. Such notice shall be sent by restricted mail, return receipt requested, to the last known address of the other parent.

(b) Failure to give notice as required by subsection (a) is an indirect civil contempt punishable as provided by law. In addition, the court may assess, against the parent required to give notice, reasonable attorney fees and any other expenses incurred by the other parent by reason of the failure to give notice.

(c) A change of the residence or the removal of a child from this state as described in subsection (a) may be considered a material change of circumstances which justifies modification of a prior order of child support, custody or parenting time. In determining any such motion, the court shall consider all factors the court deems appropriate including, but not limited to:

- (1) The effect of the move on the best interests of the child;
- (2) the effect of the move on any party having rights granted pursuant to ~~subsection (d) of K.S.A. 2014 Supp. 23-2215(d)~~, and amendments thereto; and
- (3) the increased cost the move will impose on any party seeking to exercise rights granted under ~~subsection (d) of K.S.A. 2014 Supp. 23-2215(d)~~, and amendments thereto.

(d) A parent who has been granted rights pursuant to ~~subsection (d) of K.S.A. 2014 Supp. 23-2215(d)~~, and amendments thereto, shall not be required to give the notice required by this section to the other parent when the other parent has been convicted of any crime specified in article 34, 35 or 36 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 54, 55 or 56 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6104, 21-6325, 21-6326 or 21-6418 through ~~21-6421~~ 21-6422, and amendments thereto, in which the child is the victim of such crime.

(e) This section shall be part of and supplemental to the Kansas parentage act.

Sec. 11. K.S.A. 2014 Supp. 23-3222 is hereby amended to read as follows: 23-3222. (a) Except as provided in subsection (d), a parent en-

titled to legal custody or residency of or parenting time with a child under this article shall give written notice to the other parent not less than 30 days prior to: (1) Changing the residence of the child; or (2) removing the child from this state for a period of time exceeding 90 days. Such notice shall be sent by restricted mail, return receipt requested, to the last known address of the other parent.

(b) Failure to give notice as required by subsection (a) is an indirect civil contempt punishable as provided by law. In addition, the court may assess, against the parent required to give notice, reasonable attorney fees and any other expenses incurred by the other parent by reason of the failure to give notice.

(c) A change of the residence or the removal of a child as described in subsection (a) may be considered a material change of circumstances which justifies modification of a prior order of legal custody, residency, child support or parenting time. In determining any motion seeking a modification of a prior order based on change of residence or removal as described in (a), the court shall consider all factors the court deems appropriate including, but not limited to: (1) The effect of the move on the best interests of the child; (2) the effect of the move on any party having rights granted under this article; and (3) the increased cost the move will impose on any party seeking to exercise rights granted under this article.

(d) A parent entitled to the legal custody or residency of a child under this article shall not be required to give the notice required by this section to the other parent when the other parent has been convicted of any crime specified in article 34, 35 or 36 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or K.S.A. 2014 Supp. 21-5401 through 21-5609, 21-6104, 21-6325, 21-6326; *or* 21-6419, ~~21-6420 or 21-6421 through 21-6422~~, and amendments thereto, in which the child is the victim of such crime.

Sec. 12. K.S.A. 2014 Supp. 38-2202 is hereby amended to read as follows: 38-2202. As used in the revised Kansas code for care of children, unless the context otherwise indicates:

(a) “Abandon” or “abandonment” means to forsake, desert or, without making appropriate provision for substitute care, cease providing care for the child.

(b) “Adult correction facility” means any public or private facility, secure or nonsecure, which is used for the lawful custody of accused or convicted adult criminal offenders.

(c) “Aggravated circumstances” means the abandonment, torture, chronic abuse, sexual abuse or chronic, life threatening neglect of a child.

(d) “Child in need of care” means a person less than 18 years of age at the time of filing of the petition or issuance of an ex parte protective custody order pursuant to K.S.A. 2014 Supp. 38-2242, and amendments thereto, who:



(1) Is without adequate parental care, control or subsistence and the condition is not due solely to the lack of financial means of the child's parents or other custodian;

(2) is without the care or control necessary for the child's physical, mental or emotional health;

(3) has been physically, mentally or emotionally abused or neglected or sexually abused;

(4) has been placed for care or adoption in violation of law;

(5) has been abandoned or does not have a known living parent;

(6) is not attending school as required by K.S.A. 72-977 or 72-1111, and amendments thereto;

(7) except in the case of a violation of K.S.A. 41-727, ~~subsection (j) of K.S.A. 74-8810(j), subsection (m) or (n) of K.S.A. 79-3321(m) or (n), or subsection (a)(14) of K.S.A. 2014 Supp. 21-6301(a)(14)~~, and amendments thereto, or, except as provided in paragraph (12), does an act which, when committed by a person under 18 years of age, is prohibited by state law, city ordinance or county resolution but which is not prohibited when done by an adult;

(8) while less than 10 years of age, commits any act which if done by an adult would constitute the commission of a felony or misdemeanor as defined by K.S.A. 2014 Supp. 21-5102, and amendments thereto;

(9) is willfully and voluntarily absent from the child's home without the consent of the child's parent or other custodian;

(10) is willfully and voluntarily absent at least a second time from a court ordered or designated placement, or a placement pursuant to court order, if the absence is without the consent of the person with whom the child is placed or, if the child is placed in a facility, without the consent of the person in charge of such facility or such person's designee;

(11) has been residing in the same residence with a sibling or another person under 18 years of age, who has been physically, mentally or emotionally abused or neglected, or sexually abused;

(12) while less than 10 years of age commits the offense defined in ~~subsection (a)(14) of K.S.A. 2014 Supp. 21-6301(a)(14)~~, and amendments thereto; or

(13) has had a permanent custodian appointed and the permanent custodian is no longer able or willing to serve.

(e) "Citizen review board" is a group of community volunteers appointed by the court and whose duties are prescribed by K.S.A. 2014 Supp. 38-2207 and 38-2208, and amendments thereto.

(f) "Civil custody case" includes any case filed under chapter 23 of the Kansas Statutes Annotated, and amendments thereto, the Kansas family law code, article 11, of chapter 38 of the Kansas Statutes Annotated, and amendments thereto, determination of parentage, article 21 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto, adoption and relinquishment act, or article 30 of chapter 59 of the Kansas

Statutes Annotated, and amendments thereto, guardians and conservators.

(g) “Court-appointed special advocate” means a responsible adult other than an attorney guardian ad litem who is appointed by the court to represent the best interests of a child, as provided in K.S.A. 2014 Supp. 38-2206, and amendments thereto, in a proceeding pursuant to this code.

(h) “Custody” whether temporary, protective or legal, means the status created by court order or statute which vests in a custodian, whether an individual or an agency, the right to physical possession of the child and the right to determine placement of the child, subject to restrictions placed by the court.

(i) “Extended out of home placement” means a child has been in the custody of the secretary and placed with neither parent for 15 of the most recent 22 months beginning 60 days after the date at which a child in the custody of the secretary was removed from the home.

(j) “Educational institution” means all schools at the elementary and secondary levels.

(k) “Educator” means any administrator, teacher or other professional or paraprofessional employee of an educational institution who has exposure to a pupil specified in ~~subsection (a) of~~ K.S.A. 72-89b03(a), and amendments thereto.

(l) “Harm” means physical or psychological injury or damage.

(m) “Interested party” means the grandparent of the child, a person with whom the child has been living for a significant period of time when the child in need of care petition is filed, and any person made an interested party by the court pursuant to K.S.A. 2014 Supp. 38-2241, and amendments thereto, or Indian tribe seeking to intervene that is not a party.

(n) “Jail” means:

(1) An adult jail or lockup; or

(2) a facility in the same building or on the same grounds as an adult jail or lockup, unless the facility meets all applicable standards and licensure requirements under law and there is: (A) Total separation of the juvenile and adult facility spatial areas such that there could be no haphazard or accidental contact between juvenile and adult residents in the respective facilities; (B) total separation in all juvenile and adult program activities within the facilities, including recreation, education, counseling, health care, dining, sleeping and general living activities; and (C) separate juvenile and adult staff, including management, security staff and direct care staff such as recreational, educational and counseling.

(o) “Juvenile detention facility” means any secure public or private facility used for the lawful custody of accused or adjudicated juvenile offenders which must not be a jail.

(p) “Juvenile intake and assessment worker” means a responsible adult authorized to perform intake and assessment services as part of the

intake and assessment system established pursuant to K.S.A. 75-7023, and amendments thereto.

(q) “Kinship care” means the placement of a child in the home of the child’s relative or in the home of another adult with whom the child or the child’s parent already has a close emotional attachment.

(r) “Law enforcement officer” means any person who by virtue of office or public employment is vested by law with a duty to maintain public order or to make arrests for crimes, whether that duty extends to all crimes or is limited to specific crimes.

(s) “Multidisciplinary team” means a group of persons, appointed by the court under K.S.A. 2014 Supp. 38-2228, and amendments thereto, which has knowledge of the circumstances of a child in need of care.

(t) “Neglect” means acts or omissions by a parent, guardian or person responsible for the care of a child resulting in harm to a child, or presenting a likelihood of harm, and the acts or omissions are not due solely to the lack of financial means of the child’s parents or other custodian. Neglect may include, but shall not be limited to:

(1) Failure to provide the child with food, clothing or shelter necessary to sustain the life or health of the child;

(2) failure to provide adequate supervision of a child or to remove a child from a situation which requires judgment or actions beyond the child’s level of maturity, physical condition or mental abilities and that results in bodily injury or a likelihood of harm to the child; or

(3) failure to use resources available to treat a diagnosed medical condition if such treatment will make a child substantially more comfortable, reduce pain and suffering, or correct or substantially diminish a crippling condition from worsening. A parent legitimately practicing religious beliefs who does not provide specified medical treatment for a child because of religious beliefs shall not for that reason be considered a negligent parent; however, this exception shall not preclude a court from entering an order pursuant to ~~subsection (a)(2)~~ of K.S.A. 2014 Supp. 38-2217(a)(2), and amendments thereto.

(u) “Parent” when used in relation to a child or children, includes a guardian and every person who is by law liable to maintain, care for or support the child.

(v) “Party” means the state, the petitioner, the child, any parent of the child and an Indian child’s tribe intervening pursuant to the Indian child welfare act.

(w) “Permanency goal” means the outcome of the permanency planning process which may be reintegration, adoption, appointment of a permanent custodian or another planned permanent living arrangement.

(x) “Permanent custodian” means a judicially approved permanent guardian of a child pursuant to K.S.A. 2014 Supp. 38-2272, and amendments thereto.

(y) “Physical, mental or emotional abuse” means the infliction of

physical, mental or emotional harm or the causing of a deterioration of a child and may include, but shall not be limited to, maltreatment or exploiting a child to the extent that the child's health or emotional well-being is endangered.

(z) "Placement" means the designation by the individual or agency having custody of where and with whom the child will live.

(aa) "Relative" means a person related by blood, marriage or adoption but, when referring to a relative of a child's parent, does not include the child's other parent.

(bb) "Secretary" means the secretary of the department for children and families or the secretary's designee.

(cc) "Secure facility" means a facility, other than a staff secure facility which is operated or structured so as to ensure that all entrances and exits from the facility are under the exclusive control of the staff of the facility, whether or not the person being detained has freedom of movement within the perimeters of the facility, or which relies on locked rooms and buildings, fences or physical restraint in order to control behavior of its residents. No secure facility shall be in a city or county jail.

(dd) "Sexual abuse" means any contact or interaction with a child in which the child is being used for the sexual stimulation of the perpetrator, the child or another person. Sexual abuse shall include allowing, permitting or encouraging a child to engage in the sale of sexual relations or commercial sexual exploitation of a child, or to be photographed, filmed or depicted in pornographic material. *Sexual abuse also shall include allowing, permitting or encouraging a child to engage in aggravated human trafficking, as defined in K.S.A. 2014 Supp. 21-5426(b), and amendments thereto, if committed in whole or in part for the purpose of the sexual gratification of the offender or another.*

(ee) "Shelter facility" means any public or private facility or home, other than a juvenile detention facility or staff secure facility, that may be used in accordance with this code for the purpose of providing either temporary placement for children in need of care prior to the issuance of a dispositional order or longer term care under a dispositional order.

(ff) "Staff secure facility" means a facility described in K.S.A. 2014 Supp. 65-535, and amendments thereto: (1) That does not include construction features designed to physically restrict the movements and activities of juvenile residents who are placed therein; (2) that may establish reasonable rules restricting entrance to and egress from the facility; and (3) in which the movements and activities of individual juvenile residents may, for treatment purposes, be restricted or subject to control through the use of intensive staff supervision. No staff secure facility shall be in a city or county jail.

(gg) "Transition plan" means, when used in relation to a youth in the custody of the secretary, an individualized strategy for the provision of medical, mental health, education, employment and housing supports as

needed for the adult and, if applicable, for any minor child of the adult, to live independently and specifically provides for the supports and any services for which an adult with a disability is eligible including, but not limited to, funding for home and community based services waivers.

(hh) “Youth residential facility” means any home, foster home or structure which provides 24-hour-a-day care for children and which is licensed pursuant to article 5 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto.

Sec. 13. K.S.A. 2014 Supp. 38-2271 is hereby amended to read as follows: 38-2271. (a) It is presumed in the manner provided in K.S.A. 60-414, and amendments thereto, that a parent is unfit by reason of conduct or condition which renders the parent unable to fully care for a child, if the state establishes, by clear and convincing evidence, that:

(1) A parent has previously been found to be an unfit parent in proceedings under K.S.A. 2014 Supp. 38-2266 et seq., and amendments thereto, or comparable proceedings under the laws of another jurisdiction;

(2) a parent has twice before been convicted of a crime specified in article 34, 35, or 36 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or articles 54, 55 or 56 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6104, 21-6325, 21-6326 or 21-6418 through 21-6421, and amendments thereto, or comparable offenses under the laws of another jurisdiction, or an attempt or attempts to commit such crimes and the victim was under the age of 18 years;

(3) on two or more prior occasions a child in the physical custody of the parent has been adjudicated a child in need of care as defined by ~~subsection (d)(1), (d)(3), (d)(5) or (d)(11) of K.S.A. 2014 Supp. 38-2202(d)(1), (d)(3), (d)(5) or (d)(11),~~ and amendments thereto, or comparable proceedings under the laws of another jurisdiction;

(4) the parent has been convicted of causing the death of another child or stepchild of the parent;

(5) the child has been in an out-of-home placement, under court order for a cumulative total period of one year or longer and the parent has substantially neglected or willfully refused to carry out a reasonable plan, approved by the court, directed toward reintegration of the child into the parental home;

(6) (A) the child has been in an out-of-home placement, under court order for a cumulative total period of two years or longer; (B) the parent has failed to carry out a reasonable plan, approved by the court, directed toward reintegration of the child into the parental home; and (C) there is a substantial probability that the parent will not carry out such plan in the near future;

(7) a parent has been convicted of capital murder, K.S.A. 21-3439, prior to its repeal, or K.S.A. 2014 Supp. 21-5401, and amendments

thereto, murder in the first degree, K.S.A. 21-3401, prior to its repeal, or K.S.A. 2014 Supp. 21-5402, and amendments thereto, murder in the second degree, K.S.A. 21-3402, prior to its repeal, or K.S.A. 2014 Supp. 21-5403, and amendments thereto, ~~or~~ voluntary manslaughter, K.S.A. 21-3403, prior to its repeal, or K.S.A. 2014 Supp. 21-5404, and amendments thereto, *human trafficking or aggravated human trafficking*, K.S.A. 21-3446 or 21-3447, prior to their repeal, or K.S.A. 2014 Supp. 21-5426, and amendments thereto, or *commercial sexual exploitation of a child*, K.S.A. 2014 Supp. 21-6422, and amendments thereto, or comparable proceedings under the laws of another jurisdiction or, has been adjudicated a juvenile offender because of an act which if committed by an adult would be an offense as provided in this subsection, and the victim of such murder was the other parent of the child;

(8) a parent abandoned or neglected the child after having knowledge of the child's birth or either parent has been granted immunity from prosecution for abandonment of the child under ~~subsection (b) of~~ K.S.A. 21-3604(b), prior to its repeal, or ~~subsection (d) of~~ K.S.A. 2014 Supp. 21-5605(d), and amendments thereto; or

(9) a parent has made no reasonable efforts to support or communicate with the child after having knowledge of the child's birth;

(10) a father, after having knowledge of the pregnancy, failed without reasonable cause to provide support for the mother during the six months prior to the child's birth;

(11) a father abandoned the mother after having knowledge of the pregnancy;

(12) a parent has been convicted of rape, K.S.A. 21-3502, prior to its repeal, or K.S.A. 2014 Supp. 21-5503, and amendments thereto, or comparable proceedings under the laws of another jurisdiction resulting in the conception of the child; or

(13) a parent has failed or refused to assume the duties of a parent for two consecutive years next preceding the filing of the petition. In making this determination the court may disregard incidental visitations, contacts, communications or contributions.

(b) The burden of proof is on the parent to rebut the presumption of unfitness by a preponderance of the evidence. In the absence of proof that the parent is presently fit and able to care for the child or that the parent will be fit and able to care for the child in the foreseeable future, the court shall terminate parental rights in proceedings pursuant to K.S.A. 2014 Supp. 38-2266 et seq. and amendments thereto.

Sec. 14. K.S.A. 2014 Supp. 38-2309 is hereby amended to read as follows: 38-2309. (a) *Official file*. The official file of proceedings pursuant to this code shall consist of the complaint, process, service of process, orders, writs and journal entries reflecting hearings held, judgments and

decrees entered by the court. The official file shall be kept separate from other records of the court.

(b) The official file shall be open for public inspection, unless the judge determines that opening the official file for public inspection is not in the best interests of a juvenile who is less than 14 years of age. Information identifying victims and alleged victims of sex offenses, as defined in article 35 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 55 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6419 through ~~21-6421~~ 21-6422, and amendments thereto, or *human trafficking or aggravated human trafficking, as defined in K.S.A. 21-3446 or 21-3447, prior to their repeal, or K.S.A. 2014 Supp. 21-5426, and amendments thereto*, shall not be disclosed or open to public inspection under any circumstances. Nothing in this section shall prohibit the victim or alleged victim of any sex offense from voluntarily disclosing such victim's identity. An official file closed pursuant to this section and information identifying the victim or alleged victim of any sex offense shall be disclosed only to the following:

(1) A judge of the district court and members of the staff of the court designated by the judge;

(2) parties to the proceedings and their attorneys;

(3) any individual or any public or private agency or institution: (A) Having custody of the juvenile under court order; or (B) providing educational, medical or mental health services to the juvenile;

(4) the juvenile's court appointed special advocate;

(5) any placement provider or potential placement provider as determined by the commissioner or court services officer;

(6) law enforcement officers or county or district attorneys, or their staff, when necessary for the discharge of their official duties;

(7) the Kansas racing commission, upon written request of the commission chairperson, for the purpose provided by K.S.A. 74-8804, and amendments thereto, except that information identifying the victim or alleged victim of any sex offense shall not be disclosed pursuant to this subsection;

(8) juvenile intake and assessment workers;

(9) the commissioner;

(10) any other person when authorized by a court order, subject to any conditions imposed by the order; and

(11) the commission on judicial performance in the discharge of the commission's duties pursuant to article 32 of chapter 20 of the Kansas Statutes Annotated, and amendments thereto.

(c) *Social file.* Reports and information received by the court, other than the official file, shall be privileged and open to inspection only by attorneys for the parties, juvenile intake and assessment workers, court appointed special advocates, juvenile community corrections officers, the juvenile's guardian ad litem, if any, or upon order of a judge of the district

court or appellate court. The reports shall not be further disclosed without approval of the court or by being presented as admissible evidence.

(d) *Preservation of records.* The Kansas state historical society shall be allowed to take possession for preservation in the state archives of any court records related to proceedings under the Kansas juvenile justice code or the revised Kansas juvenile justice code whenever such records otherwise would be destroyed. The Kansas state historical society shall make available for public inspection any unexpunged docket entry or official file in its custody concerning any juvenile 14 or more years of age at the time an offense is alleged to have been committed by the juvenile. No other such records in the custody of the Kansas state historical society shall be disclosed directly or indirectly to anyone for 70 years after creation of the records, except as provided in subsections (b) and (c). A judge of the district court may allow inspection for research purposes of any court records in the custody of the Kansas state historical society related to proceedings under the Kansas juvenile justice code or the revised Kansas juvenile justice code.

(e) Relevant information, reports and records, shall be made available to the department of corrections upon request, and a showing that the former juvenile has been convicted of a crime and placed in the custody of the secretary of corrections.

Sec. 15. K.S.A. 2014 Supp. 38-2310 is hereby amended to read as follows: 38-2310. (a) All records of law enforcement officers and agencies and municipal courts concerning an offense committed or alleged to have been committed by a juvenile under 14 years of age shall be kept readily distinguishable from criminal and other records and shall not be disclosed to anyone except:

(1) The judge of the district court and members of the staff of the court designated by the judge;

(2) parties to the proceedings and their attorneys;

(3) the Kansas department for children and families;

(4) the juvenile's court appointed special advocate, any officer of a public or private agency or institution or any individual having custody of a juvenile under court order or providing educational, medical or mental health services to a juvenile;

(5) any educational institution, to the extent necessary to enable the educational institution to provide the safest possible environment for its pupils and employees;

(6) any educator, to the extent necessary to enable the educator to protect the personal safety of the educator and the educator's pupils;

(7) law enforcement officers or county or district attorneys, or their staff, when necessary for the discharge of their official duties;

(8) the central repository, as defined by K.S.A. 22-4701, and amendments thereto, for use only as a part of the juvenile offender information



system established under K.S.A. 2014 Supp. 38-2326, and amendments thereto;

- (9) juvenile intake and assessment workers;
- (10) ~~the juvenile justice authority~~ *department of corrections*;
- (11) juvenile community corrections officers;
- (12) any other person when authorized by a court order, subject to any conditions imposed by the order; and
- (13) as provided in subsection (c).

(b) The provisions of this section shall not apply to records concerning:

(1) A violation, by a person 14 or more years of age, of any provision of chapter 8 of the Kansas Statutes Annotated, and amendments thereto, or of any city ordinance or county resolution which relates to the regulation of traffic on the roads, highways or streets or the operation of self-propelled or nonself-propelled vehicles of any kind;

(2) a violation, by a person 16 or more years of age, of any provision of chapter 32 of the Kansas Statutes Annotated, and amendments thereto; or

(3) an offense for which the juvenile is prosecuted as an adult.

(c) All records of law enforcement officers and agencies and municipal courts concerning an offense committed or alleged to have been committed by a juvenile 14 or more years of age shall be subject to the same disclosure restrictions as the records of adults. Information identifying victims and alleged victims of sex offenses, as defined in article 35 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 55 of chapter 21 of the Kansas Statutes Annotated, ~~or and amendments thereto~~, K.S.A. 2014 Supp. 21-6419 through ~~21-6421~~ 21-6422, and amendments thereto, *or human trafficking or aggravated human trafficking, as defined in K.S.A. 21-3446 or 21-3447, prior to their repeal, or K.S.A. 2014 Supp. 21-5426, and amendments thereto*, shall not be disclosed or open to public inspection under any circumstances. Nothing in this section shall prohibit the victim or any alleged victim of any sex offense from voluntarily disclosing such victim's identity.

(d) Relevant information, reports and records, shall be made available to the department of corrections upon request and a showing that the former juvenile has been convicted of a crime and placed in the custody of the secretary of corrections.

(e) All records, reports and information obtained as a part of the juvenile intake and assessment process for juveniles shall be confidential, and shall not be disclosed except as provided by statutory law and rules and regulations promulgated by the commissioner ~~thereunder~~.

(1) Any court of record may order the disclosure of such records, reports and other information to any person or entity.

(2) The head of any juvenile intake and assessment program, certified

by the commissioner of juvenile justice, may authorize disclosure of such records, reports and other information to:

(A) A person licensed to practice the healing arts who has before that person a juvenile whom the person reasonably suspects may be abused or neglected;

(B) a court-appointed special advocate for a juvenile or an agency having the legal responsibility or authorization to care for, treat or supervise a juvenile;

(C) a parent or other person responsible for the welfare of a juvenile, or such person's legal representative, with protection for the identity of persons reporting and other appropriate persons;

(D) the juvenile, the attorney and a guardian ad litem, if any, for such juvenile;

(E) the police or other law enforcement agency;

(F) an agency charged with the responsibility of preventing or treating physical, mental or emotional abuse or neglect or sexual abuse of children, if the agency requesting the information has standards of confidentiality as strict or stricter than the requirements of the Kansas code for care of children or the revised Kansas juvenile justice code, whichever is applicable;

(G) members of a multidisciplinary team under this code;

(H) an agency authorized by a properly constituted authority to diagnose, care for, treat or supervise a child who is the subject of a report or record of child abuse or neglect;

(I) any individual, or public or private agency authorized by a properly constituted authority to diagnose, care for, treat or supervise a juvenile who is the subject of a report or record of child abuse or neglect, specifically including the following: Physicians, psychiatrists, nurses, nurse practitioners, psychologists, licensed social workers, child development specialists, ~~physicians~~ *physician* assistants, community mental health workers, ~~alcohol and drug abuse~~ *addiction* counselors and licensed or registered child care providers;

(J) a citizen review board pursuant to K.S.A. 2014 Supp. 38-2207, and amendments thereto;

(K) an educational institution to the extent necessary to enable such institution to provide the safest possible environment for pupils and employees of the institution;

(L) any educator to the extent necessary for the protection of the educator and pupils; and

(M) any juvenile intake and assessment worker of another certified juvenile intake and assessment program.

Sec. 16. K.S.A. 2014 Supp. 39-970 is hereby amended to read as follows: 39-970. (a) (1) No person shall knowingly operate an adult care home if, in the adult care home, there works any person who has been

convicted of or has been adjudicated a juvenile offender because of having committed an act which if done by an adult would constitute the commission of capital murder, pursuant to K.S.A. 21-3439, prior to its repeal, or K.S.A. 2014 Supp. 21-5401, and amendments thereto, first degree murder, pursuant to K.S.A. 21-3401, prior to its repeal, or K.S.A. 2014 Supp. 21-5402, and amendments thereto, second degree murder, pursuant to ~~subsection (a) of K.S.A. 21-3402(a)~~, prior to its repeal, or ~~subsection (a) of K.S.A. 2014 Supp. 21-5403(a)~~, and amendments thereto, voluntary manslaughter, pursuant to K.S.A. 21-3403, prior to its repeal, or K.S.A. 2014 Supp. 21-5404, and amendments thereto, assisting suicide, pursuant to K.S.A. 21-3406, prior to its repeal, or K.S.A. 2014 Supp. 21-5407, and amendments thereto, mistreatment of a dependent adult *or mistreatment of an elder person*, pursuant to K.S.A. 21-3437, prior to its repeal, or K.S.A. 2014 Supp. 21-5417, and amendments thereto, *human trafficking, pursuant to K.S.A. 21-3446, prior to its repeal, or K.S.A. 2014 Supp. 21-5426(a), and amendments thereto, aggravated human trafficking, pursuant to K.S.A. 21-3447, prior to its repeal, or K.S.A. 2014 Supp. 21-5426(b), and amendments thereto*, rape, pursuant to K.S.A. 21-3502, prior to its repeal, or K.S.A. 2014 Supp. 21-5503, and amendments thereto, indecent liberties with a child, pursuant to K.S.A. 21-3503, prior to its repeal, or ~~subsection (a) of K.S.A. 2014 Supp. 21-5506(a)~~, and amendments thereto, aggravated indecent liberties with a child, pursuant to K.S.A. 21-3504, prior to its repeal, or ~~subsection (b) of K.S.A. 2014 Supp. 21-5506(b)~~, and amendments thereto, aggravated criminal sodomy, pursuant to K.S.A. 21-3506, prior to its repeal, or ~~subsection (b) of K.S.A. 2014 Supp. 21-5504(b)~~, and amendments thereto, indecent solicitation of a child, pursuant to K.S.A. 21-3510, prior to its repeal, or ~~subsection (a) of K.S.A. 2014 Supp. 21-5508(a)~~, and amendments thereto, aggravated indecent solicitation of a child, pursuant to K.S.A. 21-3511, prior to its repeal, or ~~subsection (b) of K.S.A. 2014 Supp. 21-5508(b)~~, and amendments thereto, sexual exploitation of a child, pursuant to K.S.A. 21-3516, prior to its repeal, or K.S.A. 2014 Supp. 21-5510, and amendments thereto, sexual battery, pursuant to K.S.A. 21-3517, prior to its repeal, or ~~subsection (a) of K.S.A. 2014 Supp. 21-5505(a)~~, and amendments thereto, ~~or~~ aggravated sexual battery, pursuant to K.S.A. 21-3518, prior to its repeal, or ~~subsection (b) of K.S.A. 2014 Supp. 21-5505(b)~~, and amendments thereto, *commercial sexual exploitation of a child, pursuant to K.S.A. 2014 Supp. 21-6422, and amendments thereto*, an attempt to commit any of the crimes listed in this subsection (a)(1), pursuant to K.S.A. 21-3301, prior to its repeal, or K.S.A. 2014 Supp. 21-5301, and amendments thereto, a conspiracy to commit any of the crimes listed in this subsection (a)(1), pursuant to K.S.A. 21-3302, prior to its repeal, or K.S.A. 2014 Supp. 21-5302, and amendments thereto, or criminal solicitation of any of the crimes listed in this subsection (a)(1), pursuant to K.S.A. 21-3303, prior to its repeal, or K.S.A. 2014 Supp. 21-5303, and amendments

thereto, or similar statutes of other states or the federal government. The provisions of subsection (a)(2)(C) shall not apply to any person who is employed by an adult care home on July 1, 2010, and while continuously employed by the same adult care home.

(2) A person operating an adult care home may employ an applicant who has been convicted of any of the following if five or more years have elapsed since the applicant satisfied the sentence imposed or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence; or if five or more years have elapsed since the applicant has been finally discharged from the custody of the commissioner of juvenile justice or from probation or has been adjudicated a juvenile offender, whichever time is longer: A felony conviction for a crime which is described in: (A) Article 34 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 54 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6104, 21-6325, 21-6326 or 21-6418, and amendments thereto, except those crimes listed in subsection (a)(1); (B) articles 35 or 36 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 55 or 56 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6419 through 21-6421, and amendments thereto, except those crimes listed in subsection (a)(1) and K.S.A. 21-3605, prior to its repeal, or K.S.A. 2014 Supp. 21-5606, and amendments thereto; (C) K.S.A. 21-3701, prior to its repeal, or K.S.A. 2014 Supp. 21-5801, and amendments thereto; (D) an attempt to commit any of the crimes listed in this subsection (a)(2), pursuant to K.S.A. 21-3301, prior to its repeal, or K.S.A. 2014 Supp. 21-5301, and amendments thereto; (E) a conspiracy to commit any of the crimes listed in subsection (a)(2), pursuant to K.S.A. 21-3302, prior to its repeal, or K.S.A. 2014 Supp. 21-5302, and amendments thereto; (F) criminal solicitation of any of the crimes listed in subsection (a)(2), pursuant to K.S.A. 21-3303, prior to its repeal, or K.S.A. 2014 Supp. 21-5303, and amendments thereto; or (G) similar statutes of other states or the federal government.

(b) No person shall operate an adult care home if such person has been found to be in need of a guardian or conservator, or both as provided in K.S.A. 59-3050 through 59-3095, and amendments thereto. The provisions of this subsection shall not apply to a minor found to be in need of a guardian or conservator for reasons other than impairment.

(c) The secretary for aging and disability services shall have access to any criminal history record information in the possession of the Kansas bureau of investigation regarding any criminal history information, convictions under K.S.A. 21-3437, 21-3517 and 21-3701, prior to their repeal, or K.S.A. 2014 Supp. 21-5417, ~~subsection (a) of 21-5505(a)~~ and 21-5801, and amendments thereto, adjudications of a juvenile offender which if committed by an adult would have been a felony conviction, and adjudications of a juvenile offender for an offense described in K.S.A. 21-

3437, 21-3517 and 21-3701, prior to their repeal, or K.S.A. 2014 Supp. 21-5417, ~~subsection (a) of 21-5505(a)~~ and 21-5801, and amendments thereto, concerning persons working in an adult care home. The secretary shall have access to these records for the purpose of determining whether or not the adult care home meets the requirements of this section. The Kansas bureau of investigation may charge to the Kansas department for aging and disability services a reasonable fee for providing criminal history record information under this subsection.

(d) For the purpose of complying with this section, the operator of an adult care home shall request from the Kansas department for aging and disability services information regarding any criminal history information, convictions under K.S.A. 21-3437, 21-3517 and 21-3701, prior to their repeal, or K.S.A. 2014 Supp. 21-5417, ~~subsection (a) of 21-5505(a)~~ and 21-5801, and amendments thereto, adjudications of a juvenile offender which if committed by an adult would have been a felony conviction, and adjudications of a juvenile offender for an offense described in K.S.A. 21-3437, 21-3517 and 21-3701, prior to their repeal, or K.S.A. 2014 Supp. 21-5417, ~~subsection (a) of 21-5505(a)~~ and 21-5801, and amendments thereto, and which relates to a person who works in the adult care home, or is being considered for employment by the adult care home, for the purpose of determining whether such person is subject to the provision of this section. For the purpose of complying with this section, the operator of an adult care home shall receive from any employment agency which provides employees to work in the adult care home written certification that such employees are not prohibited from working in the adult care home under this section. For the purpose of complying with this section, information relating to convictions and adjudications by the federal government or to convictions and adjudications in states other than Kansas shall not be required until such time as the secretary for aging and disability services determines the search for such information could reasonably be performed and the information obtained within a two-week period. For the purpose of complying with this section, a person who operates an adult care home may hire an applicant for employment on a conditional basis pending the results from the Kansas department for aging and disability services of a request for information under this subsection. No adult care home, the operator or employees of an adult care home or an employment agency, or the operator or employees of an employment agency, shall be liable for civil damages resulting from any decision to employ, to refuse to employ or to discharge from employment any person based on such adult care home's compliance with the provisions of this section if such adult care home or employment agency acts in good faith to comply with this section.

(e) The secretary for aging and disability services shall charge each person requesting information under this section a fee equal to cost, not

to exceed \$10, for each name about which an information request has been submitted to the department under this section.

(f) (1) The secretary for aging and disability services shall provide each operator requesting information under this section with the criminal history record information concerning any criminal history information and convictions under K.S.A. 21-3437, 21-3517 and 21-3701, prior to their repeal, or K.S.A. 2014 Supp. 21-5417, ~~subsection (a) of 21-5505(a)~~ and 21-5801, and amendments thereto, in writing and within three working days of receipt of such information from the Kansas bureau of investigation. The criminal history record information shall be provided regardless of whether the information discloses that the subject of the request has been convicted of an offense enumerated in subsection (a).

(2) When an offense enumerated in subsection (a) exists in the criminal history record information, and when further confirmation regarding criminal history record information is required from the appropriate court of jurisdiction or Kansas department of corrections, the secretary shall notify each operator that requests information under this section in writing and within three working days of receipt from the Kansas bureau of investigation that further confirmation is required. The secretary shall provide to the operator requesting information under this section information in writing and within three working days of receipt of such information from the appropriate court of jurisdiction or Kansas department of corrections regarding confirmation regarding the criminal history record information.

(3) Whenever the criminal history record information reveals that the subject of the request has no criminal history on record, the secretary shall provide notice to each operator requesting information under this section, in writing and within three working days after receipt of such information from the Kansas bureau of investigation.

(4) The secretary for aging and disability services shall not provide each operator requesting information under this section with the juvenile criminal history record information which relates to a person subject to a background check as is provided by K.S.A. 2014 Supp. 38-2326, and amendments thereto, except for adjudications of a juvenile offender for an offense described in K.S.A. 21-3701, prior to its repeal, or K.S.A. 2014 Supp. 21-5801, and amendments thereto. The secretary shall notify the operator that requested the information, in writing and within three working days of receipt of such information from the Kansas bureau of investigation, whether juvenile criminal history record information received pursuant to this section reveals that the operator would or would not be prohibited by this section from employing the subject of the request for information and whether such information contains adjudications of a juvenile offender for an offense described in K.S.A. 21-3701, prior to its repeal, or K.S.A. 2014 Supp. 21-5801, and amendments thereto.

(5) An operator who receives criminal history record information un-

der this subsection ~~(f)~~ shall keep such information confidential, except that the operator may disclose such information to the person who is the subject of the request for information. A violation of this paragraph ~~(5)~~ shall be an unclassified misdemeanor punishable by a fine of \$100.

(g) No person who works for an adult care home and who is currently licensed or registered by an agency of this state to provide professional services in the state and who provides such services as part of the work which such person performs for the adult care home shall be subject to the provisions of this section.

(h) A person who volunteers in an adult care home shall not be subject to the provisions of this section because of such volunteer activity.

(i) An operator may request from the Kansas department for aging and disability services criminal history information on persons employed under subsections (g) and (h).

(j) No person who has been employed by the same adult care home since July 1, 1992, shall be subject to the provisions of this section while employed by such adult care home.

(k) The operator of an adult care home shall not be required under this section to conduct a background check on an applicant for employment with the adult care home if the applicant has been the subject of a background check under this act within one year prior to the application for employment with the adult care home. The operator of an adult care home where the applicant was the subject of such background check may release a copy of such background check to the operator of an adult care home where the applicant is currently applying.

(l) No person who is in the custody of the secretary of corrections and who provides services, under direct supervision in nonpatient areas, on the grounds or other areas designated by the superintendent of the Kansas soldiers' home or the Kansas veterans' home shall be subject to the provisions of this section while providing such services.

(m) For purposes of this section, the Kansas bureau of investigation shall report any criminal history information, convictions under K.S.A. 21-3437, 21-3517 and 21-3701, prior to their repeal, or K.S.A. 2014 Supp. 21-5417, ~~subsection (a) of 21-5505(a)~~ and 21-5801, and amendments thereto, adjudications of a juvenile offender which if committed by an adult would have been a felony conviction, and adjudications of a juvenile offender for an offense described in K.S.A. 21-3437, 21-3517 and 21-3701, prior to their repeal, or K.S.A. 2014 Supp. 21-5417, ~~subsection (a) of 21-5505(a)~~ and 21-5801, and amendments thereto, to the secretary for aging and disability services when a background check is requested.

(n) This section shall be part of and supplemental to the adult care home licensure act.

Sec. 17. K.S.A. 2014 Supp. 44-706 is hereby amended to read as follows: 44-706. An individual shall be disqualified for benefits:

(a) If the individual left work voluntarily without good cause attributable to the work or the employer, subject to the other provisions of this subsection. For purposes of this subsection, “good cause” is cause of such gravity that would impel a reasonable, not supersensitive, individual exercising ordinary common sense to leave employment. Good cause requires a showing of good faith of the individual leaving work, including the presence of a genuine desire to work. Failure to return to work after expiration of approved personal or medical leave, or both, shall be considered a voluntary resignation. After a temporary job assignment, failure of an individual to affirmatively request an additional assignment on the next succeeding workday, if required by the employment agreement, after completion of a given work assignment, shall constitute leaving work voluntarily. The disqualification shall begin the day following the separation and shall continue until after the individual has become reemployed and has had earnings from insured work of at least three times the individual’s weekly benefit amount. An individual shall not be disqualified under this subsection if:

(1) The individual was forced to leave work because of illness or injury upon the advice of a licensed and practicing health care provider and, upon learning of the necessity for absence, immediately notified the employer thereof, or the employer consented to the absence, and after recovery from the illness or injury, when recovery was certified by a practicing health care provider, the individual returned to the employer and offered to perform services and the individual’s regular work or comparable and suitable work was not available. As used in this paragraph “health care provider” means any person licensed by the proper licensing authority of any state to engage in the practice of medicine and surgery, osteopathy, chiropractic, dentistry, optometry, podiatry or psychology;

(2) the individual left temporary work to return to the regular employer;

(3) the individual left work to enlist in the armed forces of the United States, but was rejected or delayed from entry;

(4) the spouse of an individual who is a member of the armed forces of the United States who left work because of the voluntary or involuntary transfer of the individual’s spouse from one job to another job, which is for the same employer or for a different employer, at a geographic location which makes it unreasonable for the individual to continue work at the individual’s job. For the purposes of this provision the term “armed forces” means active duty in the army, navy, marine corps, air force, coast guard or any branch of the military reserves of the United States;

(5) the individual left work because of hazardous working conditions; in determining whether or not working conditions are hazardous for an individual, the degree of risk involved to the individual’s health, safety and morals, the individual’s physical fitness and prior training and the working conditions of workers engaged in the same or similar work for



the same and other employers in the locality shall be considered; as used in this paragraph, "hazardous working conditions" means working conditions that could result in a danger to the physical or mental well-being of the individual; each determination as to whether hazardous working conditions exist shall include, but shall not be limited to, a consideration of: (A) The safety measures used or the lack thereof; and (B) the condition of equipment or lack of proper equipment; no work shall be considered hazardous if the working conditions surrounding the individual's work are the same or substantially the same as the working conditions generally prevailing among individuals performing the same or similar work for other employers engaged in the same or similar type of activity;

(6) the individual left work to enter training approved under section 236(a)(1) of the federal trade act of 1974, provided the work left is not of a substantially equal or higher skill level than the individual's past adversely affected employment, as defined for purposes of the federal trade act of 1974, and wages for such work are not less than 80% of the individual's average weekly wage as determined for the purposes of the federal trade act of 1974;

(7) the individual left work because of unwelcome harassment of the individual by the employer or another employee of which the employing unit had knowledge and that would impel the average worker to give up such worker's employment;

(8) the individual left work to accept better work; each determination as to whether or not the work accepted is better work shall include, but shall not be limited to, consideration of: (A) The rate of pay, the hours of work and the probable permanency of the work left as compared to the work accepted; (B) the cost to the individual of getting to the work left in comparison to the cost of getting to the work accepted; and (C) the distance from the individual's place of residence to the work accepted in comparison to the distance from the individual's residence to the work left;

(9) the individual left work as a result of being instructed or requested by the employer, a supervisor or a fellow employee to perform a service or commit an act in the scope of official job duties which is in violation of an ordinance or statute;

(10) the individual left work because of a substantial violation of the work agreement by the employing unit and, before the individual left, the individual had exhausted all remedies provided in such agreement for the settlement of disputes before terminating. For the purposes of this paragraph, a demotion based on performance does not constitute a violation of the work agreement;

(11) after making reasonable efforts to preserve the work, the individual left work due to a personal emergency of such nature and compelling urgency that it would be contrary to good conscience to impose a disqualification; or

(12) (A) the individual left work due to circumstances resulting from domestic violence, including:

(i) The individual's reasonable fear of future domestic violence at or en route to or from the individual's place of employment;

(ii) the individual's need to relocate to another geographic area in order to avoid future domestic violence;

(iii) the individual's need to address the physical, psychological and legal impacts of domestic violence;

(iv) the individual's need to leave employment as a condition of receiving services or shelter from an agency which provides support services or shelter to victims of domestic violence; or

(v) the individual's reasonable belief that termination of employment is necessary to avoid other situations which may cause domestic violence and to provide for the future safety of the individual or the individual's family.

(B) An individual may prove the existence of domestic violence by providing one of the following:

(i) A restraining order or other documentation of equitable relief by a court of competent jurisdiction;

(ii) a police record documenting the abuse;

(iii) documentation that the abuser has been convicted of one or more of the offenses enumerated in articles 34 and 35 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or articles 54 or 55 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6104, 21-6325, 21-6326 or 21-6418 through ~~21-6421~~ 21-6422, and amendments thereto, where the victim was a family or household member;

(iv) medical documentation of the abuse;

(v) a statement provided by a counselor, social worker, health care provider, clergy, shelter worker, legal advocate, domestic violence or sexual assault advocate or other professional who has assisted the individual in dealing with the effects of abuse on the individual or the individual's family; or

(vi) a sworn statement from the individual attesting to the abuse.

(C) No evidence of domestic violence experienced by an individual, including the individual's statement and corroborating evidence, shall be disclosed by the department of labor unless consent for disclosure is given by the individual.

(b) If the individual has been discharged or suspended for misconduct connected with the individual's work. The disqualification shall begin the day following the separation and shall continue until after the individual becomes reemployed and in cases where the disqualification is due to discharge for misconduct has had earnings from insured work of at least three times the individual's determined weekly benefit amount, except that if an individual is discharged for gross misconduct connected with the individual's work, such individual shall be disqualified for ben-

efits until such individual again becomes employed and has had earnings from insured work of at least eight times such individual's determined weekly benefit amount. In addition, all wage credits attributable to the employment from which the individual was discharged for gross misconduct connected with the individual's work shall be canceled. No such cancellation of wage credits shall affect prior payments made as a result of a prior separation.

(1) For the purposes of this subsection, "misconduct" is defined as a violation of a duty or obligation reasonably owed the employer as a condition of employment including, but not limited to, a violation of a company rule, including a safety rule, if: (A) The individual knew or should have known about the rule; (B) the rule was lawful and reasonably related to the job; and (C) the rule was fairly and consistently enforced.

(2) (A) Failure of the employee to notify the employer of an absence and an individual's leaving work prior to the end of such individual's assigned work period without permission shall be considered prima facie evidence of a violation of a duty or obligation reasonably owed the employer as a condition of employment.

(B) For the purposes of this subsection, misconduct shall include, but not be limited to, violation of the employer's reasonable attendance expectations if the facts show:

- (i) The individual was absent or tardy without good cause;
- (ii) the individual had knowledge of the employer's attendance expectation; and
- (iii) the employer gave notice to the individual that future absence or tardiness may or will result in discharge.

(C) For the purposes of this subsection, if an employee disputes being absent or tardy without good cause, the employee shall present evidence that a majority of the employee's absences or tardiness were for good cause. If the employee alleges that the employee's repeated absences or tardiness were the result of health related issues, such evidence shall include documentation from a licensed and practicing health care provider as defined in subsection (a)(1).

(3) (A) The term "gross misconduct" as used in this subsection shall be construed to mean conduct evincing extreme, willful or wanton misconduct as defined by this subsection. Gross misconduct shall include, but not be limited to: (i) Theft; (ii) fraud; (iii) intentional damage to property; (iv) intentional infliction of personal injury; or (v) any conduct that constitutes a felony.

(B) For the purposes of this subsection, the following shall be conclusive evidence of gross misconduct:

- (i) The use of alcoholic liquor, cereal malt beverage or a nonprescribed controlled substance by an individual while working;
- (ii) the impairment caused by alcoholic liquor, cereal malt beverage or a nonprescribed controlled substance by an individual while working;

- (iii) a positive breath alcohol test or a positive chemical test, provided:
  - (a) The test was either:
    - (1) Required by law and was administered pursuant to the drug free workplace act, 41 U.S.C. § 701 et seq.;
    - (2) administered as part of an employee assistance program or other drug or alcohol treatment program in which the employee was participating voluntarily or as a condition of further employment;
    - (3) requested pursuant to a written policy of the employer of which the employee had knowledge and was a required condition of employment;
    - (4) required by law and the test constituted a required condition of employment for the individual's job; or
    - (5) there was reasonable suspicion to believe that the individual used, had possession of, or was impaired by alcoholic liquor, cereal malt beverage or a nonprescribed controlled substance while working;
  - (b) the test sample was collected either:
    - (1) As prescribed by the drug free workplace act, 41 U.S.C. § 701 et seq.;
    - (2) as prescribed by an employee assistance program or other drug or alcohol treatment program in which the employee was participating voluntarily or as a condition of further employment;
    - (3) as prescribed by the written policy of the employer of which the employee had knowledge and which constituted a required condition of employment;
    - (4) as prescribed by a test which was required by law and which constituted a required condition of employment for the individual's job; or
    - (5) at a time contemporaneous with the events establishing probable cause;
  - (c) the collecting and labeling of a chemical test sample was performed by a licensed health care professional or any other individual certified pursuant to paragraph (b)(3)(A)(iii)(f) or authorized to collect or label test samples by federal or state law, or a federal or state rule or regulation having the force or effect of law, including law enforcement personnel;
  - (d) the chemical test was performed by a laboratory approved by the United States department of health and human services or licensed by the department of health and environment, except that a blood sample may be tested for alcohol content by a laboratory commonly used for that purpose by state law enforcement agencies;
  - (e) the chemical test was confirmed by gas chromatography, gas chromatography-mass spectroscopy or other comparably reliable analytical method, except that no such confirmation is required for a blood alcohol sample or a breath alcohol test;
  - (f) the breath alcohol test was administered by an individual trained

to perform breath tests, the breath testing instrument used was certified and operated strictly according to a description provided by the manufacturers and the reliability of the instrument performance was assured by testing with alcohol standards; and

(g) the foundation evidence establishes, beyond a reasonable doubt, that the test results were from the sample taken from the individual;

(iv) an individual's refusal to submit to a chemical test or breath alcohol test, provided:

(a) The test meets the standards of the drug free workplace act, 41 U.S.C. § 701 et seq.;

(b) the test was administered as part of an employee assistance program or other drug or alcohol treatment program in which the employee was participating voluntarily or as a condition of further employment;

(c) the test was otherwise required by law and the test constituted a required condition of employment for the individual's job;

(d) the test was requested pursuant to a written policy of the employer of which the employee had knowledge and was a required condition of employment; or

(e) there was reasonable suspicion to believe that the individual used, possessed or was impaired by alcoholic liquor, cereal malt beverage or a nonprescribed controlled substance while working;

(v) an individual's dilution or other tampering of a chemical test.

(C) For purposes of this subsection:

(i) "Alcohol concentration" means the number of grams of alcohol per 210 liters of breath;

(ii) "alcoholic liquor" shall be defined as provided in K.S.A. 41-102, and amendments thereto;

(iii) "cereal malt beverage" shall be defined as provided in K.S.A. 41-2701, and amendments thereto;

(iv) "chemical test" shall include, but is not limited to, tests of urine, blood or saliva;

(v) "controlled substance" shall be defined as provided in K.S.A. 2014 Supp. 21-5701, and amendments thereto;

(vi) "required by law" means required by a federal or state law, a federal or state rule or regulation having the force and effect of law, a county resolution or municipal ordinance, or a policy relating to public safety adopted in an open meeting by the governing body of any special district or other local governmental entity;

(vii) "positive breath test" shall mean a test result showing an alcohol concentration of 0.04 or greater, or the levels listed in 49 C.F.R. part 40, if applicable, unless the test was administered as part of an employee assistance program or other drug or alcohol treatment program in which the employee was participating voluntarily or as a condition of further employment, in which case "positive chemical test" shall mean a test

result showing an alcohol concentration at or above the levels provided for in the assistance or treatment program;

(viii) “positive chemical test” shall mean a chemical result showing a concentration at or above the levels listed in K.S.A. 44-501, and amendments thereto, or 49 C.F.R. part 40, as applicable, for the drugs or abuse listed therein, unless the test was administered as part of an employee assistance program or other drug or alcohol treatment program in which the employee was participating voluntarily or as a condition of further employment, in which case “positive chemical test” shall mean a chemical result showing a concentration at or above the levels provided for in the assistance or treatment program.

(4) An individual shall not be disqualified under this subsection if the individual is discharged under the following circumstances:

(A) The employer discharged the individual after learning the individual was seeking other work or when the individual gave notice of future intent to quit, except that the individual shall be disqualified after the time at which such individual intended to quit and any individual who commits misconduct after such individual gives notice to such individual’s intent to quit shall be disqualified;

(B) the individual was making a good-faith effort to do the assigned work but was discharged due to: (i) Inefficiency; (ii) unsatisfactory performance due to inability, incapacity or lack of training or experience; (iii) isolated instances of ordinary negligence or inadvertence; (iv) good-faith errors in judgment or discretion; or (v) unsatisfactory work or conduct due to circumstances beyond the individual’s control; or

(C) the individual’s refusal to perform work in excess of the contract of hire.

(c) If the individual has failed, without good cause, to either apply for suitable work when so directed by the employment office of the secretary of labor, or to accept suitable work when offered to the individual by the employment office, the secretary of labor, or an employer, such disqualification shall begin with the week in which such failure occurred and shall continue until the individual becomes reemployed and has had earnings from insured work of at least three times such individual’s determined weekly benefit amount. In determining whether or not any work is suitable for an individual, the secretary of labor, or a person or persons designated by the secretary, shall consider the degree of risk involved to health, safety and morals, physical fitness and prior training, experience and prior earnings, length of unemployment and prospects for securing local work in the individual’s customary occupation or work for which the individual is reasonably fitted by training or experience, and the distance of the available work from the individual’s residence. Notwithstanding any other provisions of this act, an otherwise eligible individual shall not be disqualified for refusing an offer of suitable employment, or failing to apply for suitable employment when notified by an employment office,

or for leaving the individual's most recent work accepted during approved training, including training approved under section 236(a)(1) of the trade act of 1974, if the acceptance of or applying for suitable employment or continuing such work would require the individual to terminate approved training and no work shall be deemed suitable and benefits shall not be denied under this act to any otherwise eligible individual for refusing to accept new work under any of the following conditions: (1) If the position offered is vacant due directly to a strike, lockout or other labor dispute; (2) if the remuneration, hours or other conditions of the work offered are substantially less favorable to the individual than those prevailing for similar work in the locality; (3) if as a condition of being employed, the individual would be required to join or to resign from or refrain from joining any labor organization; and (4) if the individual left employment as a result of domestic violence, and the position offered does not reasonably accommodate the individual's physical, psychological, safety, or legal needs relating to such domestic violence.

(d) For any week with respect to which the secretary of labor, or a person or persons designated by the secretary, finds that the individual's unemployment is due to a stoppage of work which exists because of a labor dispute or there would have been a work stoppage had normal operations not been maintained with other personnel previously and currently employed by the same employer at the factory, establishment or other premises at which the individual is or was last employed, except that this subsection (d) shall not apply if it is shown to the satisfaction of the secretary of labor, or a person or persons designated by the secretary, that: (1) The individual is not participating in or financing or directly interested in the labor dispute which caused the stoppage of work; and (2) the individual does not belong to a grade or class of workers of which, immediately before the commencement of the stoppage, there were members employed at the premises at which the stoppage occurs any of whom are participating in or financing or directly interested in the dispute. If in any case separate branches of work which are commonly conducted as separate businesses in separate premises are conducted in separate departments of the same premises, each such department shall, for the purpose of this subsection be deemed to be a separate factory, establishment or other premises. For the purposes of this subsection, failure or refusal to cross a picket line or refusal for any reason during the continuance of such labor dispute to accept the individual's available and customary work at the factory, establishment or other premises where the individual is or was last employed shall be considered as participation and interest in the labor dispute.

(e) For any week with respect to which or a part of which the individual has received or is seeking unemployment benefits under the unemployment compensation law of any other state or of the United States, except that if the appropriate agency of such other state or the United

States finally determines that the individual is not entitled to such unemployment benefits, this disqualification shall not apply.

(f) For any week with respect to which the individual is entitled to receive any unemployment allowance or compensation granted by the United States under an act of congress to ex-service men and women in recognition of former service with the military or naval services of the United States.

(g) For the period of five years beginning with the first day following the last week of unemployment for which the individual received benefits, or for five years from the date the act was committed, whichever is the later, if the individual, or another in such individual's behalf with the knowledge of the individual, has knowingly made a false statement or representation, or has knowingly failed to disclose a material fact to obtain or increase benefits under this act or any other unemployment compensation law administered by the secretary of labor. In addition to the penalties set forth in K.S.A. 44-719, and amendments thereto, an individual who has knowingly made a false statement or representation or who has knowingly failed to disclose a material fact to obtain or increase benefits under this act or any other unemployment compensation law administered by the secretary of labor shall be liable for a penalty in the amount equal to 25% of the amount of benefits unlawfully received. Notwithstanding any other provision of law, such penalty shall be deposited into the employment security trust fund.

(h) For any week with respect to which the individual is receiving compensation for temporary total disability or permanent total disability under the workmen's compensation law of any state or under a similar law of the United States.

(i) For any week of unemployment on the basis of service in an instructional, research or principal administrative capacity for an educational institution as defined in ~~subsection (v) of~~ K.S.A. 44-703(v), and amendments thereto, if such week begins during the period between two successive academic years or terms or, when an agreement provides instead for a similar period between two regular but not successive terms during such period or during a period of paid sabbatical leave provided for in the individual's contract, if the individual performs such services in the first of such academic years or terms and there is a contract or a reasonable assurance that such individual will perform services in any such capacity for any educational institution in the second of such academic years or terms.

(j) For any week of unemployment on the basis of service in any capacity other than service in an instructional, research, or administrative capacity in an educational institution, as defined in ~~subsection (v) of~~ K.S.A. 44-703(v), and amendments thereto, if such week begins during the period between two successive academic years or terms if the individual performs such services in the first of such academic years or terms



and there is a reasonable assurance that the individual will perform such services in the second of such academic years or terms, except that if benefits are denied to the individual under this subsection and the individual was not offered an opportunity to perform such services for the educational institution for the second of such academic years or terms, such individual shall be entitled to a retroactive payment of benefits for each week for which the individual filed a timely claim for benefits and for which benefits were denied solely by reason of this subsection.

(k) For any week of unemployment on the basis of service in any capacity for an educational institution as defined in ~~subsection (v) of~~ K.S.A. 44-703(v), and amendments thereto, if such week begins during an established and customary vacation period or holiday recess, if the individual performs services in the period immediately before such vacation period or holiday recess and there is a reasonable assurance that such individual will perform such services in the period immediately following such vacation period or holiday recess.

(l) For any week of unemployment on the basis of any services, substantially all of which consist of participating in sports or athletic events or training or preparing to so participate, if such week begins during the period between two successive sport seasons or similar period if such individual performed services in the first of such seasons or similar periods and there is a reasonable assurance that such individual will perform such services in the later of such seasons or similar periods.

(m) For any week on the basis of services performed by an alien unless such alien is an individual who was lawfully admitted for permanent residence at the time such services were performed, was lawfully present for purposes of performing such services, or was permanently residing in the United States under color of law at the time such services were performed, including an alien who was lawfully present in the United States as a result of the application of the provisions of section 212(d)(5) of the federal immigration and nationality act. Any data or information required of individuals applying for benefits to determine whether benefits are not payable to them because of their alien status shall be uniformly required from all applicants for benefits. In the case of an individual whose application for benefits would otherwise be approved, no determination that benefits to such individual are not payable because of such individual's alien status shall be made except upon a preponderance of the evidence.

(n) For any week in which an individual is receiving a governmental or other pension, retirement or retired pay, annuity or other similar periodic payment under a plan maintained by a base period employer and to which the entire contributions were provided by such employer, except that: (1) If the entire contributions to such plan were provided by the base period employer but such individual's weekly benefit amount exceeds such governmental or other pension, retirement or retired pay,

annuity or other similar periodic payment attributable to such week, the weekly benefit amount payable to the individual shall be reduced, but not below zero, by an amount equal to the amount of such pension, retirement or retired pay, annuity or other similar periodic payment which is attributable to such week; or (2) if only a portion of contributions to such plan were provided by the base period employer, the weekly benefit amount payable to such individual for such week shall be reduced, but not below zero, by the prorated weekly amount of the pension, retirement or retired pay, annuity or other similar periodic payment after deduction of that portion of the pension, retirement or retired pay, annuity or other similar periodic payment that is directly attributable to the percentage of the contributions made to the plan by such individual; or (3) if the entire contributions to the plan were provided by such individual, or by the individual and an employer, or any person or organization, who is not a base period employer, no reduction in the weekly benefit amount payable to the individual for such week shall be made under this subsection; or (4) whatever portion of contributions to such plan were provided by the base period employer, if the services performed for the employer by such individual during the base period, or remuneration received for the services, did not affect the individual's eligibility for, or increased the amount of, such pension, retirement or retired pay, annuity or other similar periodic payment, no reduction in the weekly benefit amount payable to the individual for such week shall be made under this subsection. No reduction shall be made for payments made under the social security act or railroad retirement act of 1974.

(o) For any week of unemployment on the basis of services performed in any capacity and under any of the circumstances described in subsection (i), (j) or (k) which an individual performed in an educational institution while in the employ of an educational service agency. For the purposes of this subsection, the term "educational service agency" means a governmental agency or entity which is established and operated exclusively for the purpose of providing such services to one or more educational institutions.

(p) For any week of unemployment on the basis of service as a school bus or other motor vehicle driver employed by a private contractor to transport pupils, students and school personnel to or from school-related functions or activities for an educational institution, as defined in ~~subsection (v) of K.S.A. 44-703(v)~~, and amendments thereto, if such week begins during the period between two successive academic years or during a similar period between two regular terms, whether or not successive, if the individual has a contract or contracts, or a reasonable assurance thereof, to perform services in any such capacity with a private contractor for any educational institution for both such academic years or both such terms. An individual shall not be disqualified for benefits as provided in this subsection for any week of unemployment on the basis of service as

a bus or other motor vehicle driver employed by a private contractor to transport persons to or from nonschool-related functions or activities.

(q) For any week of unemployment on the basis of services performed by the individual in any capacity and under any of the circumstances described in subsection (i), (j), (k) or (o) which are provided to or on behalf of an educational institution, as defined in ~~subsection (v) of~~ K.S.A. 44-703(v), and amendments thereto, while the individual is in the employ of an employer which is a governmental entity, Indian tribe or any employer described in section 501(c)(3) of the federal internal revenue code of 1986 which is exempt from income under section 501(a) of the code.

(r) For any week in which an individual is registered at and attending an established school, training facility or other educational institution, or is on vacation during or between two successive academic years or terms. An individual shall not be disqualified for benefits as provided in this subsection provided:

(1) The individual was engaged in full-time employment concurrent with the individual's school attendance;

(2) the individual is attending approved training as defined in ~~subsection (s) of~~ K.S.A. 44-703(s), and amendments thereto; or

(3) the individual is attending evening, weekend or limited day time classes, which would not affect availability for work, and is otherwise eligible under ~~subsection (c) of~~ K.S.A. 44-705(c), and amendments thereto.

(s) For any week with respect to which an individual is receiving or has received remuneration in the form of a back pay award or settlement. The remuneration shall be allocated to the week or weeks in the manner as specified in the award or agreement, or in the absence of such specificity in the award or agreement, such remuneration shall be allocated to the week or weeks in which such remuneration, in the judgment of the secretary, would have been paid.

(1) For any such weeks that an individual receives remuneration in the form of a back pay award or settlement, an overpayment will be established in the amount of unemployment benefits paid and shall be collected from the claimant.

(2) If an employer chooses to withhold from a back pay award or settlement, amounts paid to a claimant while they claimed unemployment benefits, such employer shall pay the department the amount withheld. With respect to such amount, the secretary shall have available all of the collection remedies authorized or provided in K.S.A. 44-717, and amendments thereto.

(t) (1) Any applicant for or recipient of unemployment benefits who tests positive for unlawful use of a controlled substance or controlled substance analog shall be required to complete a substance abuse treatment program approved by the secretary of labor, secretary of commerce

or secretary for children and families, and a job skills program approved by the secretary of labor, secretary of commerce or the secretary for children and families. Subject to applicable federal laws, any applicant for or recipient of unemployment benefits who fails to complete or refuses to participate in the substance abuse treatment program or job skills program as required under this subsection shall be ineligible to receive unemployment benefits until completion of such substance abuse treatment and job skills programs. Upon completion of both substance abuse treatment and job skills programs, such applicant for or recipient of unemployment benefits may be subject to periodic drug screening, as determined by the secretary of labor. Upon a second positive test for unlawful use of a controlled substance or controlled substance analog, an applicant for or recipient of unemployment benefits shall be ordered to complete again a substance abuse treatment program and job skills program, and shall be terminated from unemployment benefits for a period of 12 months, or until such applicant for or recipient of unemployment benefits completes both substance abuse treatment and job skills programs, whichever is later. Upon a third positive test for unlawful use of a controlled substance or controlled substance analog, an applicant for or a recipient of unemployment benefits shall be terminated from receiving unemployment benefits, subject to applicable federal law.

(2) Any individual who has been discharged or refused employment for failing a preemployment drug screen required by an employer may request that the drug screening specimen be sent to a different drug testing facility for an additional drug screening. Any such individual who requests an additional drug screening at a different drug testing facility shall be required to pay the cost of drug screening.

(u) If the individual was found not to have a disqualifying adjudication or conviction under K.S.A. 39-970 or 65-5117, and amendments thereto, was hired and then was subsequently convicted of a disqualifying felony under K.S.A. 39-970 or 65-5117, and amendments thereto, and discharged pursuant to K.S.A. 39-970 or 65-5117, and amendments thereto. The disqualification shall begin the day following the separation and shall continue until after the individual becomes reemployed and has had earnings from insured work of at least three times the individual's determined weekly benefit amount.

Sec. 18. K.S.A. 2014 Supp. 59-2132 is hereby amended to read as follows: 59-2132. (a) Except as provided in subsection (h), in independent and agency adoptions, the court shall require the petitioner to obtain an assessment of the advisability of the adoption by a court approved:

(1) (A) Licensed social worker, licensed specialist social worker, licensed specialist clinical social worker, licensed masters social worker, licensed baccalaureate social worker or licensed associate social worker licensed by the behavioral sciences regulatory board;

(B) licensed clinical marriage and family therapist as defined in K.S.A. 65-6402, and amendments thereto;

(C) licensed marriage and family therapist as defined in K.S.A. 65-6402, and amendments thereto;

(D) licensed clinical professional counselor as defined in K.S.A. 65-5802, and amendments thereto;

(E) licensed professional counselor as defined in K.S.A. 65-5802, and amendments thereto;

(F) licensed psychologist as defined in K.S.A. 65-6319, and amendments thereto;

(G) licensed masters level psychologist as defined in K.S.A. 74-5362, and amendments thereto;

(H) licensed clinical psychotherapist as defined in K.S.A. 74-5363, and amendments thereto; or

(I) a licensed child-placing agency.

(2) Any person performing an assessment pursuant to this subsection shall:

(A) Possess a minimum of two years experience in adoption services or be supervised by a person with such experience; or

(B) if licensed by the behavioral sciences regulatory board to diagnose and treat mental disorders in independent practice, possess a minimum of one year of experience in adoption services or be supervised by a person with such experience.

(b) The petitioner shall file with the court, not less than 10 days before the hearing on the petition, a report of the assessment and, if necessary, confirmation or clarification of the information filed under K.S.A. 59-2130, and amendments thereto.

(c) If there is no one authorized pursuant to this section available to make the assessment and report to the court, the court may use the Kansas department for children and families for that purpose.

(d) The costs of making the assessment and report may be assessed as court costs in the case as provided in article 20 of chapter 60 of the Kansas Statutes Annotated, and amendments thereto.

(e) In making the assessment, the person authorized pursuant to this section or Kansas department for children and families is authorized to observe the child in the petitioner's home, verify financial information of the petitioner, shall clear the name of the petitioner with the child abuse and neglect registry through the Kansas department for children and families and, when appropriate, with a similar registry in another state or nation, shall determine whether the petitioner has been convicted of a felony for any act described in articles 34, 35 or 36 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or articles 54, 55 or 56 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6104, 21-6325, 21-6326 or 21-6418 through ~~21-6421~~ 21-6422, and amendments thereto, or, within the last five years been convicted of a felony

violation of K.S.A. 2010 Supp. 21-36a01 through 21-36a17, prior to their transfer, or article 57 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, or any felony violation of any provision of the uniform controlled substances act prior to July 1, 2009, and, when appropriate, any similar conviction in another jurisdiction, and to contact the agency or individuals consenting to the adoption and confirm and, if necessary, clarify any genetic and medical history filed with the petition. This information shall be made a part of the report to the court. The report to the court by any person authorized pursuant to this section to perform this assessment shall include the results of the investigation of the petitioner, the petitioner's home and the ability of the petitioner to care for the child.

(f) In the case of a nonresident who is filing a petition to adopt a child in Kansas, the assessment and report required by this section must be completed in the petitioner's state of residence by a person authorized in that state to conduct such assessments. Such report shall be filed with the court not less than 10 days before the hearing on the petition.

(g) The assessment and report required by this section shall comply with any applicable rules and regulations of the department of health and environment and shall have been completed not more than one year prior to the filing of the petition for adoption.

(h) The assessment and report required by this section may be waived by the court upon: (1) Review of a petition requesting such waiver by a relative of the child; or

(2) the court's own motion.

Sec. 19. K.S.A. 2014 Supp. 59-29a14 is hereby amended to read as follows: 59-29a14. (a) The county or district attorney shall file a special allegation of sexual motivation within 14 days after arraignment in every criminal case other than sex offenses as defined in article 35 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 55 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6419 through ~~21-6421~~ 21-6422, and amendments thereto, when sufficient admissible evidence exists, which, when considered with the most plausible, reasonably foreseeable defense that could be raised under the evidence, would justify a finding of sexual motivation by a reasonable and objective fact finder.

(b) In a criminal case wherein there has been a special allegation, the state shall prove beyond a reasonable doubt that the accused committed the crime with a sexual motivation. The court shall make a finding of fact of whether or not a sexual motivation was present at the time of the commission of the crime, or if a jury trial is had, the jury, if it finds the defendant guilty, also shall find a special verdict as to whether or not the defendant committed the crime with a sexual motivation. This finding shall not be applied to sex offenses as defined in article 35 of chapter 21

of the Kansas Statutes Annotated, prior to their repeal, or article 55 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6419 through ~~21-6421~~ 21-6422, and amendments thereto.

(c) The county or district attorney shall not withdraw the special allegation of sexual motivation without approval of the court through an order of dismissal of the special allegation. The court shall not dismiss this special allegation unless it finds that such an order is necessary to correct an error in the initial charging decision or unless there are evidentiary problems which make proving the special allegation doubtful.

Sec. 20. K.S.A. 2014 Supp. 60-455 is hereby amended to read as follows: 60-455. (a) Subject to K.S.A. 60-447, and amendments thereto, evidence that a person committed a crime or civil wrong on a specified occasion, is inadmissible to prove such person's disposition to commit crime or civil wrong as the basis for an inference that the person committed another crime or civil wrong on another specified occasion.

(b) Subject to K.S.A. 60-445 and 60-448, and amendments thereto, such evidence is admissible when relevant to prove some other material fact including motive, opportunity, intent, preparation, plan, knowledge, identity or absence of mistake or accident.

(c) Subject to K.S.A. 60-445 and 60-448, and amendments thereto, in any criminal action other than a criminal action in which the defendant is accused of a sex offense under articles 34, 35 or 36 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or articles 54, 55 or 56 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6104, 21-6325, 21-6326 or ~~21-6418~~ 21-6419 through ~~21-6421~~ 21-6422, and amendments thereto, such evidence is admissible to show the modus operandi or general method used by a defendant to perpetrate similar but totally unrelated crimes when the method of committing the prior acts is so similar to that utilized in the current case before the court that it is reasonable to conclude the same individual committed both acts.

(d) Except as provided in K.S.A. 60-445, and amendments thereto, in a criminal action in which the defendant is accused of a sex offense under articles 34, 35 or 36 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or articles 54, 55 or 56 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6104, 21-6325, 21-6326 or ~~21-6418~~ 21-6419 through ~~21-6421~~ 21-6422, and amendments thereto, evidence of the defendant's commission of another act or offense of sexual misconduct is admissible, and may be considered for its bearing on any matter to which it is relevant and probative.

(e) In a criminal action in which the prosecution intends to offer evidence under this rule, the prosecuting attorney shall disclose the evidence to the defendant, including statements of witnesses, at least 10 days before the scheduled date of trial or at such later time as the court may allow for good cause.

(f) This rule shall not be construed to limit the admission or consideration of evidence under any other rule or to limit the admissibility of the evidence of other crimes or civil wrongs in a criminal action under a criminal statute other than in articles 34, 35 or 36 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or articles 54, 55 or 56 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6104, 21-6325, 21-6326 or ~~21-6418~~ 21-6419 through ~~21-6421~~ 21-6422, and amendments thereto.

(g) As used in this section, an “act or offense of sexual misconduct” includes:

(1) Any conduct proscribed by article 35 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 55 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6419 through ~~21-6421~~ 21-6422, and amendments thereto;

(2) the sexual gratification component of aggravated human trafficking, as described in ~~subsection (a)(1)(B) and (a)(2) of K.S.A. 21-3447(a)(1)(B) or (a)(2), prior to its repeal, or subsection (b)(1)(B) or (b)(2) of K.S.A. 2014 Supp. 21-5426(b)(1)(B) or (b)(2), and amendments thereto;~~

(3) exposing another to a life threatening communicable disease, as described in ~~subsection (a)(1) of K.S.A. 21-3435(a)(1), prior to its repeal, or subsection (a)(1) of K.S.A. 2014 Supp. 21-5424(a)(1), and amendments thereto;~~

(4) incest, as described in K.S.A. 21-3602, prior to its repeal, or ~~subsection (a) of K.S.A. 2014 Supp. 21-5604(a), and amendments thereto;~~

(5) aggravated incest, as described in K.S.A. 21-3603, prior to its repeal, or ~~subsection (b) of K.S.A. 2014 Supp. 21-5604(b), and amendments thereto;~~

(6) contact, without consent, between any part of the defendant’s body or an object and the genitals, mouth or anus of the victim;

(7) contact, without consent, between the genitals, mouth or anus of the defendant and any part of the victim’s body;

(8) deriving sexual pleasure or gratification from the infliction of death, bodily injury or physical pain to the victim;

(9) an attempt, solicitation or conspiracy to engage in conduct described in paragraphs (1) through (8); or

(10) any federal or other state conviction of an offense, or any violation of a city ordinance or county resolution, that would constitute an offense under article 35 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 55 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6419 through ~~21-6421~~ 21-6422, and amendments thereto, the sexual gratification component of aggravated human trafficking, as described in ~~subsection (a)(1)(B) and (a)(2) of K.S.A. 21-3447(a)(1)(B) or (a)(2), prior to its repeal, or subsection (b)(1)(B) or (b)(2) of K.S.A. 2014 Supp. 21-5426(b)(1)(B) or (b)(2), and~~



amendments thereto; incest, as described in K.S.A. 21-3602, prior to its repeal, or ~~subsection (a) of K.S.A. 2014 Supp. 21-5604(a)~~, and amendments thereto; or aggravated incest, as described in K.S.A. 21-3603, prior to its repeal, or ~~subsection (b) of K.S.A. 2014 Supp. 21-5604(b)~~, and amendments thereto, or involved conduct described in paragraphs (6) through (9).

(h) If any provisions of this section or the application thereof to any person or circumstances is held invalid, the invalidity does not affect other provisions or applications of this section which can be given effect without the invalid provisions or application. To this end the provisions of this section are severable.

Sec. 21. K.S.A. 2014 Supp. 60-5001 is hereby amended to read as follows: 60-5001. (a) Any person who, while under the age of 18, was a victim of an offense described in article 35 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 55 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6419 through ~~21-6421~~ 21-6422, and amendments thereto, *human trafficking, as defined in K.S.A. 21-3446, prior to its repeal, or K.S.A. 2014 Supp. 21-5426(a), and amendments thereto, aggravated human trafficking, as defined in K.S.A. 21-3447, prior to its repeal, or K.S.A. 2014 Supp. 21-5426(b), and amendments thereto*, incest as defined in K.S.A. 21-3602, prior to its repeal, or ~~subsection (a) of K.S.A. 2014 Supp. 21-5604(a)~~, and amendments thereto, or aggravated incest as defined in ~~subsection (a)(2) of K.S.A. 21-3603(a)(2)~~, prior to its repeal, or ~~subsection (b)(2) of K.S.A. 2014 Supp. 21-5604(b)(2)~~, and amendments thereto, where such offense resulted in a conviction and any portion of such offense was used in the production of child pornography, and who suffers personal or psychological injury as a result of the production, promotion, or possession of such child pornography, may bring an action in an appropriate state court against the producer, promoter or intentional possessor of such child pornography, regardless of whether the victim is now an adult.

(b) In any action brought under this section, a prevailing plaintiff shall recover the actual damages such person sustained and the cost of the suit, including reasonable attorney's fees. Any victim who is awarded damages under this section shall be deemed to have sustained damages of at least \$150,000.

(c) Notwithstanding any other provision of law, any action commenced under this section shall be filed within three years after the later of:

- (1) The conclusion of a related criminal case;
  - (2) the notification to the victim by a member of a law enforcement agency of the creation, possession, or promotion of the child pornography;
- or

(3) in the case of a victim younger than 18, within three years after the person reaches the age of 18.

(d) It is not a defense to a civil cause of action under this section that the respondent did not know the victim or commit the abuse depicted in the child pornography.

(e) At the victim's request, the attorney general may pursue cases on behalf of any Kansas victim under this section. All damages obtained shall go to the victim, and the attorney general may seek reasonable attorney's fees and costs.

(f) Any action brought under this section shall be subject to the provisions of K.S.A. 74-7312, and amendments thereto.

(g) As used in this section, "child pornography" includes, but is not limited to, any visual depiction, as described in ~~subsection (a) of K.S.A. 21-3516(a)~~, prior to its repeal, or ~~subsection (a) of K.S.A. 2014 Supp. 21-5510(a)~~, and amendments thereto, and any performance, as defined in ~~subsection (b) of K.S.A. 21-3516(b)~~, prior to its repeal, or ~~subsection (c) of K.S.A. 2014 Supp. 21-5510(c)~~, and amendments thereto.

(h) This section shall not apply to acts done in the performance of duty by any: (1) Law enforcement officer of the state of Kansas or any political subdivision thereof; (2) forensic examiner; (3) any prosecuting attorney, as defined in K.S.A. 22-2202, and amendments thereto; or (4) any bona fide child advocacy organization, including, but not limited to, the national center for missing and exploited children.

Sec. 22. K.S.A. 2014 Supp. 65-5117 is hereby amended to read as follows: 65-5117. (a) (1) No person shall knowingly operate a home health agency if, for the home health agency, there works any person who has been convicted of or has been adjudicated a juvenile offender because of having committed an act which if done by an adult would constitute the commission of capital murder, pursuant to K.S.A. 21-3439, prior to its repeal, or K.S.A. 2014 Supp. 21-5401, and amendments thereto, first degree murder, pursuant to K.S.A. 21-3401, prior to its repeal, or K.S.A. 2014 Supp. 21-5402, and amendments thereto, second degree murder, pursuant to ~~subsection (a) of K.S.A. 21-3402(a)~~, prior to its repeal, or ~~subsection (a) of K.S.A. 2014 Supp. 21-5403(a)~~, and amendments thereto, voluntary manslaughter, pursuant to K.S.A. 21-3403, prior to its repeal, or K.S.A. 2014 Supp. 21-5404, and amendments thereto, assisting suicide, pursuant to K.S.A. 21-3406, prior to its repeal, or K.S.A. 2014 Supp. 21-5407, and amendments thereto, mistreatment of a dependent adult *or mistreatment of an elder person*, pursuant to K.S.A. 21-3437, prior to its repeal, or K.S.A. 2014 Supp. 21-5417, and amendments thereto, *human trafficking*, pursuant to K.S.A. 21-3446, prior to its repeal, or K.S.A. 2014 Supp. 21-5426(a), and amendments thereto, *aggravated human trafficking*, pursuant to K.S.A. 21-3447, prior to its repeal, or K.S.A. 2014 Supp. 21-5426(b), and amendments thereto, rape, pursuant to K.S.A. 21-3502,

prior to its repeal, or K.S.A. 2014 Supp. 21-5503, and amendments thereto, indecent liberties with a child, pursuant to K.S.A. 21-3503, prior to its repeal, or ~~subsection (a) of K.S.A. 2014 Supp. 21-5506(a)~~, and amendments thereto, aggravated indecent liberties with a child, pursuant to K.S.A. 21-3504, prior to its repeal, or ~~subsection (b) of K.S.A. 2014 Supp. 21-5506(b)~~, and amendments thereto, aggravated criminal sodomy, pursuant to K.S.A. 21-3506, prior to its repeal, or ~~subsection (b) of K.S.A. 2014 Supp. 21-5504(b)~~, and amendments thereto, indecent solicitation of a child, pursuant to K.S.A. 21-3510, prior to its repeal, or ~~subsection (a) of K.S.A. 2014 Supp. 21-5508(a)~~, and amendments thereto, aggravated indecent solicitation of a child, pursuant to K.S.A. 21-3511, prior to its repeal, or ~~subsection (b) of K.S.A. 2014 Supp. 21-5508(b)~~, and amendments thereto, sexual exploitation of a child, pursuant to K.S.A. 21-3516, prior to its repeal, or K.S.A. 2014 Supp. 21-5510, and amendments thereto, sexual battery, pursuant to K.S.A. 21-3517, prior to its repeal, or ~~subsection (a) of K.S.A. 2014 Supp. 21-5505(a)~~, and amendments thereto, or aggravated sexual battery, pursuant to K.S.A. 21-3518, prior to its repeal, or ~~subsection (b) of K.S.A. 2014 Supp. 21-5505(b)~~, and amendments thereto, *commercial sexual exploitation of a child, pursuant to K.S.A. 2014 Supp. 21-6422, and amendments thereto*, an attempt to commit any of the crimes listed in this subsection (a)(1), pursuant to K.S.A. 21-3301, prior to its repeal, or K.S.A. 2014 Supp. 21-5301, and amendments thereto, a conspiracy to commit any of the crimes listed in this subsection (a)(1), pursuant to K.S.A. 21-3302, prior to its repeal, or K.S.A. 2014 Supp. 21-5302, and amendments thereto, or criminal solicitation of any of the crimes listed in this subsection (a)(1), pursuant to K.S.A. 21-3303, prior to its repeal, or K.S.A. 2014 Supp. 21-5303, and amendments thereto, or similar statutes of other states or the federal government. The provisions of subsection (a)(2)(C) shall not apply to any person who is employed by a home health agency on July 1, 2010, and while continuously employed by the same home health agency.

(2) A person operating a home health agency may employ an applicant who has been convicted of any of the following if five or more years have elapsed since the applicant satisfied the sentence imposed or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence; or if five or more years have elapsed since the applicant has been finally discharged from the custody of the commissioner of juvenile justice or from probation or has been adjudicated a juvenile offender, whichever time is longer: A felony conviction for a crime which is described in: (A) Article 34 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 54 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6104, 21-6325, 21-6326 or 21-6418, and amendments thereto, except those crimes listed in subsection (a)(1); (B) articles 35 or 36 of chapter 21 of the Kansas Statutes Annotated, prior to their

repeal, or article 55 or 56 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6419 through 21-6421, and amendments thereto, except those crimes listed in subsection (a)(1) and K.S.A. 21-3605, prior to its repeal, or K.S.A. 2014 Supp. 21-5606, and amendments thereto; (C) K.S.A. 21-3701, prior to its repeal, or K.S.A. 2014 Supp. 21-5801, and amendments thereto; (D) an attempt to commit any of the crimes listed in this subsection (a)(2) pursuant to K.S.A. 21-3301, prior to its repeal, or K.S.A. 2014 Supp. 21-5301, and amendments thereto; (E) a conspiracy to commit any of the crimes listed in subsection (a)(2) pursuant to K.S.A. 21-3302, prior to its repeal, or K.S.A. 2014 Supp. 21-5302, and amendments thereto; (F) criminal solicitation of any of the crimes listed in subsection (a)(2) pursuant to K.S.A. 21-3303, prior to its repeal, or K.S.A. 2014 Supp. 21-5303, and amendments thereto; or (G) similar statutes of other states or the federal government.

(b) No person shall operate a home health agency if such person has been found to be a person in need of a guardian or a conservator, or both, as provided in K.S.A. 59-3050 through 59-3095, and amendments thereto. The provisions of this subsection shall not apply to a minor found to be in need of a guardian or conservator for reasons other than impairment.

(c) The secretary of health and environment shall have access to any criminal history record information in the possession of the Kansas bureau of investigation regarding any criminal history information, convictions under K.S.A. 21-3437, 21-3517 and 21-3701, prior to their repeal, or K.S.A. 2014 Supp. 21-5417, ~~subsection (a) of 21-5505(a)~~ and 21-5801, and amendments thereto, adjudications of a juvenile offender which if committed by an adult would have been a felony conviction, and adjudications of a juvenile offender for an offense described in K.S.A. 21-3437, 21-3517 and 21-3701, prior to their repeal, or K.S.A. 2014 Supp. 21-5417, ~~subsection (a) of 21-5505(a)~~ and 21-5801, and amendments thereto, concerning persons working for a home health agency. The secretary shall have access to these records for the purpose of determining whether or not the home health agency meets the requirements of this section. The Kansas bureau of investigation may charge to the department of health and environment a reasonable fee for providing criminal history record information under this subsection.

(d) For the purpose of complying with this section, the operator of a home health agency shall request from the department of health and environment information regarding any criminal history information, convictions under K.S.A. 21-3437, 21-3517 and 21-3701, prior to their repeal, or K.S.A. 2014 Supp. 21-5417, ~~subsection (a) of 21-5505(a)~~ and 21-5801, and amendments thereto, adjudications of a juvenile offender which if committed by an adult would have been a felony conviction, and adjudications of a juvenile offender for an offense described in K.S.A. 21-3437, 21-3517 and 21-3701, prior to their repeal, or K.S.A. 2014 Supp. 21-5417, ~~subsection (a) of 21-5505(a)~~ and 21-5801, and amendments

thereto, and which relates to a person who works for the home health agency or is being considered for employment by the home health agency, for the purpose of determining whether such person is subject to the provisions of this section. For the purpose of complying with this section, information relating to convictions and adjudications by the federal government or to convictions and adjudications in states other than Kansas shall not be required until such time as the secretary of health and environment determines the search for such information could reasonably be performed and the information obtained within a two-week period. For the purpose of complying with this section, the operator of a home health agency shall receive from any employment agency which provides employees to work for the home health agency written certification that such employees are not prohibited from working for the home health agency under this section. For the purpose of complying with this section, a person who operates a home health agency may hire an applicant for employment on a conditional basis pending the results from the department of health and environment of a request for information under this subsection. No home health agency, the operator or employees of a home health agency or an employment agency, or the operator or employees of an employment agency, which provides employees to work for the home health agency shall be liable for civil damages resulting from any decision to employ, to refuse to employ or to discharge from employment any person based on such home health agency's compliance with the provisions of this section if such home health agency or employment agency acts in good faith to comply with this section.

(e) The secretary of health and environment shall charge each person requesting information under this section a fee equal to cost, not to exceed \$10, for each name about which an information request has been submitted under this section.

(f) (1) The secretary of health and environment shall provide each operator requesting information under this section with the criminal history record information concerning any criminal history information and convictions under K.S.A. 21-3437, 21-3517 and 21-3701, prior to their repeal, or K.S.A. 2014 Supp. 21-5417, ~~subsection (a) of 21-5505(a)~~ and 21-5801, and amendments thereto, in writing and within three working days of receipt of such information from the Kansas bureau of investigation. The criminal history record information shall be provided regardless of whether the information discloses that the subject of the request has been convicted of an offense enumerated in subsection (a).

(2) When an offense enumerated in subsection (a) exists in the criminal history record information, and when further confirmation regarding criminal history record information is required from the appropriate court of jurisdiction or Kansas department of corrections, the secretary shall notify each operator that requests information under this section in writing and within three working days of receipt from the Kansas bureau of

investigation that further confirmation is required. The secretary shall provide to the operator requesting information under this section information in writing and within three working days of receipt of such information from the appropriate court of jurisdiction or Kansas department of corrections regarding confirmation regarding the criminal history record information.

(3) Whenever the criminal history record information reveals that the subject of the request has no criminal history on record, the secretary shall provide notice to each operator requesting information under this section, in writing and within three working days after receipt of such information from the Kansas bureau of investigation.

(4) The secretary of health and environment shall not provide each operator requesting information under this section with the juvenile criminal history record information which relates to a person subject to a background check as is provided by K.S.A. 2014 Supp. 38-2326, and amendments thereto, except for adjudications of a juvenile offender for an offense described in K.S.A. 21-3701, prior to its repeal, or K.S.A. 2014 Supp. 21-5801, and amendments thereto. The secretary shall notify the operator that requested the information, in writing and within three working days of receipt of such information from the Kansas bureau of investigation, whether juvenile criminal history record information received pursuant to this section reveals that the operator would or would not be prohibited by this section from employing the subject of the request for information and whether such information contains adjudications of a juvenile offender for an offense described in K.S.A. 21-3701, prior to its repeal, or K.S.A. 2014 Supp. 21-5801, and amendments thereto.

(5) An operator who receives criminal history record information under this subsection (f) shall keep such information confidential, except that the operator may disclose such information to the person who is the subject of the request for information. A violation of this paragraph (5) shall be an unclassified misdemeanor punishable by a fine of \$100.

(g) No person who works for a home health agency and who is currently licensed or registered by an agency of this state to provide professional services in this state and who provides such services as part of the work which such person performs for the home health agency shall be subject to the provisions of this section.

(h) A person who volunteers to assist a home health agency shall not be subject to the provisions of this section because of such volunteer activity.

(i) An operator may request from the department of health and environment criminal history information on persons employed under subsections (g) and (h).

(j) No person who has been employed by the same home health agency since July 1, 1992, shall be subject to the requirements of this section while employed by such home health agency.

(k) The operator of a home health agency shall not be required under this section to conduct a background check on an applicant for employment with the home health agency if the applicant has been the subject of a background check under this act within one year prior to the application for employment with the home health agency. The operator of a home health agency where the applicant was the subject of such background check may release a copy of such background check to the operator of a home health agency where the applicant is currently applying.

(l) For purposes of this section, the Kansas bureau of investigation shall only report felony convictions, convictions under K.S.A. 21-3437, 21-3517 and 21-3701, prior to their repeal, or K.S.A. 2014 Supp. 21-5417, ~~subsection (a) of 21-5505(a)~~ and 21-5801, and amendments thereto, adjudications of a juvenile offender which if committed by an adult would have been a felony conviction, and adjudications of a juvenile offender for an offense described in K.S.A. 21-3437, 21-3517 and 21-3701, prior to their repeal, or K.S.A. 2014 Supp. 21-5417, ~~subsection (a) of 21-5505(a)~~ and 21-5801, and amendments thereto, to the secretary of health and environment when a background check is requested.

(m) This section shall be part of and supplemental to the provisions of article 51 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto.

Sec. 23. K.S.A. 2014 Supp. 72-1397 is hereby amended to read as follows: 72-1397. (a) The state board of education shall not knowingly issue a license to or renew the license of any person who has been convicted of:

(1) Rape, as defined in K.S.A. 21-3502, prior to its repeal, or K.S.A. 2014 Supp. 21-5503, and amendments thereto;

(2) indecent liberties with a child, as defined in K.S.A. 21-3503, prior to its repeal, or ~~subsection (a) of K.S.A. 2014 Supp. 21-5506(a)~~, and amendments thereto;

(3) aggravated indecent liberties with a child, as defined in K.S.A. 21-3504, prior to its repeal, or ~~subsection (b) of K.S.A. 2014 Supp. 21-5506(b)~~, and amendments thereto;

(4) criminal sodomy, as defined in ~~subsection (a)(2) or (a)(3) of K.S.A. 21-3505(a)(2) or (a)(3)~~, prior to its repeal, or ~~subsection (a)(3) or (a)(4) of K.S.A. 2014 Supp. 21-5504(a)(3) or (a)(4)~~, and amendments thereto;

(5) aggravated criminal sodomy, as defined in K.S.A. 21-3506, prior to its repeal, or ~~subsection (b) of K.S.A. 2014 Supp. 21-5504(b)~~, and amendments thereto;

(6) indecent solicitation of a child, as defined in K.S.A. 21-3510, prior to its repeal, or ~~subsection (a) of K.S.A. 2014 Supp. 21-5508(a)~~, and amendments thereto;

(7) aggravated indecent solicitation of a child, as defined in K.S.A.

21-3511, prior to its repeal, or ~~subsection (b)~~ of K.S.A. 2014 Supp. 21-5508(b), and amendments thereto;

(8) sexual exploitation of a child, as defined in K.S.A. 21-3516, prior to its repeal, or K.S.A. 2014 Supp. 21-5510, and amendments thereto;

(9) aggravated incest, as defined in K.S.A. 21-3603, prior to its repeal, or ~~subsection (b)~~ of K.S.A. 2014 Supp. 21-5604(b), and amendments thereto;

(10) aggravated endangering a child, as defined in K.S.A. 21-3608a, prior to its repeal, or ~~subsection (b)~~ of K.S.A. 2014 Supp. 21-5601(b), and amendments thereto;

(11) abuse of a child, as defined in K.S.A. 21-3609, prior to its repeal, or K.S.A. 2014 Supp. 21-5602, and amendments thereto;

(12) capital murder, as defined in K.S.A. 21-3439, prior to its repeal, or K.S.A. 2014 Supp. 21-5401, and amendments thereto;

(13) murder in the first degree, as defined in K.S.A. 21-3401, prior to its repeal, or K.S.A. 2014 Supp. 21-5402, and amendments thereto;

(14) murder in the second degree, as defined in K.S.A. 21-3402, prior to its repeal, or K.S.A. 2014 Supp. 21-5403, and amendments thereto;

(15) voluntary manslaughter, as defined in K.S.A. 21-3403, prior to its repeal, or K.S.A. 2014 Supp. 21-5404, and amendments thereto;

(16) involuntary manslaughter, as defined in K.S.A. 21-3404, prior to its repeal, or K.S.A. 2014 Supp. 21-5405, and amendments thereto;

(17) involuntary manslaughter while driving under the influence of alcohol or drugs, as defined in K.S.A. 21-3442, prior to its repeal;

(18) sexual battery, as defined in K.S.A. 21-3517, prior to its repeal, or ~~subsection (a)~~ of K.S.A. 2014 Supp. 21-5505(a), and amendments thereto, when, at the time the crime was committed, the victim was less than 18 years of age or a student of the person committing such crime;

(19) aggravated sexual battery, as defined in K.S.A. 21-3518, prior to its repeal, or ~~subsection (b)~~ of K.S.A. 2014 Supp. 21-5505(b), and amendments thereto;

(20) *commercial sexual exploitation of a child, as defined in K.S.A. 2014 Supp. 21-6422, and amendments thereto;*

(21) *human trafficking, as defined in K.S.A. 21-3446, prior to its repeal, or K.S.A. 2014 Supp. 21-5426(a), and amendments thereto;*

(22) *aggravated human trafficking, as defined in K.S.A. 21-3447, prior to its repeal, or K.S.A. 2014 Supp. 21-5426(b), and amendments thereto;*

~~(20)~~(23) attempt under K.S.A. 21-3301, prior to its repeal, or K.S.A. 2014 Supp. 21-5301, and amendments thereto, to commit any act specified in this subsection;

~~(21)~~(24) conspiracy under K.S.A. 21-3302, prior to its repeal, or K.S.A. 2014 Supp. 21-5302, and amendments thereto, to commit any act specified in this subsection;



~~(22)~~(25) an act in another state or by the federal government that is comparable to any act described in this subsection; or

~~(23)~~(26) an offense in effect at any time prior to the effective date of this act that is comparable to an offense as provided in this subsection.

(b) Except as provided in subsection (c), the state board of education shall not knowingly issue a license to or renew the license of any person who has been convicted of, or has entered into a criminal diversion agreement after having been charged with:

(1) A felony under K.S.A. 2010 Supp. 21-36a01 through 21-36a17, prior to their transfer, or article 57 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, or any felony violation of any provision of the uniform controlled substances act prior to July 1, 2009;

(2) a felony described in any section of article 34 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 54 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6104, 21-6325, 21-6326 or 21-6418, and amendments thereto, other than an act specified in subsection (a), or a battery, as described in K.S.A. 21-3412, prior to its repeal, or ~~subsection (a) of~~ K.S.A. 2014 Supp. 21-5413(a), and amendments thereto, or domestic battery, as described in K.S.A. 21-3412a, prior to its repeal, or K.S.A. 2014 Supp. 21-5414, and amendments thereto, if the victim is a minor or student;

(3) a felony described in any section of article 35 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 55 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6419 through 21-6421, and amendments thereto, other than an act specified in subsection (a);

(4) any act described in any section of article 36 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 56 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, other than an act specified in subsection (a);

(5) a felony described in article 37 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 58 of chapter 21 of the Kansas Statutes Annotated, or ~~subsection (a)(6) of~~ K.S.A. 2014 Supp. 21-6412(a)(6), and amendments thereto;

(6) promoting obscenity, as described in K.S.A. 21-4301, prior to its repeal, or ~~subsection (a) of~~ K.S.A. 2014 Supp. 21-6401(a), and amendments thereto, promoting obscenity to minors, as described in K.S.A. 21-4301a, prior to its repeal, or ~~subsection (b) of~~ K.S.A. 2014 Supp. 21-6401(b), and amendments thereto, or promoting to minors obscenity harmful to minors, as described in K.S.A. 21-4301c, prior to its repeal, or K.S.A. 2014 Supp. 21-6402, and amendments thereto;

(7) endangering a child, as defined in K.S.A. 21-3608, prior to its repeal, or ~~subsection (a) of~~ K.S.A. 2014 Supp. 21-5601(a), and amendments thereto;

(8) driving under the influence of alcohol or drugs in violation of

K.S.A. 8-1567 or 8-2,144, and amendments thereto, when the violation is punishable as a felony;

(9) attempt under K.S.A. 21-3301, prior to its repeal, or K.S.A. 2014 Supp. 21-5301, and amendments thereto, to commit any act specified in this subsection;

(10) conspiracy under K.S.A. 21-3302, prior to its repeal, or K.S.A. 2014 Supp. 21-5302, and amendments thereto, to commit any act specified in this subsection; or

(11) an act committed in violation of a federal law or in violation of another state's law that is comparable to any act described in this subsection.

(c) The state board of education may issue a license to or renew the license of a person who has been convicted of committing an offense or act described in subsection (b) or who has entered into a criminal diversion agreement after having been charged with an offense or act described in subsection (b) if the state board determines, following a hearing, that the person has been rehabilitated for a period of at least five years from the date of conviction of the offense or commission of the act or, in the case of a person who has entered into a criminal diversion agreement, that the person has satisfied the terms and conditions of the agreement. The state board of education may consider factors including, but not limited to, the following in determining whether to grant a license:

(1) The nature and seriousness of the offense or act;

(2) the conduct of the person subsequent to commission of the offense or act;

(3) the time elapsed since the commission of the offense or act;

(4) the age of the person at the time of the offense or act;

(5) whether the offense or act was an isolated or recurring incident; and

(6) discharge from probation, pardon or expungement.

(d) Before any license is denied by the state board of education for any of the offenses or acts specified in subsections (a) and (b), the person shall be given notice and an opportunity for a hearing in accordance with the provisions of the Kansas administrative procedure act.

(e) The county or district attorney shall file a report with the state board of education indicating the name, address and social security number of any person who has been determined to have committed any offense or act specified in subsection (a) or (b) or to have entered into a criminal diversion agreement after having been charged with any offense or act specified in subsection (b). Such report shall be filed within 30 days of the date of the determination that the person has committed any such act or entered into any such diversion agreement.

(f) The state board of education shall not be liable for civil damages to any person refused issuance or renewal of a license by reason of the state board's compliance, in good faith, with the provisions of this section.

Sec. 24. K.S.A. 2014 Supp. 74-7305 is hereby amended to read as follows: 74-7305. (a) An application for compensation shall be made in the manner and form prescribed by the board.

(b) Compensation may not be awarded unless an application has been filed with the board within two years of the reporting of the incident to law enforcement officials if the victim was less than 16 years of age and the injury or death is the result of any of the following crimes: (1) Indecent liberties with a child as defined in K.S.A. 21-3503, prior to its repeal, or ~~subsection (a) of K.S.A. 2014 Supp. 21-5506(a)~~, and amendments thereto; (2) aggravated indecent liberties with a child as defined in K.S.A. 21-3504, prior to its repeal, or ~~subsection (b) of K.S.A. 2014 Supp. 21-5506(b)~~, and amendments thereto; (3) aggravated criminal sodomy as defined in K.S.A. 21-3506, prior to its repeal, or ~~subsection (b) of K.S.A. 2014 Supp. 21-5504(b)~~, and amendments thereto; (4) enticement of a child as defined in K.S.A. 21-3509 prior to its repeal; (5) indecent solicitation of a child as defined in K.S.A. 21-3510, prior to its repeal, or ~~subsection (a) of K.S.A. 2014 Supp. 21-5508(a)~~, and amendments thereto; (6) aggravated indecent solicitation of a child as defined in K.S.A. 21-3511, prior to its repeal, or ~~subsection (b) of K.S.A. 2014 Supp. 21-5508(b)~~, and amendments thereto; (7) sexual exploitation of a child as defined in K.S.A. 21-3516, prior to its repeal, or K.S.A. 2014 Supp. 21-5510, and amendments thereto; ~~or~~ (8) aggravated incest as defined in K.S.A. 21-3603, prior to its repeal, or ~~subsection (b) of K.S.A. 2014 Supp. 21-5604(b)~~, and amendments thereto; (9) *human trafficking as defined in K.S.A. 21-3446, prior to its repeal, or K.S.A. 2014 Supp. 21-5426(a), and amendments thereto;* (10) *aggravated human trafficking as defined in K.S.A. 21-3447, prior to its repeal, or K.S.A. 2014 Supp. 21-5426(b), and amendments thereto;* or (11) *commercial sexual exploitation of a child as defined in K.S.A. 2014 Supp. 21-6422, and amendments thereto.* Compensation for mental health counseling may be awarded, if a claim is filed within two years of testimony, to a claimant who is, or will be, required to testify in a sexually violent predator commitment, pursuant to article 29a of chapter 59 of the Kansas Statutes Annotated, and amendments thereto, of an offender who victimized the claimant or the victim on whose behalf the claim is made. For all other incidents of criminally injurious conduct, compensation may not be awarded unless the claim has been filed with the board within two years after the injury or death upon which the claim is based. Compensation may not be awarded to a claimant who was the offender or an accomplice of the offender and may not be awarded to another person if the award would unjustly benefit the offender or accomplice.

(c) Compensation otherwise payable to a claimant shall be reduced or denied, to the extent, if any that the:

(1) Economic loss upon which the claimant's claim is based is recouped from other persons, including collateral sources;

(2) board deems reasonable because of the contributory misconduct of the claimant or of a victim through whom the claimant claims; or

(3) board deems reasonable, because the victim was likely engaging in, or attempting to engage in, unlawful activity at the time of the crime upon which the claim for compensation is based. This subsection shall not be construed to reduce or deny compensation to a victim of domestic abuse or sexual assault.

(d) Compensation may be awarded only if the board finds that unless the claimant is awarded compensation the claimant will suffer financial stress as the result of economic loss otherwise reparable. A claimant suffers financial stress only if the claimant cannot maintain the claimant's customary level of health, safety and education for self and dependents without undue financial hardship. In making its determination of financial stress, the board shall consider all relevant factors, including:

- (1) The number of claimant's dependents;
- (2) the usual living expenses of the claimant and the claimant's family;
- (3) the special needs of the claimant and the claimant's dependents;
- (4) the claimant's income and potential earning capacity; and
- (5) the claimant's resources.

(e) Compensation may not be awarded unless the criminally injurious conduct resulting in injury or death was reported to a law enforcement officer within 72 hours after its occurrence or the board finds there was good cause for the failure to report within that time.

(f) The board, upon finding that the claimant or victim has not fully cooperated with appropriate law enforcement agencies, may deny, withdraw or reduce an award of compensation.

(g) Except in K.S.A. 21-3602 or 21-3603, prior to their repeal, or K.S.A. 2014 Supp. 21-5604, and amendments thereto, or cases of sex offenses established in article 35 of chapter 21, of the Kansas Statutes Annotated, prior to their repeal, or article 55 of chapter 21 of the Kansas Statutes Annotated, ~~or~~ and amendments thereto, K.S.A. 2014 Supp. 21-6419 through ~~21-6421~~ 21-6422, and amendments thereto, or *human trafficking or aggravated human trafficking, as defined in K.S.A. 21-3446 or 21-3447, prior to their repeal, or K.S.A. 2014 Supp. 21-5426, and amendments thereto*, compensation may not be awarded if the economic loss is less than \$100.

(h) Compensation for work loss, replacement services loss, dependent's economic loss and dependent's replacement service loss may not exceed \$400 per week or actual loss, whichever is less.

(i) Compensation payable to a victim and to all other claimants sustaining economic loss because of injury to or death of that victim may not exceed \$25,000 in the aggregate.

Sec. 25. K.S.A. 2014 Supp. 75-452 is hereby amended to read as follows: 75-452. The following words and phrases when used in K.S.A.

2014 Supp. 75-451 to 75-458, inclusive, and amendments thereto, shall have the meanings respectively ascribed to them herein, unless the context clearly requires otherwise:

- (a) “Abuse” means:
  - (1) Causing or attempting to cause physical harm;
  - (2) placing another person in fear of imminent physical harm;
  - (3) causing another person to engage involuntarily in sexual relations by force, threats or duress, or threatening to do so;
  - (4) engaging in mental abuse, which includes threats, intimidation and acts designed to induce terror;
  - (5) depriving another person of necessary health care, housing or food; or
  - (6) unreasonably and forcibly restraining the physical movement of another.
- (b) “Confidential address” means a residential street address, school street address or work street address of an individual, as specified on the individual’s application to be a program participant under K.S.A. 2014 Supp. 75-451 to 75-458, inclusive, and amendments thereto.
- (c) “Confidential mailing address” means an address that is recognized for delivery by the United States postal service.
- (d) “Domestic violence” means abuse committed against a victim or the victim’s spouse or dependent child by:
  - (1) A current or former spouse of the victim;
  - (2) a person with whom the victim shares parentage of a child in common;
  - (3) a person who is cohabitating with, or has cohabitated with, the victim;
  - (4) a person who is related by blood or marriage; or
  - (5) a person with whom the victim has or had a dating or engagement relationship.
- (e) “Program participant” means a person certified as a program participant under K.S.A. 2014 Supp. 75-453, and amendments thereto.
- (f) “Enrolling agent” means state and local agencies, law enforcement offices, nonprofit agencies and any others designated by the secretary of state that provide counseling and shelter services to victims of domestic violence, sexual assault, human trafficking or stalking.
- (g) “Sexual assault” means an act which if committed in this state would constitute any crime defined in article 35 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 55 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6419 through ~~21-6421~~ 21-6422, and amendments thereto.
- (h) “Stalking” means an act which if committed in this state would constitute “stalking” as defined by K.S.A. 60-31a01, and amendments thereto.
- (i) “Human trafficking” means an act which if committed in this state

would constitute the crime of human trafficking as defined by K.S.A. 21-3446, prior to its repeal, or ~~subsection (a) of K.S.A. 2014 Supp. 21-5426(a)~~, and amendments thereto.

Sec. 26. K.S.A. 2014 Supp. 76-11a13 is hereby amended to read as follows: 76-11a13. (a) (1) Subject to the provisions of subsection (b), the provisions of K.S.A. 76-11a06 through 76-11a11, and amendments thereto, apply only to: (A) Teachers who have completed not less than three consecutive years of employment, and been offered a contract for a fourth year of employment, at the state school in which the teacher is currently employed; and (B) teachers who have completed not less than two consecutive years of employment, and been offered a contract for a third year of employment, at the state school in which the teacher is currently employed if at any time prior to the current employment the teacher has completed the years of employment requirement of ~~subpart subsection (a)(1)(A)~~ at the other state school.

(2) The state board may waive, at any time, the years of employment requirements of ~~provision subsection (a)(1)~~ for any teachers employed at a state school.

(3) The provisions of this subsection are subject to the provisions of K.S.A. 76-11a14, and amendments thereto.

(b) The provisions of K.S.A. 76-11a06 through 76-11a11, and amendments thereto, do not apply to any teacher whose certificate has been nonrenewed or revoked by the state board for the reason that the teacher: (1) Has been convicted of a felony under K.S.A. 2010 Supp. 21-36a01 through 21-36a17, prior to their transfer, or article 57 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, or any felony violation of any provision of the uniform controlled substances act prior to July 1, 2009; (2) has been convicted of a felony described in any section of article 34 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 54 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6104, 21-6325, 21-6326 or 21-6418, and amendments thereto, or an act described in K.S.A. 21-3412, prior to its repeal, or ~~subsection (a) of K.S.A. 2014 Supp. 21-5413(a)~~, and amendments thereto, if the victim is a minor or student; (3) has been convicted of a felony described in any section of article 35 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 55 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6419 through ~~21-6421~~ 21-6422, and amendments thereto, or has been convicted of an act described in K.S.A. 21-3517, prior to its repeal, or ~~subsection (a) of K.S.A. 2014 Supp. 21-5505(a)~~, and amendments thereto, if the victim is a minor or student; (4) has been convicted of any act described in any section of article 36 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 56 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto; (5) has been convicted of a felony de-

scribed in article 37 of chapter 21 of the Kansas Statutes Annotated; prior to their repeal, or article 58 of chapter 21 of the Kansas Statutes Annotated, or ~~subsection (a)(6) of K.S.A. 2014 Supp. 21-6412(a)(6), and amendments thereto;~~ (6) has been convicted of an attempt under K.S.A. 21-3301, prior to its repeal, or K.S.A. 2014 Supp. 21-5301, and amendments thereto, to commit any act specified in this subsection; (7) has been convicted of any act which is described in K.S.A. 21-4301, 21-4301a or 21-4301c, prior to their repeal, or K.S.A. 2014 Supp. 21-6401 or 21-6402, and amendments thereto; (8) has been convicted in another state or by the federal government of an act similar to any act described in this subsection; or (9) has entered into a criminal diversion agreement after having been charged with any offense described in this subsection.

Sec. 27. K.S.A. 2013 Supp. 38-2310, as amended by section 2 of chapter 131 of the 2014 Session Laws of Kansas, and K.S.A. 2014 Supp. 21-5501, 21-6328, 22-3424, 22-3436, 22-3701, 22-3727, 22-3727a, 22-4614, 23-2225, 23-3222, 38-2202, 38-2271, 38-2309, 38-2310, 39-970, 44-706, 59-2132, 59-29a14, 60-455, 60-5001, 65-5117, 72-1397, 74-7305, 75-452 and 76-11a13 are hereby repealed.

Sec. 28. This act shall take effect and be in force from and after its publication in the statute book.

Approved June 9, 2015.

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## CHAPTER 95

### House Substitute for SENATE BILL No. 12

AN ACT concerning civil commitment of sexually violent predators; amending K.S.A. 59-29a01, 59-29a03 and 59-29a10 and K.S.A. 2014 Supp. 59-2401a, 59-29a04, 59-29a04a, 59-29a05, 59-29a06, 59-29a07, 59-29a08, 59-29a11, 59-29a22, 59-29a23, 59-29a24 and 77-603 and repealing the existing sections; also repealing K.S.A. 59-29a18.

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

Section 1. K.S.A. 59-29a01 is hereby amended to read as follows: 59-29a01. (a) The legislature finds that there exists an extremely dangerous group of sexually violent predators who have a mental abnormality or personality disorder and who are likely to engage in repeat acts of sexual violence if not treated for their mental abnormality or personality disorder. Because the existing civil commitment procedures under K.S.A. 59-2901 et seq., and amendments thereto, are inadequate to address the special needs of sexually violent predators and the risks they present to society, the legislature determines that a separate involuntary civil commitment process for the potentially long-term control, care and treatment of sexually violent predators is necessary. The legislature also determines that because of the nature of the mental abnormalities or personality

disorders from which sexually violent predators suffer and the dangers they present, it is necessary to house involuntarily committed sexually violent predators in an environment separate from persons involuntarily committed under K.S.A. 59-2901 et seq., and amendments thereto.

(b) Notwithstanding any other evidence of legislative intent, it is hereby declared that any time requirements set forth in K.S.A. 59-29a01 et seq., and amendments thereto, either as originally enacted or as amended, are intended to be directory and not mandatory and serve as guidelines for conducting proceedings under K.S.A. 59-29a01 et seq., and amendments thereto.

(c) *The provisions of K.S.A. 59-29a01 et seq., and amendments thereto, shall be known and may be cited as the Kansas sexually violent predator act.*

Sec. 2. K.S.A. 59-29a03 is hereby amended to read as follows: 59-29a03. (a) When it appears that a person may meet the criteria of a sexually violent predator as defined in K.S.A. 59-29a02, and amendments thereto, the agency with jurisdiction shall give written notice of such to the attorney general and the multidisciplinary team established in subsection ~~(d)~~ (f), 90 days prior to:

(1) The anticipated release from total confinement of a person who has been convicted of a sexually violent offense, except that in the case of persons who are returned to prison for no more than 90 days as a result of revocation of postrelease supervision, written notice shall be given as soon as practicable following the person's readmission to prison;

(2) release of a person who has been charged with a sexually violent offense and who has been determined to be incompetent to stand trial pursuant to K.S.A. 22-3305, and amendments thereto;

(3) release of a person who has been found not guilty by reason of insanity of a sexually violent offense pursuant to K.S.A. 22-3428, and amendments thereto; or

(4) release of a person who has been found not guilty of a sexually violent offense pursuant to K.S.A. 22-3428, and amendments thereto, and the jury who returned the verdict of not guilty answers in the affirmative to the special question asked pursuant to K.S.A. 22-3221, and amendments thereto.

(b) The agency with jurisdiction shall inform the attorney general and the multidisciplinary team established in subsection ~~(d)~~(f) of the following:

(1) The person's name, identifying factors, anticipated future residence and offense history; and

(2) documentation of institutional adjustment and any treatment received.

(c) *Any reports of evaluations prepared or provided pursuant to subsection (b) shall demonstrate that the person evaluated was informed of*



*the following: (1) The nature and purpose of the evaluation; and (2) that the evaluation will not be confidential and that any statements made by the person and any conclusions drawn by the evaluator may be disclosed to a court, the detained person's attorney, the prosecutor and the trier of fact at any proceeding conducted under the Kansas sexually violent predator act.*

(d) *The permitted disclosures required to be submitted to the attorney general under this section shall be deemed to be in response to the attorney general's civil demand for relevant and material information to investigate whether a petition shall be filed. The information provided shall be specific to the purposes of the Kansas sexually violent predator act and as limited in scope as reasonably practicable.*

~~(e)~~(e) The agency with jurisdiction, its employees, officials, members of the multidisciplinary team established in subsection ~~(d)~~(f), members of the prosecutor's review committee appointed as provided in subsection ~~(e)~~(g) and individuals contracting, appointed or volunteering to perform services hereunder shall be immune from liability for any good-faith conduct under this section.

~~(d)~~(f) The secretary of corrections shall establish a multidisciplinary team which may include individuals from other state agencies to review available records of each person referred to such team pursuant to subsection (a). *The team shall include the mental health professional who prepared any evaluation, interviewed the person or made any recommendation to the attorney general.* The team, ~~within 30 days of receiving notice,~~ shall assess whether or not the person meets the definition of a sexually violent predator, as established in K.S.A. 59-29a02, and amendments thereto. The team shall notify the attorney general of its assessment.

~~(e)~~(g) The attorney general shall appoint a prosecutor's review committee to review the records of each person referred to the attorney general pursuant to subsection (a). The prosecutor's review committee shall assist the attorney general in the determination of whether or not the person meets the definition of a sexually violent predator. The assessment of the multidisciplinary team shall be made available to the attorney general and the prosecutor's review committee.

~~(f)~~(h) The provisions of this section are not jurisdictional and failure to comply with such provisions *not affecting constitutional rights* in no way prevents the attorney general from proceeding against a person otherwise subject to the ~~provision of K.S.A. 59-29a01 et seq. and amendments thereto~~ *provisions of the Kansas sexually violent predator act.*

Sec. 3. K.S.A. 2014 Supp. 59-29a04 is hereby amended to read as follows: 59-29a04. (a) ~~When it appears that the person presently confined may be a sexually violent predator and the prosecutor's review committee, appointed as provided in subsection (e) of K.S.A. 59-29a03(g), and~~

amendments thereto, has determined that the person meets the definition of a sexually violent predator, the attorney general, within 75 days of the date the attorney general received the written notice by the agency of jurisdiction as provided in subsection (a) of K.S.A. 59-29a03(a), and amendments thereto, may file a petition in the county where the person was convicted of or charged with a sexually violent offense alleging that the person is a sexually violent predator and stating sufficient facts to support such allegation.

(b) *Notwithstanding the provisions of subsection (a), when the person named in the petition is a person who has been convicted of or charged with a federal or other state offense that under the laws of this state would be a sexually violent offense, as defined in K.S.A. 59-29a02, and amendments thereto, the attorney general may file the petition in the county where the person now resides, was charged or convicted of any offense, or was released.*

(c) *Service of the petition on the attorney appointed or hired to represent the person shall be deemed sufficient service.*

~~(b)(d)~~ (d) *The provisions of this section are not jurisdictional, and failure to comply with such provisions not affecting constitutional rights in no way prevents the attorney general from proceeding against a person otherwise subject to the provision of K.S.A. 59-29a01 et seq., and amendments thereto provisions of the Kansas sexually violent predator act.*

~~(c)(e)~~ (e) *Whenever a determination is made regarding whether a person may be a sexually violent predator, the county responsible for the costs incurred, including, but not limited to, costs of investigation, prosecution, defense, juries, witness fees and expenses, expert fees and expenses and other expenses related to determining whether a person may be a sexually violent predator, shall be reimbursed for such costs by the office of the attorney general from the sexually violent predator expense fund. The attorney general shall develop and implement a procedure to provide such reimbursements. If there are no moneys available in such fund to pay any such reimbursements, the county may file a claim against the state pursuant to article 9 of chapter 46, of the Kansas Statutes Annotated, and amendments thereto.*

(f) *The person against whom a petition is filed shall be responsible for the costs of the medical care and treatment provided or made accessible by the governmental entity having custody, and the governmental entity having custody may seek reimbursement from the person against whom a petition has been filed for such costs.*

(g) *Pre-commitment proceedings, post-commitment proceedings, including conditional release and final discharge and other court proceedings are civil in nature. Such proceedings shall follow the procedures set forth in chapter 60 of the Kansas Statutes Annotated, and amendments thereto, except as expressly provided elsewhere in the Kansas sexually violent predator act.*

Sec. 4. K.S.A. 2014 Supp. 59-29a04a is hereby amended to read as follows: 59-29a04a. (a) There is hereby created in the state treasury the sexually violent predator expense fund which shall be administered by the attorney general. All moneys credited to such fund shall be used to reimburse counties under:

(1) K.S.A. 59-29a04, and amendments thereto, responsible for the costs related to determining whether a person may be a sexually violent predator; and

(2) K.S.A. 2014 Supp. 59-29a23, and amendments thereto, for the costs related to a person filing a petition pursuant to ~~K.S.A. 60-1501 et seq., and amendments thereto,~~ *civil action* relating to the civil commitment pursuant to ~~K.S.A. 59-29a01 et seq., and amendments thereto~~ *the Kansas sexually violent predator act*.

(b) All expenditures from the sexually violent predator expense fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the attorney general or the attorney general's designee.

Sec. 5. K.S.A. 2014 Supp. 59-29a05 is hereby amended to read as follows: 59-29a05. (a) Upon filing of a petition under K.S.A. 59-29a04, *and amendments thereto*, the judge shall determine whether probable cause exists to believe that the person named in the petition is a sexually violent predator. If such determination is made, the judge shall:

(1) Direct that person be taken into custody *and detained in the county jail until such time as a determination is made that the person is a sexually violent predator subject to commitment under the Kansas sexually violent predator act; and*

(2) *file a protective order permitting disclosures of protected health information to the parties, their counsel, evaluators, experts and others necessary to the litigation during the course of the proceedings subject to the Kansas sexually violent predator act.*

(b) Within 72 hours after a person is taken into custody pursuant to subsection (a), *or as soon as reasonably practicable or agreed upon by the parties*, such person shall be provided with notice of, and an opportunity to appear in person at, a hearing to contest probable cause as to whether the detained person is a sexually violent predator. At this hearing the court shall: (1) Verify the detainer's identity; and (2) determine whether probable cause exists to believe that the person is a sexually violent predator. The state may rely upon the petition and supplement the petition with additional documentary evidence or live testimony.

(c) At the probable cause hearing as provided in subsection (b), the detained person shall have the following rights in addition to the rights previously specified: (1) To be represented by counsel; (2) to present evidence on such person's behalf; (3) to cross-examine witnesses who

testify against such person; and (4) to view and copy all petitions and reports in the court file.

(d) If the probable cause determination is made, the court shall order that the person be transferred to an appropriate secure facility, including, but not limited to, a county jail, for an evaluation as to whether the person is a sexually violent predator. The evaluation ordered by the court shall be conducted by a person deemed to be professionally qualified to conduct such an examination.

(e) The person conducting the evaluation ordered by the court pursuant to this section shall notify the detained person of the following: (1) The nature and purpose of the evaluation; and (2) that the evaluation will not be confidential and that any statements made by the detained person and any conclusions drawn by the evaluator, will be disclosed to the court, the detained person's attorney, the prosecutor and the trier of fact at any proceeding conducted under ~~K.S.A. 59-29a01 et seq. and amendments thereto~~ *the Kansas sexually violent predator act*.

Sec. 6. K.S.A. 2014 Supp. 59-29a06 is hereby amended to read as follows: 59-29a06. (a) Within 60 days after the completion of any hearing held pursuant to K.S.A. 59-29a05, and amendments thereto, the court shall ~~conduct a trial~~ *set the matter for a pretrial conference to establish a mutually agreeable date for trial* to determine whether the person is a sexually violent predator. The trial may be continued upon the request of either party and a showing of good cause, or by the court on its own motion in the due administration of justice and when the respondent will not be substantially prejudiced.

(b) ~~At all stages of the proceedings under K.S.A. 59-29a01 et seq., and amendments thereto, any person subject to K.S.A. 59-29a01 et seq., and amendments thereto, In proceedings under this section, the person shall be entitled to the assistance of counsel and an independent examination pursuant to K.S.A. 60-235, and amendments thereto, and if the person is indigent, the court shall appoint counsel to assist such person. Whenever any person is subjected to an examination under K.S.A. 59-29a01 et seq., and amendments thereto, such person may retain experts or professional persons to perform an examination of such person's behalf. When the person wishes to be examined by a qualified expert or professional person of such person's own choice, such pursuant to K.S.A. 60-235, and amendments thereto, the examiner shall be permitted to have reasonable access to the person for the purpose of such examination, as well as to all relevant medical and psychological records and reports. In the case of a person who is indigent, the court, upon the person's request, shall determine whether the services are necessary and reasonable compensation for such services. If the court determines that the services are necessary and the expert or professional person's examiner's requested compensation for such services is reasonable, the court shall assist the~~

person in obtaining an ~~expert or professional person~~ *examiner* to perform an examination or participate in the trial on the person's behalf. The court shall approve payment for such services upon the filing of a certified claim for compensation supported by a written statement specifying the time expended, services rendered, expenses incurred on behalf of the person and compensation received in the same case or for the same services from any other source.

(c) Notwithstanding K.S.A. 60-456, and amendments thereto, at any proceeding conducted under ~~K.S.A. 59-29a01 et seq., and amendments thereto~~ *the Kansas sexually violent predator act*, the parties shall be permitted to call expert witnesses. The facts or data in the particular case upon which an expert bases an opinion or inference may be those perceived by or made known to the expert at or before the hearing. If the facts or data are of a type reasonably relied upon by experts in the particular field in forming opinions or inferences upon the subject, such facts and data need not be admissible in evidence in order for the opinion or inference to be admitted.

(d) The person, the attorney general, or the judge shall have the right to demand that the trial be before a jury. Such demand for the trial to be before a jury shall be filed, in writing, at least four days prior to trial. Number and selection of jurors shall be determined as provided in K.S.A. 22-3403, and amendments thereto. If no demand is made, the trial shall be before the court.

(e) A jury shall consist of 12 jurors unless the parties agree in writing with the approval of the court that the jury shall consist of any number of jurors less than 12 jurors. The person and the attorney general shall each have eight peremptory challenges, or in the case of a jury of less than 12 jurors, a proportionally equal number of peremptory challenges.

(f) ~~The provisions of this section are not jurisdictional and failure to comply with such provisions in no way prevents the attorney general from proceeding against a person otherwise subject to the provision of K.S.A. 59-29a01 et seq. and amendments thereto~~ *Notwithstanding any other provision of law to the contrary, the provisions of this section relating to jury trials shall not apply to proceedings for annual review or proceedings on a petition for transitional release, conditional release or final discharge.*

Sec. 7. K.S.A. 2014 Supp. 59-29a07 is hereby amended to read as follows: 59-29a07. (a) The court or jury shall determine whether, beyond a reasonable doubt, the person is a sexually violent predator. If such determination that the person is a sexually violent predator is made by a jury, such determination shall be by unanimous verdict of such jury. Such determination may be appealed *in the manner provided for civil cases in article 21 of chapter 60 of the Kansas Statutes Annotated, and amendments thereto*. If the court or jury determines that the person is a sexually violent predator, the person shall be committed to the custody of the

secretary for aging and disability services for control, care and treatment until such time as the person's mental abnormality or personality disorder has so changed that the person is safe to be at large. Such control, care and treatment shall be provided at a facility operated by the Kansas department for aging and disability services.

(b) At all times, persons committed for control, care and treatment by the Kansas department for aging and disability services pursuant to ~~K.S.A. 59-29a01 et seq., and amendments thereto,~~ *the Kansas sexually violent predator act* shall be kept in a secure facility and such persons shall be segregated ~~at all times on different units~~ from any other patient under the supervision of the secretary for aging and disability services and commencing June 1, 1995, such persons committed pursuant to ~~K.S.A. 59-29a01 et seq., and amendments thereto,~~ *the Kansas sexually violent predator act* shall be kept in a facility or building separate from any other patient under the supervision of the secretary. The provisions of this subsection shall apply to any facility or building utilized in any transitional release program or conditional release program.

(c) The Kansas department for aging and disability services is authorized to enter into an interagency agreement with the department of corrections for the confinement of such persons. Such persons who are in the confinement of the secretary of corrections pursuant to an interagency agreement shall be housed and managed separately from offenders in the custody of the secretary of corrections, and except for occasional instances of supervised incidental contact, shall be segregated from such offenders.

(d) If any person while committed to the custody of the secretary pursuant to ~~K.S.A. 59-29a01 et seq., and amendments thereto,~~ *the Kansas sexually violent predator act* shall be taken into custody by any law enforcement officer as defined in K.S.A. 2014 Supp. 21-5111, and amendments thereto, pursuant to any parole revocation proceeding or any arrest or conviction for a criminal offense of any nature, upon the person's release from the custody of any law enforcement officer, the person shall be returned to the custody of the secretary for further treatment pursuant to ~~K.S.A. 59-29a01 et seq., and amendments thereto,~~ *the Kansas sexually violent predator act*. During any such period of time a person is not in the actual custody or supervision of the secretary, the secretary shall be excused from the provisions of K.S.A. 59-29a08, and amendments thereto, with regard to providing that person an annual examination, annual notice and annual report to the court, except that the secretary shall give notice to the court as soon as reasonably possible after the taking of the person into custody that the person is no longer in treatment pursuant to ~~K.S.A. 59-29a01 et seq., and amendments thereto,~~ *the Kansas sexually violent predator act* and notice to the court when the person is returned to the custody of the secretary for further treatment.

(e) If the court or jury is not satisfied beyond a reasonable doubt that

the person is a sexually violent predator, the court shall direct the person's release.

(f) Upon a mistrial, the court shall direct that the person be held at an appropriate secure facility, including, but not limited to, a county jail, until another trial is conducted. Any subsequent trial following a mistrial shall be held within 90 days of the previous trial, unless such subsequent trial is continued as provided in K.S.A. 59-29a06, and amendments thereto.

(g) If the person charged with a sexually violent offense has been found incompetent to stand trial and is about to be released pursuant to K.S.A. 22-3305 and amendments thereto and such person's commitment is sought pursuant to subsection (a), the court shall first hear evidence and determine whether the person did commit the act or acts charged. The hearing on this issue must comply with all the procedures specified in this section. In addition, the rules of evidence applicable in criminal cases shall apply and all constitutional rights available to defendants at criminal trials, other than the right not to be tried while incompetent, shall apply. After hearing evidence on this issue, the court shall make specific findings on whether the person did commit the act or acts charged, the extent to which the person's incompetence or developmental disability affected the outcome of the hearing, including its effect on the person's ability to consult with and assist counsel and to testify on such person's own behalf, the extent to which the evidence could be reconstructed without the assistance of the person and the strength of the prosecution's case. If after the conclusion of the hearing on this issue, the court finds, beyond a reasonable doubt, that the person did commit the act or acts charged, the court shall enter a final order, appealable by the person, on that issue and may proceed to consider whether the person should be committed pursuant to this section.

Sec. 8. K.S.A. 2014 Supp. 59-29a08 is hereby amended to read as follows: 59-29a08. (a) Each person committed under ~~K.S.A. 59-29a01 et seq., and amendments thereto,~~ *the Kansas sexually violent predator act* shall have a current examination of the person's mental condition made once every year. The secretary shall provide the committed person with an annual written notice of the person's right to petition the court for release over the secretary's objection. The notice shall contain a waiver of rights. The secretary shall also forward the annual report, as well as the annual notice and waiver form, to the court that committed the person under ~~K.S.A. 59-29a01 et seq., and amendments thereto,~~ *the Kansas sexually violent predator act*. The person may retain, or if the person is indigent and so requests the court may appoint a qualified professional person to examine such person, and such expert or professional person shall have access to all records concerning the person. The court that committed the person under ~~K.S.A. 59-29a01 et seq., and amendments~~

~~thereto~~, the *Kansas sexually violent predator act* shall then conduct an annual review of the status of the committed person's mental condition. The committed person shall have a right to have an attorney represent the person at the hearing but the person is not entitled to be present at the hearing.

(b) Nothing contained in ~~K.S.A. 59-29a01 et seq., and amendments thereto~~, the *Kansas sexually violent predator act* shall prohibit the person in *conditional release* from otherwise petitioning the court for discharge at ~~this~~ the *annual review* hearing.

(c)(1) If the court at the *annual review* hearing determines that probable cause exists to believe that the person's mental abnormality or personality disorder has so changed that the person is safe to be placed in transitional release, then the court shall set a hearing on the issue.

~~(2) The court may order and hold a hearing when:~~

~~(A) There is current evidence from an expert or professional person that an identified physiological change to the committed person, such as paralysis, stroke or dementia, that renders the committed person unable to commit a sexually violent offense and this change is permanent, and~~

~~(B) the evidence presents a change in condition since the person's last hearing.~~

~~(3) At either hearing,~~ The committed person shall be entitled to be present and entitled to the benefit of all constitutional protections that were afforded the person at the initial commitment proceeding pursuant to *K.S.A. 59-29a06, and amendments thereto*. The attorney general shall represent the state and shall have a right to a jury trial and to have the committed person evaluated by experts chosen by the state. The committed person shall also have the right to have experts evaluate the person on the person's behalf and the court shall appoint an expert if the person is indigent and requests an appointment. The burden of proof at ~~either hearing~~ the hearing for transitional release shall be upon the state to prove beyond a reasonable doubt that the committed person's mental abnormality or personality disorder remains such that the person is not safe to be placed in transitional release and if transitionally released is likely to engage in acts of sexual violence.

(d) If, after the hearing, the court ~~or jury~~ is convinced beyond a reasonable doubt that the person is not appropriate for transitional release, the court shall order that the person remain in secure commitment. Otherwise, the court shall order that the person be placed in transitional release.

(e) If the court determines that the person should be placed in transitional release, the secretary shall transfer the person to the transitional release program. The secretary may contract for services to be provided in the transitional release program. During any period the person is in transitional release, that person shall comply with any rules or regulations



the secretary may establish for this program and every directive of the treatment staff of the transitional release program.

(f) At any time during which the person is in the transitional release program and the treatment staff determines that the person has violated any rule, regulation or directive associated with the transitional release program, the treatment staff may remove the person from the transitional release program and return the person to the secure commitment facility, or may request the district court to issue an emergency ex parte order directing any law enforcement officer to take the person into custody and return the person to the secure commitment facility. Any such request may be made verbally or by telephone, but shall be followed in written, facsimile or electronic form delivered to the court by not later than 5:00 p.m. of the first day the district court is open for the transaction of business after the verbal or telephonic request was made.

(g) Upon the person being returned to the secure commitment facility from the transitional release program, notice thereof shall be given by the secretary to the court. The court shall set the matter for a hearing within two working days of receipt of notice of the person's having been returned to the secure commitment facility and cause notice thereof to be given to the attorney general, the person and the secretary. The attorney general shall have the burden of proof to show probable cause that the person violated conditions of transitional release. The hearing shall be to the court. At the conclusion of the hearing the court shall issue an order returning the person to the secure commitment facility or to the transitional release program, and may order such other further conditions with which the person must comply if the person is returned to the transitional release program.

Sec. 9. K.S.A. 59-29a10 is hereby amended to read as follows: 59-29a10. (a) If the secretary determines that the person's mental abnormality or personality disorder has so changed that the person is not likely to engage in repeat acts of sexual violence if placed in transitional release, the secretary shall authorize the person to petition the court for transitional release. The petition shall be served upon the court and the attorney general. The court, upon receipt service of the petition for transitional release, shall ~~order~~ *issue notice of a hearing to be scheduled* within 30 days. The attorney general shall represent the state, and shall have the right to have the petitioner examined by an expert or professional person of such attorney's choice. ~~The hearing shall be before a jury if demanded by either the petitioner or the attorney general.~~ The burden of proof shall be upon the attorney general to show beyond a reasonable doubt that the petitioner's mental abnormality or personality disorder remains such that the petitioner is not safe to be at large and that if placed in transitional release is likely to engage in repeat acts of sexual violence.

(b) If, after the hearing, the court is convinced beyond a reasonable

doubt that the person is not ~~appropriate for~~ *sufficiently safe to warrant* transitional release, the court shall order that the person remain in secure commitment. Otherwise, the court shall order that the person be placed in transitional release.

(c) The provisions of ~~subsections (e), (f) and (g) of K.S.A. 59-29a08(e), (f) and (g),~~ and amendments thereto, shall apply to a transitional release pursuant to this section.

Sec. 10. K.S.A. 2014 Supp. 59-29a11 is hereby amended to read as follows: 59-29a11. (a) ~~Nothing in this act shall prohibit a person from filing a petition for transitional release, conditional release or final discharge pursuant to this act. However, If a person has previously filed a petition for transitional release, conditional release or final discharge without the secretary for aging and disability services approval and the court determined either upon review of the petition or following a hearing, that the petitioner's person's petition was frivolous or that the petitioner's person's condition had not so changed that the person was safe~~ *significantly changed so that it is safe for the person* to be at large, then the court shall deny the subsequent petition, unless the petition contains facts upon which a court could find the condition of the petitioner had ~~so changed significantly changed so that a hearing was warranted.~~ Upon receipt of a first or subsequent petition from committed persons without the secretary's approval, the court shall endeavor whenever possible to review the petition and determine if the petition is based upon frivolous grounds and if so shall deny the petition without a hearing.

(b) No transitional release or conditional release facility or building shall be located within 2,000 feet of a licensed child care facility, an established place of worship, any residence in which a child under 18 years of age resides, or the real property of any school upon which is located a structure used by a unified school district or an accredited nonpublic school for student instruction or attendance or extracurricular activities of pupils enrolled in kindergarten or any grades one through 12. This subsection shall not apply to any state institution or facility.

(c) Transitional release or conditional release facilities or buildings shall be subject to all regulations applicable to other property and buildings located in the zone or area that are imposed by any municipality through zoning ordinance, resolution or regulation, such municipality's building regulatory codes, subdivision regulations or other nondiscriminatory regulations.

(d) On and after ~~January 1, 2009~~ *July 1, 2015*, the secretary for aging and disability services shall place no more than ~~eight~~ *16* sexually violent predators in any one county on transitional release or conditional release.

(e) The secretary for aging and disability services shall submit an annual report to the governor and the legislature during the first week of the regular legislative session detailing activities related to the transitional

release and conditional release of sexually violent predators. The report shall include the status of such predators who have been placed in transitional release or conditional release including the number of any such predators and their locations; information regarding the number of predators who have been returned to the sexually violent predator treatment program at Larned state hospital along with the reasons for such return; and any plans for the development of additional transitional release or conditional release facilities.

Sec. 11. K.S.A. 2014 Supp. 59-29a22 is hereby amended to read as follows: 59-29a22. (a) As used in this section:

(1) ~~“Patient Person”~~ means any individual:

(A) Who is receiving services for mental illness and who is admitted, detained, committed, transferred or placed in the custody of the secretary for aging and disability services under the authority of K.S.A. 22-3219, 22-3302, 22-3303, 22-3428a, 22-3429, 22-3430, 59-29a05, 75-5209 and 76-1306, and amendments thereto.

(B) In the custody of the secretary for aging and disability services after being found a sexually violent predator pursuant to ~~K.S.A. 59-29a01 et seq., and amendments thereto~~ *the Kansas sexually violent predator act*, including any sexually violent predator placed on transitional release.

(2) “Restraints” means the application of any devices, other than human force alone, to any part of the body of the ~~patient~~ *person* for the purpose of preventing the ~~patient~~ *person* from causing injury to self or others.

(3) “Seclusion” means the placement of a ~~patient~~ *person*, alone, in a room, where the ~~patient’s~~ *person’s* freedom to leave is restricted and where the ~~patient~~ *person* is not under continuous observation.

(4) “Emergency lockdown” means a safety measure used to isolate all or a designated number of persons greater than one to their rooms for a period necessary to ensure a safe and secure environment.

(5) “Individual person management plan” means a safety measure used to isolate an individual person when the person presents a safety or security risk that cannot be addressed through routine psychiatric methods.

(b) Each ~~patient~~ *person* shall have the following *statutory* rights:

(1) Upon admission or commitment, *to* be informed orally and in writing of the ~~patient’s~~ *person’s* rights under this section. Copies of this section shall be posted conspicuously in each ~~patient area~~ *facility*, and shall be available to the ~~patient’s~~ *person’s* guardian and immediate family.

(2) ~~The right~~ To refuse to perform labor which is of financial benefit to the facility in which the ~~patient~~ *person* is receiving treatment or service. Privileges or release from the facility may not be conditioned upon the performance of any labor which is regulated by this subsection. Tasks of a personal housekeeping nature are not considered compensable labor.

~~Patients~~ A person may voluntarily engage in therapeutic labor which is of financial benefit to the facility if such labor is compensated in accordance with a plan approved by the department and if:

(A) ~~The specific labor is an integrated part of the patient's person's treatment plan approved as a therapeutic activity by the professional staff member responsible for supervising the patient's treatment;~~

(B) the labor is supervised by a staff member who is qualified to oversee the therapeutic aspects of the activity;

(C) the ~~patient~~ person has given written informed consent to engage in such labor and has been informed that such consent may be withdrawn at any time; and

(D) the labor involved is evaluated for its appropriateness by the staff of the facility at least once every ~~120~~ 180 days.

(3) ~~A right To receive prompt and adequate treatment, rehabilitation and educational services appropriate for such patient's person's condition; within the limits of available state and federal funds.~~

(4) ~~Have the right To be informed of such patient's person's treatment and care and to participate in the planning of such treatment and care.~~

(5) ~~Have the following rights, under the following procedures, to refuse medication and treatment:~~

(A) ~~Have the right To refuse all medication and treatment except as ordered by a court or in a situation in which the medication or treatment is necessary to prevent serious physical harm to the patient or to others. Except when medication or medical treatment has been ordered by the court or is necessary to prevent serious physical harm to others as evidenced by a recent overt act, attempt or threat to do such harm, a patient may refuse medications and medical treatment if the patient is a member of a recognized religious organization and the religious tenets of such organization prohibit such medications and treatment.~~

(5) *To refuse to consent to the administration of any medication prescribed for medical or psychiatric treatment, except in a situation in which the person is in a mental health crisis and less restrictive or intrusive measures have proven to be inadequate or clinically inappropriate. Treatment for a mental health crisis shall include medication or treatment necessary to prevent serious physical harm to the person or to others. After full explanation of the benefits and risks of such medication, the medication may be administered over the person's objection, except that the objection shall be recorded in the person's medical record and at the same time written notice thereof shall be forwarded to the medical director of the treatment facility or the director's designee. Within five days after receiving such notice, excluding Saturdays, Sundays and legal holidays, the medical director or designee shall deliver to the person's medical provider the medical director's or designee's written decision concerning the*

*administration of that medication, and a copy of that decision shall be placed in the person's medical record.*

~~(B)~~(A) Medication may not be used as punishment, for the convenience of staff, as a substitute for a treatment program; or in quantities that interfere with a ~~patient's~~ person's treatment program.

~~(C)~~(B) ~~Patients~~ A person will have the right to have explained the nature of all medications prescribed, the reason for the prescription and the most common side effects and, if requested, the nature of any other treatments ordered.

(6) ~~Except as provided in paragraph (2), have a right to be free from physical restraint and seclusion. To be subjected to restraint, seclusion, emergency lockdown, individual person management plan, or any combination thereof, only as provided in this subsection.~~

(A) Restraints or, seclusion shall not be applied to a patient unless, or both, may be used in the following circumstances:

(i) ~~If it is determined by the superintendent of the treatment facility or a physician or licensed psychologist medical staff to be necessary to prevent immediate substantial bodily injury to the patient person or others and that other alternative methods to prevent such injury are not sufficient to accomplish this purpose. Restraint or seclusion shall never be used as a punishment or for the convenience of staff. When used, the extent of the restraint or seclusion applied to the patient person shall be the least restrictive measure necessary to prevent such injury to the patient person or others, and the use of restraint or seclusion in a treatment facility shall not exceed three hours without medical reevaluation. When restraints or seclusion are applied, there shall be monitoring of the patient's person's condition at a frequency determined by the treating physician or licensed psychologist, which shall be no less than once per each 15 30 minutes. The superintendent of the treatment facility or a physician or licensed psychologist shall sign a statement explaining the treatment necessity for the use of any restraint or seclusion and shall make such statement a part of the permanent treatment record of the patient person.~~

(ii) ~~For security reasons during transport to or from the person's unit, including, but not limited to, transport to another treatment or health care facility, another secure facility or court. Any person committed or transferred to a hospital or other health care facility for medical care may be isolated for security reasons within a locked area.~~

(B) ~~The provisions of clause (A) shall not prevent Emergency lockdown may be used in the following circumstances:~~

~~(i) The use of seclusion as part of a treatment methodology that calls for time out when the patient is refusing to participate in a treatment or has become disruptive of a treatment process.~~

~~(ii) Patients may be restrained for security reasons during transport to or from the patient's building, including transport to another treatment facility. Any patient committed or transferred to a hospital or other health~~

care facility for medical care may be isolated for security reasons within locked facilities in the hospital.

(iii) ~~Patients may be locked or restricted in such patient's room during the night shift, if such patient resides in a unit in which each room is equipped with a toilet and sink or if the patients who do not have toilets in the rooms shall be given an opportunity to use a toilet at least once every hour, or more frequently if medically indicated.~~

(iv) ~~Patients may be locked in such patient's room for a period of time no longer than one hour during each change of shift by staff to permit staff review of patient needs.~~

(v) (i) ~~Patients may also be locked in such patient's room on a unit-wide or facility-wide basis. When necessary as an emergency measure as needed for security purposes, to deal with an escape or attempted escape, the discovery of a dangerous weapon or explosive device in the unit or facility or the receipt of reliable information that a dangerous weapon or explosive device is in the unit or facility, or to prevent or control a riot or the taking of a hostage or for the discovery of contraband or a unit-wide search. A unit-wide or facility-wide emergency isolation lockdown order may only be authorized only by the superintendent of the facility where the order is applicable or the superintendent's designee. A unit-wide or facility-wide emergency isolation order shall be approved within one hour after it is authorized by the superintendent or the superintendent's designee.~~

(ii) *During a period of emergency lockdown, the status of each person shall be reviewed every 30 minutes to ensure the safety of the person, and each person who is locked in a room without a toilet shall be given an opportunity to use a toilet at least once every hour, or more frequently if medically indicated.*

(iii) *The facility shall have a written policy covering the use of emergency lockdown that ensures the safety of the individual is secured and that there is regular, frequent monitoring by trained staff to care for bodily needs as may be required.*

(iv) ~~An emergency order for unit-wide or facility-wide isolation lockdown order may only be in effect for the period of time needed to preserve order while dealing with the situation and may not be used as a substitute for adequate staffing. During a period of unit-wide or facility-wide isolation, the status of each patient shall be reviewed every 30 minutes to ensure the safety and comfort of the patient, and each patient who is locked in a room without a toilet shall be given an opportunity to use a toilet at least once every hour, or more frequently if medically indicated. The facility shall have a written policy covering the use of isolation that ensures that the dignity of the individual is protected, that the safety of the individual is secured, and that there is regular, frequent monitoring by trained staff to care for bodily needs as may be required.~~

(vi) ~~Individual patients who are referred by the court or correctional~~

~~facilities for criminal evaluations may be placed in administrative confinement for security reasons and to maintain proper institutional management when treatment cannot be addressed through routine psychiatric methods. Administrative confinement of individuals shall be limited to only patients that demonstrate or threaten substantial injury to other patients or staff and when there are no clinical interventions available that will be effective to maintain a safe and therapeutic environment for both patients and staff. Administrative confinement shall not be used for any patient who is actively psychotic or likely to be psychologically harmed. The status of each patient shall be reviewed every 15 minutes to ensure the safety and comfort of the patient. The patient shall be afforded all patient rights including being offered a minimum of one hour of supervised opportunity for personal hygiene, exercise and to meet other personal needs.~~

*(C) Individual person management plan may be used in any of the following situations:*

*(i) As needed when a person demonstrates or threatens substantial injury to others, and routine psychiatric methods have been ineffective or are unlikely to be effective in reducing such risk.*

*(ii) As needed for safety or security purposes, to deal with an escape or attempted escape, the discovery of a dangerous weapon or explosive device in the unit or facility or the receipt of reliable information that a dangerous weapon or explosive device is in the unit or facility, to prevent or control a riot or the taking of a hostage or for the discovery of contraband.*

*(iii) The status of the person shall be reviewed every 30 minutes to ensure the safety of the person.*

*(D) Restraint, seclusion, emergency lockdown, individual person management plan, or any combination thereof, may be used in any other situation deemed necessary by treatment staff for the safety of a person or persons, facility staff or visitors. In all situations, restraint, seclusion, emergency lockdown, or individual person management plan shall never be used as a punishment or for the convenience of staff.*

*(E) A person may be locked or restricted in such person's room during the night shift if such person resides in a unit in which each room is equipped with a toilet and sink or, if a person does not have a toilet in the room, if such person is given an opportunity to use a toilet at least once every hour, or more frequently if medically indicated.*

~~(7) The right not~~ *To not be subject to such procedures as psychosurgery, electroshock therapy, experimental medication, aversion therapy or hazardous treatment procedures without the written consent of the patient person or the written consent of a parent or legal guardian, if such patient person is a minor or has a legal guardian provided that the guardian has obtained authority to consent to such from the court which has venue over the guardianship following a hearing held for that purpose.*

(8) ~~The right~~ To individual religious worship within the facility if the ~~patient~~ *person* desires such an opportunity, *as long as it complies with applicable laws and facility rules and policies*. The provisions for worship shall be available to all ~~patients~~ *persons* on a nondiscriminatory basis. No individual may be coerced into engaging in any religious activities.

(9) ~~A right~~ To a humane psychological and physical environment within the hospital facilities. All facilities shall be designed to afford patients with comfort and safety, to promote dignity and ensure privacy. Facilities shall also be designed to make a positive contribution to the effective attainment of the treatment goals of the hospital.

(10) ~~The right~~ To confidentiality of all treatment records; and, as permitted by other applicable state or federal laws, ~~have the right~~ to inspect and ~~to, upon receipt of payment of reasonable costs, to~~ receive a copy of such records. *The head of any treatment facility or designee who has the records may refuse to disclose portions of such records if the head of the treatment facility or designee states in writing that such disclosure will likely be injurious to the welfare of the person.*

(11) Except as otherwise provided, ~~have a right~~ to not be filmed or taped, unless the ~~patient~~ *person* signs an informed and voluntary consent that specifically authorizes a named individual or group to film or tape the ~~patient~~ *person* for a particular purpose or project during a specified time period. The ~~patient~~ *person* may specify in such consent periods during which, or situations in which, the ~~patient~~ *person* may not be filmed or taped. If a ~~patient~~ *person* is legally incompetent, such consent shall be granted on behalf of the ~~patient~~ *person* by the ~~patient's~~ *person's* guardian. A ~~patient~~ *person* may be filmed or taped for security purposes without the ~~patient's~~ *person's* consent.

(12) ~~The right~~ To be informed in writing upon or at a reasonable time after admission, of any liability that the patient or any of the patient's relatives may have for the cost of the patient's care and treatment and of the right to receive information about charges for care and treatment services.

(13) ~~The right~~ To be treated with respect and recognition of the patient's dignity and individuality by all employees of the treatment facility.

(14) ~~Patients have an unrestricted right~~ To send ~~sealed mail~~ and receive sealed mail to or from legal counsel, the courts, the secretary for aging and disability services, the superintendent of the treatment facility, the agency designated as the developmental disabilities protection and advocacy agency pursuant to P.L. 94-103, as amended, private physicians and licensed psychologists, ~~and~~ *A person who is indigent may have reasonable access to letter-writing materials.*

(15) ~~The right as specified under clause (A) to send and receive sealed mail, subject to the limitations specified under clause (B):~~

(A) ~~A patient shall also have a right to send sealed mail and receive sealed mail to or from other persons, subject to physical examination in~~



the patient's presence if there is reason to believe that such communication contains contraband materials or objects that threaten the security of patients or staff. The officers and staff of a facility may not read any mail covered by this clause.

~~(B) The above rights to send and receive sealed and confidential mail are subject to the following limitations:~~

~~(15) To send and receive mail with reasonable limitations. A person's mail is subject to physical examination and inspection for contraband, as defined by facility rules and policies.~~

~~(i)(A) An officer or employee of the facility at which the patient person is placed may delay delivery of the mail to the patient person for a reasonable period of time to verify whether the mail contains contraband, as defined by facility rules and policies, or whether the person named as the sender actually sent the mail; may open the mail and inspect it for contraband outside the presence of the patient, or may, if the officer or staff member cannot determine whether the mail contains contraband, return the mail to the sender along with notice of the facility mail policy. If contraband is found, such contraband may be returned to the sender or confiscated by the facility. If the officer or staff member cannot determine whether the person named as the sender actually sent the mail, the officer or staff member may return the mail to the sender along with notice of the facility mail policy.~~

~~(ii)(B) The superintendent of the facility or the superintendent's designee may, in accordance with the standards and the procedure under subsection (c) for denying a right for cause, authorize a member of the facility treatment staff to read the mail, if the superintendent or the superintendent's designee has reason to believe that the mail could pose a threat to security at the facility or seriously interfere with the treatment, rights, or safety of the patient person or others.~~

~~(iii) Residents may be restricted in receiving in the mail items deemed to be pornographic, offensive or which is deemed to jeopardize their individual treatment or that of others.~~

~~(C) A person may not receive through the mail any sexually explicit materials, items that are considered contraband, as defined by facility rules and policies, or items deemed to jeopardize the person's individual treatment, another person's treatment or the therapeutic environment of the facility.~~

~~(16) Reasonable access to a telephone to make and receive telephone calls within reasonable limits.~~

~~(17) Be permitted to use and wear such patient's To wear and use such person's own clothing and personal possessions, including toilet articles, as long as such wear and use complies with facility rules and policies, or to be furnished with an adequate allowance of clothes if none are available. Provision shall be made to launder the patient's clothing.~~

~~(18) To possess personal property in a reasonable amount, as long as~~

*the property complies with state laws and facility rules and policies, and be provided a reasonable amount of individual-secure storage space for private use pursuant to facility rules and policies. In no event shall a person be allowed to possess or store contraband.*

(19) Reasonable protection of privacy in such matters as toileting and bathing.

(20) ~~Be permitted~~To see a reasonable number of visitors who do not pose a threat to the *safety and security* or therapeutic climate of ~~other patients~~ *the person, other persons, visitors* or the facility.

(21) ~~The right~~To present grievances under the procedures established by each facility on the ~~patient's~~ *person's* own behalf ~~or that of others to the staff or superintendent of the treatment facility~~ without justifiable fear of reprisal and to communicate, subject to paragraph (14), with public officials or with any other person without justifiable fear of reprisal.

(22) ~~The right~~To spend such ~~patient's~~ *person's* money as such ~~patient~~ *person* chooses *with reasonable limitations, except under the following circumstances: (A) When restricted by facility rules and policies; or (B)* to the extent that authority over the money is held by another, including the parent of a minor, a court-appointed guardian of the ~~patient's~~ *person's* estate or a representative payee. A treatment facility may, as a part of its security procedures, use a ~~patient~~ trust account in lieu of currency that is held by a ~~patient~~ *person*, and may establish reasonable policies governing ~~patient~~ account transactions.

(c) (1) ~~A patient's rights guaranteed~~ *A person's rights* under subsections (b)(15) to (b)(21) (22) may be denied for cause ~~after review~~ by the superintendent of the facility or the superintendent's designee, ~~and may be denied~~ or when medically or therapeutically contraindicated as documented by the ~~patient's~~ *physician or licensed psychologist person's physician, licensed psychologist or licensed master's level psychologist* in the ~~patient's~~ *person's* treatment record. The individual shall be informed in writing of the grounds for withdrawal of the right and shall have the opportunity for a review of the withdrawal of the right in an informal hearing before the superintendent of the facility or the superintendent's designee. There shall be documentation of the grounds for withdrawal of rights in the ~~patient's~~ *person's* treatment record. ~~After an informal hearing is held, a patient or such patient's representative may petition for review of the denial of any right under this subsection through the use of the grievance procedure provided in subsection (d).~~

(2) *Notwithstanding subsection (c)(1), when the facility makes an administrative decision that applies equally to all persons and there is a legitimate governmental reason for the decision, notice of the decision is all that is required.*

(d) The secretary for aging and disability services shall establish procedures to assure protection of ~~patients'~~ *persons'* rights guaranteed under this section.

(e) No person may intentionally retaliate or discriminate against any ~~patient~~ person or employee for contacting or providing information to any state official or to an employee of any state protection and advocacy agency, or for initiating, participating in, or testifying in a grievance procedure or in an action for any remedy authorized under this section.

(f) (1) ~~This section shall be a part of and supplemental to article 20a of chapter 59 of the Kansas Statutes Annotated, and amendments thereto. Proceedings under this section or any other appeal concerning an action by the Kansas department for aging and disability services shall be governed under the Kansas administrative procedure act and the Kansas judicial review act. A person appealing any alleged violations of this section or any other agency determination shall exhaust all administrative remedies available through the Larned state hospital, including the sexual predator treatment program, before having any right to request a hearing under the Kansas administrative procedure act.~~

(2) A final agency determination shall include notice of the right to appeal such determination only to the office of administrative hearings. Within 30 days after service of a final agency determination and the notice of right to appeal, the appellant may file a request for hearing in writing with the office of administrative hearings for a review of that determination. Any request for hearing must be accompanied by a copy of the final agency determination. Failure to timely request a hearing constitutes a waiver of the right to any review. The request shall be examined by the presiding officer assigned. If the appellant seeks to challenge the final agency determination on any grounds other than material facts in controversy or agency violation of a relevant rule, regulation or statute, the appellant shall express such allegations with particularity within the request for hearing. If it plainly appears from the face of the request and accompanying final agency determination that the appellant failed to state a claim on which relief could be granted, the request shall be dismissed. The burden shall be on the appellant to prove by a preponderance of the evidence that the agency action violated a specific rule, regulation or statute. If the request for hearing does not allege a violation of a specific rule, regulation or statute, the burden shall be on the appellant to prove by a preponderance of the evidence that the agency had no legitimate government interest in taking such action. Any dispositive ruling of the hearing officer assigned by the office of administrative hearings shall be deemed an initial order under the Kansas administrative procedure act.

(3) The person shall participate by telephone or other electronic means at any hearing before the office of administrative hearings or any proceeding under the Kansas judicial review act, unless the presiding officer or court determines that the interests of justice require an in-person proceeding. Notwithstanding K.S.A. 77-609, and amendments thereto, if an in-person proceeding is necessary, such proceeding shall be conducted at the place where the person is committed.

(4) *Except as otherwise provided in the Kansas sexually violent predator act and notwithstanding K.S.A. 77-609, and amendments thereto, venue shall be in Pawnee county, Kansas, for all proceedings brought pursuant to the Kansas judicial review act.*

Sec. 12. K.S.A. 2014 Supp. 59-29a23 is hereby amended to read as follows: 59-29a23. (a) Whenever a person civilly committed pursuant to ~~K.S.A. 59-29a01 et seq. and amendments thereto, files a petition pursuant to K.S.A. 60-1501 et seq. and amendments thereto,~~ *the Kansas sexually violent predator act files any civil action relating to such commitment, including, but not limited to, an action pursuant to K.S.A. 60-1501 et seq., and amendments thereto,* the costs incurred, including, but not limited to, *the filing fee,* costs of appointed counsel fees and expenses, witness fees and expenses, expert fees and expenses and other expenses related to the prosecution and defense of such petition, shall be taxed to the ~~county responsible for the costs civilly committed person bringing the action. Any district court receiving a statement of costs from another district court shall forthwith approve the same for payment out of the general fund of its county except that it may refuse to approve the same for payment only on the ground that it is not the county responsible for the costs. If the claim for costs is not paid within 120 days, an action may be maintained thereon by the claimant county in the district court of the claimant county against the debtor county.~~

(b) (1) *Subject to subsection (c), any court may authorize the commencement of any civil action, or appeal therein, without prepayment of fees or security therefor, by a civilly committed person who submits an affidavit that includes a statement of all assets that such person possesses and a statement that such person is unable to pay such fees or give security therefor. Such affidavit shall state the nature of the civil action or appeal and the affiant's belief that the person is entitled to redress.*

(2) *A civilly committed person seeking to bring a civil action, or appeal therein, without prepayment of fees or security therefor, in addition to filing the affidavit required by subsection (b)(1), shall submit a certified copy of the trust fund account statement, or institutional equivalent, for such person for the six-month period immediately preceding the filing of the action or notice of appeal, obtained from the appropriate official of each facility at which such person is or was committed. In addition, such person shall submit a certified copy of all private banking account and investment account statements for the six-month period immediately preceding the filing of the action or notice of appeal for which the person is the account owner or beneficiary.*

(3) *If the court determines, based on the affidavit and information provided pursuant to this subsection, that the person is indigent, the costs incurred shall be taxed to the county responsible for the costs.*

(4) *Any district court receiving a statement of costs from another dis-*

*strict court shall forthwith approve the same for payment out of the general fund of its county, except that it may refuse to approve the same for payment only on the ground that it is not the county responsible for the costs. If the claim for costs is not paid within 120 days, an action may be maintained thereon by the claimant county in the district court of the claimant county against the debtor county.*

(5) The county responsible for the costs incurred pursuant to *this subsection* ~~(a)~~ shall be reimbursed for such costs by the office of the attorney general from the sexually violent predator expense fund. The attorney general shall develop and implement a procedure to provide such reimbursements. If there are no moneys available in such fund to pay any such reimbursements, the county may file a claim against the state pursuant to article 9 of chapter 46, of the Kansas Statutes Annotated, and amendments thereto.

(6) *An appeal may not be taken in forma pauperis if the trial court certifies in writing that such appeal is not taken in good faith.*

(c) (1) *Notwithstanding subsection (b), if a civilly committed person brings a civil action or files an appeal in forma pauperis, such person shall be required to pay the full amount of a filing fee. The court shall assess and, when funds exist, collect as a partial payment of any court fees required by law, an initial partial filing fee of 20% of the greater of:*

(A) *The average monthly deposits to the civilly committed person's trust account, or institutional equivalent; or*

(B) *the average monthly balance in the civilly committed person's trust account, or institutional equivalent, for the six-month period immediately preceding the filing of the action or notice of appeal.*

(2) *After payment of the initial partial filing fee, the civilly committed person shall be required to make monthly payments of 20% of the preceding month's income credited to the civilly committed person's account. The agency having custody of the civilly committed person shall forward payments from the civilly committed person's account to the clerk of the court each time the amount in the account exceeds \$10 until the filing fees are paid. The clerk shall then forward the payments to the county responsible for the costs for reimbursement.*

(3) *In no event shall the filing fee collected exceed the amount of fees permitted by statute for the commencement of a civil action or an appeal of a civil action.*

(4) *In no event shall a civilly committed person be prohibited from bringing a civil action or appealing a civil action for the reason that such person has no assets and no means by which to pay the initial partial filing fee.*

(d) *Notwithstanding any filing fee, or any portion thereof, that may have been paid, the court shall dismiss the case at any time if the court determines that:*

(1) *The allegation of poverty is untrue; or*

(2) *the action or appeal:*

(A) *Is frivolous or malicious;*

(B) *fails to state a claim on which relief may be granted; or*

(C) *seeks monetary relief against a defendant who is immune from such relief.*

(e) (1) *Judgment may be rendered for costs at the conclusion of the suit or action as in other proceedings.*

(2) (A) *If the judgment against a civilly committed person includes the payment of costs under this subsection, such person shall be required to pay the full amount of the costs ordered.*

(B) *The civilly committed person shall be required to make payments for costs under this subsection in the same manner provided for filing fees under subsection (c).*

(C) *In no event shall the costs collected exceed the amount of the costs ordered by the court.*

(f) *In no event shall a civilly committed person bring a civil action or appeal a judgment in a civil action or proceeding in forma pauperis if such person has, on three or more prior occasions, while confined in any facility, brought an action or appeal in a court of the state of Kansas or of the United States that was dismissed on the grounds that it was frivolous, malicious or failed to state a claim upon which relief may be granted, unless such person is under imminent danger of serious physical injury.*

~~(e)-(g)~~ (g) As used in this section, “county responsible for the costs” means the county where the person was determined to be a sexually violent predator pursuant to ~~K.S.A. 59-29a01 et seq. and amendments thereto~~ the Kansas sexually violent predator act.

Sec. 13. K.S.A. 2014 Supp. 59-29a24 is hereby amended to read as follows: 59-29a24. ~~(a) Any patient in the custody of the secretary of social and rehabilitation services~~ *person civilly committed pursuant to K.S.A. 59-29a01 et seq. and amendments thereto the Kansas sexually violent predator act, prior to filing any civil action, including, but not limited to, an action pursuant to K.S.A. 60-1501 et seq., and amendments thereto, naming as the defendant pursuant to the rules of civil procedure, the state of Kansas, any political subdivision of the state of Kansas, any public official, the secretary of social and rehabilitation for aging and disability services or an employee of the Kansas department of social and rehabilitation for aging and disability services, while such employee is engaged in the performance of such employee’s duty, shall be required to have exhausted such patient’s all administrative remedies, established by procedures adopted pursuant to subsection (d) of K.S.A. 59-29a22 and amendments thereto, concerning such civil action. Upon filing a petition in a civil action, such patient person shall file with such petition proof that the all administrative remedies have been exhausted.*

~~(b) Notwithstanding any filing fee, or any portion thereof, that may have been paid, the court shall dismiss the case at any time if the court determines that:~~

~~(1) The allegation of poverty is untrue, notwithstanding the fact that a filing fee, or any portion thereof has been paid; or~~

~~(2) the action or appeal:~~

~~(A) Is frivolous or malicious;~~

~~(B) fails to state a claim on which relief may be granted; or~~

~~(C) seeks monetary relief against a defendant who is immune from such relief.~~

~~(c) In no event shall such patient bring a civil action or appeal a judgment in a civil action or proceeding under this section if such patient has, on three or more prior occasions, while in the custody of the secretary of social and rehabilitation services pursuant to K.S.A. 59-29a01 et seq., and amendments thereto, brought an action or appeal in a court of the state of Kansas or of the United States that was dismissed on the grounds that it was frivolous, malicious or failed to state a claim upon which relief may be granted, unless the patient is under imminent danger of serious physical injury.~~

~~(d) The provisions of this section shall not apply to a writ of habeas corpus.~~

Sec. 14. K.S.A. 2014 Supp. 59-2401a is hereby amended to read as follows: 59-2401a. (a) An appeal by an interested party from a district magistrate judge who is not regularly admitted to practice law in Kansas to a district judge may be taken no later than 14 days from any final order, judgment or decree entered in any proceeding pursuant to:

(1) The Kansas adoption and relinquishment act, K.S.A. 59-2111 et seq., and amendments thereto;

(2) the care and treatment act for mentally ill persons, K.S.A. 59-2945 et seq., and amendments thereto;

(3) the care and treatment act for persons with an alcohol or substance abuse problem, K.S.A. 59-29b45 et seq., and amendments thereto; or

(4) the act for obtaining a guardian or conservator, or both, K.S.A. 59-3050 et seq., and amendments thereto.

The appeal shall be heard no later than 30 days from the date the notice of appeal is filed. If no record was made of the proceedings, the trial shall be de novo. Except as provided further, if a record was made of the proceedings, the district judge shall conduct the appeal on the record. Upon motion of any party to the proceedings, the district judge may hold a trial de novo.

(b) An appeal by an interested party from a district judge, or a district magistrate judge who is regularly admitted to practice law in Kansas, to an appellate court shall be taken pursuant to article 21 of chapter 60 of

the Kansas Statutes Annotated, and amendments thereto, from any final order, judgment or decree entered in any proceeding pursuant to:

(1) The Kansas adoption and relinquishment act, K.S.A. 59-2111 et seq., and amendments thereto;

(2) the care and treatment act for mentally ill persons, K.S.A. 59-2945 et seq., and amendments thereto;

(3) the *Kansas* sexually violent predator act, K.S.A. 59-29a01 et seq., and amendments thereto;

(4) the care and treatment act for persons with an alcohol or substance abuse problem, K.S.A. 59-29b45 et seq., and amendments thereto; or

(5) the act for obtaining a guardian or conservator, or both, K.S.A. 59-3050 et seq., and amendments thereto.

Except for *appeals under the Kansas judicial review act* and cases otherwise specifically provided for by law, appeals under this section shall have priority over all others.

(c) Pending the determination of an appeal pursuant to subsection (a) or (b), any order appealed from shall continue in force unless modified by temporary orders entered by the court hearing the appeal. The supersedeas bond provided for in K.S.A. 60-2103, and amendments thereto, shall not stay proceedings under an appeal from the district court to an appellate court.

(d) In an appeal taken pursuant to subsection (a) or (b), the court from which the appeal is taken may require an appropriate party, other than the state of Kansas, any subdivision thereof, and all cities and counties in this state, to file a bond in such sum and with such sureties as may be fixed and approved by the court to ensure that the appeal will be prosecuted without unnecessary delay and to ensure the payment of all judgments and any sums, damages and costs that may be adjudged against that party.

(e) As used in this section, “interested party” means:

(1) The parent in a proceeding pursuant to the Kansas adoption and relinquishment act, K.S.A. 59-2111 et seq., and amendments thereto;

(2) the patient under the care and treatment act for mentally ill persons, K.S.A. 59-2945 et seq., and amendments thereto;

(3) the patient under the care and treatment act for persons with an alcohol or substance abuse problem, K.S.A. 59-29b45 et seq., and amendments thereto;

(4) the person adjudicated a sexually violent predator under the *Kansas* sexually violent predator act, K.S.A. 59-29a01 et seq., and amendments thereto;

(5) the ward or conservatee under the act for obtaining a guardian or conservator, or both, K.S.A. 59-3050 et seq., and amendments thereto;

(6) the parent of a minor person adjudicated a ward or conservatee



under the act for obtaining a guardian or conservator, or both, K.S.A. 59-3050 et seq., and amendments thereto;

(7) the petitioner in the case on appeal; and

(8) any other person granted interested party status by the court from which the appeal is being taken.

(f) This section shall be part of and supplemental to the Kansas probate code.

Sec. 15. K.S.A. 2014 Supp. 77-603 is hereby amended to read as follows: 77-603. (a) This act applies to all agencies and all proceedings for judicial review and civil enforcement of agency actions not specifically exempted by statute from the provisions of this act.

(b) This act creates only procedural rights and imposes only procedural duties. They are in addition to those created and imposed by other statutes.

(c) This act does not apply to agency actions:

(1) Of the prisoner review board concerning inmates or persons under parole or conditional release supervision;

(2) concerning the management, discipline or release of persons in the custody of the secretary of corrections;

(3) concerning the management, discipline or release of persons in the custody of the commissioner of juvenile justice;

(4) under the election laws contained in chapter 25 of the Kansas Statutes Annotated, and amendments thereto, except as provided by K.S.A. 25-4185, and amendments thereto;

(5) concerning pardon, commutation of sentence, clemency or extradition;

(6) concerning military or naval affairs other than actions relating to armories;

(7) governed by the provisions of the open records act and subject to an action for enforcement pursuant to K.S.A. 45-222, and amendments thereto; *or*

(8) governed by the provisions of K.S.A. 75-4317 et seq., and amendments thereto, relating to open public meetings, and subject to an action for civil penalties or enforcement pursuant to K.S.A. 75-4320 or 75-4320a, and amendments thereto; ~~or~~

~~(9) concerning the civil commitment of sexually violent predators pursuant to K.S.A. 59-29a01 et seq. and amendments thereto.~~

New Sec. 16. (a) Whenever there is current evidence since the last annual examination from an expert or professional person that an identified physiological change to the committed person, such as paralysis, stroke or dementia, renders the committed person unable to commit a sexually violent offense and that this change is permanent, the person may petition the court for a hearing to be released.

(b) If the court finds after a hearing that the person has demonstrated

by clear and convincing evidence that the person suffers from a permanent physiological change rendering the person unable to commit a sexually violent offense, the court shall discharge the person from the program and notify the secretary. At the hearing, the person shall have the right to counsel. The state shall have the right to have the person examined before the hearing. The burden of proof shall be on the person to prove the physiological change is permanent and renders the person unable to commit a sexually violent offense.

(c) If the court finds the person has not suffered a permanent physiological change or is not safe, the person shall remain in secure commitment.

(d) This section shall be a part of and supplemental to the Kansas sexually violent predator act.

New Sec. 17. (a) The cost of any post-commitment hearings, annual review hearings, including those provided by the office of administrative hearings, evaluations or other expenses expressly provided for in the Kansas sexually violent predator act shall be paid by the county responsible for the costs.

(b) The cost of any sexual predator treatment program administrative hearings involving K.S.A. 2014 Supp. 59-29a22, and amendments thereto, or other program decisions appealed to or received by the office of administrative hearings shall be paid by the county responsible for the costs.

(c) At the conclusion of any of the proceedings described in this section, the office of administrative hearings shall provide a statement to the county responsible for the costs. The county shall pay the office of administrative hearings within 60 days following the receipt of the bill or prior to the expiration of the fiscal year in which the costs were incurred, whichever occurs first.

(d) As used in this section, “county responsible for the costs” means the county where the person was determined to be a sexually violent predator pursuant to the Kansas sexually violent predator act.

(e) This section shall be a part of and supplemental to the Kansas sexually violent predator act.

New Sec. 18. (a) (1) Whenever a person civilly committed pursuant to K.S.A. 59-29a07, and amendments thereto, is in the custody of a county law enforcement agency for a pending criminal proceeding, the costs incurred for the care and custody of such person by the county with custody of such person, including, but not limited to, reasonable costs of medical care and treatment, housing, food and transportation, shall be paid by such county.

(2) The secretary for aging and disability services shall reimburse such county from the Larned state hospital — SPTP new crimes reimbursement account of the state general fund for all costs that would have been

paid from such account if such person had remained in the custody of the secretary for aging and disability services.

(b) (1) Whenever a person civilly committed pursuant to K.S.A. 59-29a07, and amendments thereto, commits a crime and is prosecuted for such crime, the costs incurred for such prosecution shall be paid by the county where such prosecution occurs.

(2) The secretary for aging and disability services shall reimburse such county from the Larned state hospital — SPTP new crimes reimbursement account of the state general fund for all reasonable costs incurred for such prosecution.

(c) If there are no moneys available in the Larned state hospital — SPTP new crimes reimbursement account of the state general fund to pay any reimbursements described in subsection (a) or (b), the county entitled to such reimbursement may file a claim against the state pursuant to article 9 of chapter 46 of the Kansas Statutes Annotated, and amendments thereto.

(d) The secretary for aging and disability services shall develop and implement a procedure to provide the reimbursements described in subsections (a) and (b) on or before January 1, 2016.

(e) All expenditures pursuant to this section from the Larned state hospital — SPTP new crimes reimbursement account of the state general fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary for aging and disability services or the secretary's designee.

Sec. 19. K.S.A. 59-29a01, 59-29a03, 59-29a10 and 59-29a18 and K.S.A. 2014 Supp. 59-2401a, 59-29a04, 59-29a04a, 59-29a05, 59-29a06, 59-29a07, 59-29a08, 59-29a11, 59-29a22, 59-29a23, 59-29a24 and 77-603 are hereby repealed.

Sec. 20. This act shall take effect and be in force from and after its publication in the statute book.

Approved June 9, 2015.

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## CHAPTER 96

## HOUSE BILL No. 2048

AN ACT concerning regulated scrap metal; relating to the crimes of theft and criminal damage to property; sentencing; evidence at preliminary examination; regulation of scrap metal dealers; unlawful acts; penalties; creating the scrap metal theft reduction fee fund; amending K.S.A. 2014 Supp. 21-5804, 21-5813, 21-6604, 21-6804, 50-6,109, 50-6,110, 50-6,111, 50-6,112a, 50-6,112b and 50-6,112c and repealing the existing sections; also repealing K.S.A. 2014 Supp. 21-6604c and 50-6,112.

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

New Section 1. (a) The attorney general is hereby given jurisdiction and authority over all matters involving the implementation, administration and enforcement of the provisions of the scrap metal theft reduction act including to:

- (1) Employ or appoint agents as necessary to implement, administer and enforce the act;
- (2) contract;
- (3) expend funds;
- (4) license and discipline;
- (5) investigate;
- (6) issue subpoenas;
- (7) keep statistics; and
- (8) conduct education and outreach programs to promote compliance with the act.

(b) In accordance with the rules and regulations filing act, the attorney general is hereby authorized to adopt rules and regulations necessary to implement the provisions of the scrap metal theft reduction act.

(c) There is hereby established in the state treasury the scrap metal theft reduction fee fund to be administered by the attorney general. All moneys received by the attorney general from fees, charges or penalties collected under the provisions of the scrap metal theft reduction act shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, who shall deposit the entire amount thereof in the state treasury to the credit of the scrap metal theft reduction fee fund. All expenditures from such fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the attorney general or the attorney general's designee. All moneys credited to the scrap metal theft reduction fee fund shall be expended for the administration of the duties, functions and operating expenses incurred under the provisions of the scrap metal theft reduction act.

(d) Before July 1, 2016, the attorney general shall establish and maintain a database which shall be a central repository for the information required to be provided under K.S.A. 2014 Supp. 50-6,110, and amendments thereto. The database shall be maintained for the purpose of pro-

viding information to law enforcement and for any other purpose deemed necessary by the attorney general to implement and enforce the provisions of the scrap metal theft reduction act.

(e) The information required by K.S.A. 2014 Supp. 50-6,110, and amendments thereto, maintained in such database by the attorney general, or by any entity contracting with the attorney general, submitted to, maintained or stored as part of the system shall:

(1) Be confidential, shall only be used for investigatory, evidentiary or analysis purposes related to criminal violations of city, state or federal law and shall only be released to law enforcement in response to an official investigation or as permitted in subsection (d); and

(2) not be a public record and shall not be subject to the Kansas open records act, K.S.A. 45-215 et seq., and amendments thereto. The provisions of this subsection shall expire on July 1, 2020, unless the legislature reviews and reenacts this provision pursuant to K.S.A. 45-229, and amendments thereto.

New Sec. 2. (a) If, by the attorney general's own inquiries or as a result of complaints, the attorney general has reason to believe that a person has engaged in, is engaging in or is about to engage in an act or practice that violates the scrap metal theft reduction act, the attorney general, or any deputy attorney general or assistant attorney general may administer oaths and affirmations, subpoena witnesses or matter and collect evidence.

(b) If the matter that the attorney general subpoenas is located outside this state, the person subpoenaed may either make it available to the attorney general at a convenient location within the state or pay the reasonable and necessary expenses for the attorney general or the attorney general's designee to examine the matter at the place where it is located. The attorney general may designate representatives, including officials of the state in which the matter is located, to inspect the matter on the attorney general's behalf, and the attorney general may respond to similar requests from officials of other states.

(c) Service by the attorney general of any notice requiring a person to file a statement or report, or of a subpoena upon any person, shall be made by:

(1) The mailing thereof by certified mail to the last known place of business, residence or abode within or without this state; or

(2) in the manner provided in the code of civil procedure as if a petition had been filed.

(d) The attorney general may request that an individual who refuses to comply with a subpoena, on the ground that the testimony or matter may incriminate the individual, be ordered by the court to provide the testimony or matter. Except in a prosecution for perjury, an individual who complies with a court order to provide testimony or matter after

asserting a privilege against self-incrimination to which the individual is entitled by law, may not be subjected to a criminal proceeding or to a civil penalty to the transaction concerning which the individual is required to testify or produce relevant matter.

(e) If any person willfully fails or refuses to file any statement or report required by the scrap metal theft reduction act, or obey any subpoena issued by the attorney general, the attorney general may, after notice, apply to the district court and, after a hearing thereon, the district court may issue an order:

(1) Granting injunctive relief restraining the sale or advertisement of any services or merchandise by such persons;

(2) vacating, annulling or suspending the corporate charter of a corporation created by or under the laws of this state or revoking or suspending the certificate of authority to do business in this state of a foreign corporation or revoking or suspending any other licenses, permits or certificates issued pursuant to law to the person, which are used to further the allegedly unlawful practice; or

(3) granting such other relief as may be required, until the person files the statement or report, or obeys the subpoena.

New Sec. 3. (a) Any scrap metal dealer who violates any of the provisions of the scrap metal theft reduction act, in addition to any other penalty provided by law, may incur a civil penalty imposed pursuant to subsection (b) in an amount not less than \$100 nor more than \$5,000 for each violation.

(b) The attorney general, upon a finding that a scrap metal dealer or any employee or agent thereof or any person or entity required to be registered as a scrap metal dealer has violated any of the provisions of the scrap metal theft reduction act may impose a civil penalty as provided in this subsection upon such scrap metal dealer.

(c) A civil penalty shall not be imposed pursuant to this section except upon the written order of the attorney general to the scrap metal dealer who is responsible for the violation. Such order is a final order for purposes of judicial review and shall state the violation, the penalty to be imposed and the right of such dealer to appeal as provided in the Kansas judicial review act.

(d) This section shall take effect on and after January 1, 2016.

New Sec. 4. (a) The attorney general may bring a civil action to:

(1) Obtain a declaratory judgment that an act or practice violates the scrap metal theft reduction act;

(2) enjoin, or to obtain a restraining order against any person who has violated, is violating, or is otherwise likely to violate the scrap metal theft reduction act;

(3) recover reasonable expenses and investigation fees; or

(4) impose any civil penalty authorized by the scrap metal theft reduction act.

(b) In lieu of investigating or continuing an action or proceeding, the attorney general may accept a consent judgment with respect to any act or practice declared to be a violation of the scrap metal theft reduction act. Before any consent judgment entered into pursuant to this section shall be effective, it must be approved by the district court and an entry made thereof in the manner required for making an entry of judgment. Once such approval is received, any breach of the conditions of such consent judgment shall be treated as a violation of a court order, and shall be subject to all the penalties provided by law.

(c) In any action brought by the attorney general, the court may, without requiring bond of the attorney general:

(1) Make such orders or judgments as may be necessary to prevent the use or employment by a person of any practice declared to be a violation of the scrap metal theft reduction act;

(2) issue a temporary restraining order or enjoin any person from violating the scrap metal theft reduction act;

(3) award reasonable expenses and investigation fees, civil penalties and costs; and

(4) grant other appropriate relief.

(d) The commission of any act or practice declared to be a violation of the scrap metal theft reduction act shall render the violator liable to the state for the payment of a civil penalty, recoverable in an action brought by the attorney general, in a sum of not more than \$5,000 for each violation.

(e) Any person who willfully violates the terms of any court order issued pursuant to the scrap metal theft reduction act shall forfeit and pay a civil penalty of not more than \$10,000 per violation, in addition to other penalties that may be imposed by the court, as the court shall deem necessary and proper. For the purposes of this section, the district court issuing an order shall retain jurisdiction, and in such cases, the attorney general, acting in the name of the state may petition for recovery of civil penalties.

(f) Any act or practice declared to be a violation of the scrap metal theft reduction act which is continuing in nature shall be deemed a separate violation each day such act or practice exists.

(g) This section shall take effect on and after January 1, 2016.

New Sec. 5. (a) Any person, whether or not a resident or citizen of this state, who in person or through an agent or an instrumentality, engages in business as a scrap metal dealer as defined in the scrap metal theft reduction act, thereby submits the person to the jurisdiction of the courts of this state as to any cause of action arising from such business.

(b) Every administrative or civil action pursuant to the scrap metal

theft reduction act shall be brought in the district court of Shawnee county or in any other district where venue is otherwise authorized by law.

New Sec. 6. (a) A municipality shall not enact or enforce any ordinance, resolution or regulation relating to the implementation, administration and enforcement of the provisions of the scrap metal theft reduction act.

(b) Any ordinance, resolution or regulation prohibited by subsection (a) that was adopted prior to July 1, 2015, shall be null and void.

(c) No action shall be commenced or prosecuted against any individual for a violation of any ordinance, resolution or regulation that is prohibited by subsection (a) and which was adopted prior to July 1, 2015, if such violation occurred on or after July 1, 2014.

(d) As used in this section, "municipality" has the same meaning as defined in K.S.A. 75-6102, and amendments thereto.

New Sec. 7. (a) At any preliminary examination pursuant to K.S.A. 22-2902, and amendments thereto, in which the details of each sale or transaction required to be maintained by scrap metal dealers pursuant to K.S.A. 2014 Supp. 50-6,110, and amendments thereto, are to be introduced as evidence, the business records of such sale or transaction shall be admissible in to evidence in the preliminary examination in the same manner and with the same force and effect as if the individuals who made the record, and the records custodian who keeps the record, had testified in person.

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

Sec. 8. K.S.A. 2014 Supp. 21-5804 is hereby amended to read as follows: 21-5804. (a) In any prosecution under K.S.A. 2014 Supp. 21-5801 through 21-5839, and amendments thereto, the following shall be prima facie evidence of intent to permanently deprive the owner or lessor of property of the possession, use or benefit thereof:

(1) The giving of a false identification or fictitious name, address or place of employment at the time of ~~obtaining~~ *buying, selling, leasing, trading, gathering, collecting, soliciting, procuring, receiving, dealing or otherwise obtaining or exerting control over the property;*

(2) the failure of a person who leases or rents personal property to return the same within 10 days after the date set forth in the lease or rental agreement for the return of the property, if notice is given to the person renting or leasing the property to return the property within seven days after receipt of the notice, in which case the subsequent return of the property within the seven-day period shall exempt such transaction from consideration as prima facie evidence as provided in this section;

(3) destroying, breaking or opening a lock, chain, key switch, encl-



sure or other device used to secure the property in order to obtain control over the property;

(4) destruction of or substantially damaging or altering the property so as to make the property unusable or unrecognizable in order to obtain control over the property;

(5) the failure of a person who leases or rents from a commercial renter a motor vehicle under a written agreement that provides for the return of the motor vehicle to a particular place at a particular time, if notice has been given to the person renting or leasing the motor vehicle to return such vehicle within three calendar days from the date of the receipt or refusal of the demand. In addition, if such vehicle has not been returned after demand, the lessor may notify the local law enforcement agency of the failure of the lessee to return such motor vehicle and the local law enforcement agency shall cause such motor vehicle to be put into any appropriate state and local computer system listing stolen motor vehicles;

(6) the failure of a person who is provided with a use of a vehicle by the owner of the vehicle to return it to the owner pursuant to a written instruction specifying: (A) The time and place to return the vehicle; and (B) that failure to comply may be prosecuted as theft, and such instructions are delivered to the person by the owner at the time the person is provided with possession of the vehicle. In addition, if such vehicle has not been returned pursuant to the specifications in such instructions, the owner may notify the local law enforcement agency of the failure of the person to return such motor vehicle and the local law enforcement agency shall cause such motor vehicle to be put into any appropriate state and local computer system listing stolen motor vehicles;

(7) removing a theft detection device, without authority, from merchandise or disabling such device prior to purchase; or

(8) under the provisions of ~~subsection (a)(5)~~ of K.S.A. 2014 Supp. 21-5801(a)(5), and amendments thereto, the failure to replace or reattach the nozzle and hose of the pump used for the dispensing of motor fuels or placing such nozzle and hose on the ground or pavement.

(b) In any prosecution for a misdemeanor under K.S.A. 2014 Supp. 21-5801, and amendments thereto, in which the object of the alleged theft is a book or other material borrowed from a library, it shall be prima facie evidence of intent to permanently deprive the owner of the possession, use or benefit thereof if the defendant failed to return such book or material within 30 days after receiving notice from the library requesting its return, in which case the subsequent return of the book or material within the 30-day period shall exempt such transaction from consideration as prima facie evidence as provided in this section.

(c) In a prosecution for theft as defined in K.S.A. 2014 Supp. 21-5801, and amendments thereto, and such theft is of services, the existence of any of the connections of meters, alterations or use of unauthorized or

unmeasured electricity, natural gas, water, telephone service or cable television service, caused by tampering, shall be prima facie evidence of intent to commit theft of services by the person or persons using or receiving the direct benefits from the use of the electricity, natural gas, water, telephone service or cable television service passing through such connections or meters, or using the electricity, natural gas, water, telephone service or cable television service which has not been authorized or measured.

*(d) In a prosecution for theft as defined in K.S.A. 2014 Supp. 21-5801, and amendments thereto, and such theft is of regulated scrap metal as defined in K.S.A. 2014 Supp. 50-6,109, and amendments thereto, either in whole or in part, the failure to give information or the giving of false information to a scrap metal dealer pursuant to the requirements of the scrap metal theft reduction act, the transportation of regulated scrap metal outside the county from where it was obtained, the transportation of regulated scrap metal across state lines or the alteration of any regulated scrap metal prior to any transaction with a scrap metal dealer shall be prima facie evidence of intent to permanently deprive the owner of the regulated scrap metal of the possession, use or benefit thereof.*

~~(d)~~(e) As used in this section:

(1) “Notice” means notice in writing and such notice in writing will be presumed to have been given three days following deposit of the notice as registered or certified matter in the United States mail, addressed to such person who has leased or rented the personal property or borrowed the library material at the address as it appears in the information supplied by such person at the time of such leasing, renting or borrowing, or to such person’s last known address; and

(2) “tampering” includes, but is not limited to:

(A) Making a connection of any wire, conduit or device, to any service or transmission line owned by a public or municipal utility, or by a cable television service provider;

(B) defacing, puncturing, removing, reversing or altering any meter or any connections, for the purpose of securing unauthorized or unmeasured electricity, natural gas, water, telephone service or cable television service;

(C) preventing any such meters from properly measuring or registering;

(D) knowingly taking, receiving, using or converting to such person’s own use, or the use of another, any electricity, water or natural gas which has not been measured; or any telephone or cable television service which has not been authorized; or

(E) causing, procuring, permitting, aiding or abetting any person to do any of the preceding acts.

Sec. 9. K.S.A. 2014 Supp. 21-5813 is hereby amended to read as

follows: 21-5813. (a) Criminal damage to property is by means other than by fire or explosive:

(1) Knowingly damaging, destroying, defacing or substantially impairing the use of any property in which another has an interest without the consent of such other person; or

(2) damaging, destroying, defacing or substantially impairing the use of any property with intent to injure or defraud an insurer or lienholder.

(b) *Aggravated criminal damage to property is criminal damage to property, as defined in subsection (a)(1), if the value or amount of damage exceeds \$5,000, committed with the intent to obtain any regulated scrap metal as defined in K.S.A. 2014 Supp. 50-6,109, and amendments thereto, or any items listed in K.S.A. 2014 Supp. 50-6,111(d), and amendments thereto, upon:*

(1) *Any building, structure, personal property or place used primarily for worship or any religious purpose;*

(2) *any building, structure or place used as a school or as an educational facility;*

(3) *any building, structure or place used by a non-profit or charitable business, corporation, firm, service or association;*

(4) *any grave, cemetery, mortuary or personal property of the cemetery or mortuary or other facility used for the purpose of burial or memorializing the dead;*

(5) *any agricultural property or agricultural infrastructure;*

(6) *any construction, mining or recycling facility, structure or site;*

(7) *any utility, utility service, telecommunication, telecommunication service, cable or video service facility, property, building, structure, site or component thereof;*

(8) *any municipal, county or state building, structure, site or property;*

(9) *any residential, commercial, industrial or agricultural irrigation, sprinkler or watering system or component thereof;*

(10) *the infrastructure of any residence, building or structure;*

(11) *any historical marker, plaque or work of art;*

(12) *any vehicle or transportation building, facility, structure, site or property; or*

(13) *any other building, structure, residence, facility, site, place, property, vehicle or any infrastructure thereof.*

~~(b)~~(c) Criminal damage to property if the property:

(1) Is damaged to the extent of \$25,000 or more is a severity level 7, nonperson felony;

(2) is damaged to the extent of at least \$1,000 but less than \$25,000 is a severity level 9, nonperson felony; and

(3) damaged is of the value of less than \$1,000 or is of the value of \$1,000 or more and is damaged to the extent of less than \$1,000 is a class B nonperson misdemeanor.

(d) *Aggravated criminal damage to property is a severity level 6, non-person felony.*

(e) (1) *As used in subsection (b):*

(A) *“Infrastructure” includes any fixture to, attachment upon or part of a residence, building or structure’s framework, electrical wiring and appurtenances, plumbing or heating and air systems; and*

(B) *“site” includes any area, place or location set aside for specific use or uses, including, but not limited to, storage, staging, repair, sorting, transportation, planning or organization.*

(2) *Any of the items or locations listed in subsection (b) shall include the curtilage, adjoining land and any improvements thereupon.*

(3) *Nothing in subsection (b) shall be construed to require the:*

(A) *Construction or existence of any door, gate, fence, barrier or wall;*  
or

(B) *existence of notice, postings or signs to potential trespassers.*

(f) *In determining the amount of damage to property, damages may include the cost of repair or replacement of the property that was damaged, the reasonable cost of the 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.*

Sec. 10. K.S.A. 2014 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, 8-2,144 and K.S.A. 2014 Supp. 8-1025, 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. 2014 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 ~~subsection (c)~~ of K.S.A. 2014 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 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. 2014 Supp. 21-5911, and amendments thereto; repay expenses incurred by a fire district, fire department or fire company responding to a fire which has been determined to be arson or aggravated arson as defined in K.S.A. 2014 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 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 ~~subsection (i)~~ of K.S.A. 2014 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 would render a plan of restitution unworkable. In regard to a violation of K.S.A. 2014 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. 2014 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 ~~subsection (d) of~~ K.S.A. 2014 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 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. 2014 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 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 ~~subsection (d) of~~ K.S.A. 2014 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. 2014 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. 2014 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. 2014 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. 2014 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 pur-



suant 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 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 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 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. 2014 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. 2014 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 ~~subsection (f)~~ of K.S.A. 2014 Supp. 21-6630 and 21-6805(f), and amendments thereto, in addition to any of the above, for felony violations of K.S.A. 2014 Supp. 21-5706, and amendments thereto, the court shall require the defendant who meets the requirements established in K.S.A. 2014 Supp. 21-6824, and amendments thereto, to participate in a certified drug abuse treatment program, as provided in K.S.A. 2014 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. 2014 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.

(B) Offenders whose crime of conviction was committed on or after July 1, 2013, and whose probation is revoked pursuant to ~~subsection (c) of~~ K.S.A. 22-3716(c), and amendments thereto, or whose underlying prison term expires while serving a sanction pursuant to ~~subsection (c)(1)(C) or (c)(1)(D) of~~ 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. 2014 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 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. 2014 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. 2014 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 ~~subsection (c)(1)(B) of~~ 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 ~~subsection (b) of~~ 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 ~~subsection (c)(1)(B) of~~ 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 ~~subsection (b) of~~ K.S.A. 22-3716(b), and amendments thereto, refuses to waive such right.

Sec. 11. K.S.A. 2014 Supp. 21-6804 is hereby amended to read as follows: 21-6804. (a) The provisions of this section shall be applicable to the sentencing guidelines grid for nondrug crimes. The following sentencing guidelines grid shall be applicable to nondrug felony crimes:

SENTENCING RANGE - NONDRUG OFFENSES

Category →	A	B	C	D	E	F	G	H	I
Severity Level ↓	3 + Person Felonies	2 Person Felonies	1 Person & 1 Nonperson Felonies	1 Person Felonies	3 + Nonperson Felonies	2 Nonperson Felonies	1 Nonperson Felonies	2 + Misdemeanors	1 Misdemeanor No Record
I	653 620 592	618 586 554	285 272 258	267 253 240	246 234 221	226 214 203	203 195 184	186 176 166	165 155 147
II	493 467 442	460 438 416	216 205 194	200 190 181	184 174 165	168 160 152	154 146 138	138 131 123	123 117 109
III	247 233 221	228 216 206	107 102 96	100 94 89	92 88 82	83 79 74	77 72 68	71 66 61	61 59 55
IV	172 162 154	162 154 144	75 71 68	69 66 62	64 60 57	59 56 52	52 50 47	48 45 42	43 41 38
V	136 130 122	128 120 114	60 57 53	55 52 50	51 49 46	47 44 41	43 41 38	38 36 34	34 32 30
VI	46 43 40	41 39 37	38 36 34	36 34 32	32 30 28	29 27 25	26 24 22	21 20 19	19 18 17
VII	34 32 30	31 29 27	29 27 25	26 24 22	23 21 19	19 18 17	17 16 15	14 13 12	13 12 11
VIII	23 21 19	20 19 18	19 18 17	17 16 15	15 14 13	13 12 11	11 10 9	11 10 9	9 8 7
IX	17 16 15	15 14 13	13 12 11	13 12 11	11 10 9	10 9 8	9 8 7	8 7 6	7 6 5
X	13 12 11	12 11 10	11 10 9	10 9 8	9 8 7	8 7 6	7 6 5	7 6 5	6 5 4

LEGEND
Presumptive Probation
Presumptive Imprisonment

(b) Sentences expressed in the sentencing guidelines grid for non-drug crimes represent months of imprisonment.

(c) The sentencing guidelines grid is a two-dimensional crime severity and criminal history classification tool. The grid's vertical axis is the crime severity scale which classifies current crimes of conviction. The grid's horizontal axis is the criminal history scale which classifies criminal histories.

(d) The sentencing guidelines grid for nondrug crimes as provided in this section defines presumptive punishments for felony convictions, subject to the sentencing court's discretion to enter a departure sentence. The appropriate punishment for a felony conviction should depend on the severity of the crime of conviction when compared to all other crimes and the offender's criminal history.

(e) (1) The sentencing court has discretion to sentence at any place within the sentencing range. In the usual case it is recommended that the sentencing judge select the center of the range and reserve the upper and lower limits for aggravating and mitigating factors insufficient to warrant a departure.

(2) In presumptive imprisonment cases, the sentencing court shall pronounce the complete sentence which shall include the:

(A) Prison sentence;

(B) maximum potential reduction to such sentence as a result of good time; and

(C) period of postrelease supervision at the sentencing hearing. Failure to pronounce the period of postrelease supervision shall not negate the existence of such period of postrelease supervision.

(3) In presumptive nonprison cases, the sentencing court shall pronounce the:

(A) Prison sentence; and

(B) duration of the nonprison sanction at the sentencing hearing.

(f) Each grid block states the presumptive sentencing range for an offender whose crime of conviction and criminal history place such offender in that grid block. If an offense is classified in a grid block below the dispositional line, the presumptive disposition shall be nonimprisonment. If an offense is classified in a grid block above the dispositional line, the presumptive disposition shall be imprisonment. If an offense is classified in grid blocks 5-H, 5-I or 6-G, the court may impose an optional nonprison sentence as provided in subsection (q).

(g) The sentence for a violation of K.S.A. 21-3415, prior to its repeal, aggravated battery against a law enforcement officer committed prior to July 1, 2006, or a violation of ~~subsection (d) of~~ K.S.A. 2014 Supp. 21-5412(d), and amendments thereto, aggravated assault against a law enforcement officer, which places the defendant's sentence in grid block 6-H or 6-I shall be presumed imprisonment. The court may impose an optional nonprison sentence as provided in subsection (q).



(h) When a firearm is used to commit any person felony, the offender's sentence shall be presumed imprisonment. The court may impose an optional nonprison sentence as provided in subsection (q).

(i) (1) The sentence for the violation of the felony provision of K.S.A. 2014 Supp. 8-1025, K.S.A. 8-2,144, K.S.A. 8-1567, ~~subsection (b)(3) of K.S.A. 2014 Supp. 21-5414(b)(3), subsections (b)(3) and (b)(4) of K.S.A. 2014 Supp. 21-5823(b)(3) and (b)(4),~~ K.S.A. 2014 Supp. 21-6412 and K.S.A. 2014 Supp. 21-6416, and amendments thereto, shall be as provided by the specific mandatory sentencing requirements of that section and shall not be subject to the provisions of this section or K.S.A. 2014 Supp. 21-6807, and amendments thereto.

(2) If because of the offender's criminal history classification the offender is subject to presumptive imprisonment or if the judge departs from a presumptive probation sentence and the offender is subject to imprisonment, the provisions of this section and K.S.A. 2014 Supp. 21-6807, and amendments thereto, shall apply and the offender shall not be subject to the mandatory sentence as provided in K.S.A. 2014 Supp. 21-5823, and amendments thereto.

(3) Notwithstanding the provisions of any other section, the term of imprisonment imposed for the violation of the felony provision of K.S.A. 2014 Supp. 8-1025, K.S.A. 8-2,144, K.S.A. 8-1567, ~~subsection (b)(3) of K.S.A. 2014 Supp. 21-5414(b)(3), subsections (b)(3) and (b)(4) of K.S.A. 2014 Supp. 21-5823(b)(3) and (b)(4),~~ K.S.A. 2014 Supp. 21-6412 and K.S.A. 2014 Supp. 21-6416, and amendments thereto, shall not be served in a state facility in the custody of the secretary of corrections, except that the term of imprisonment for felony violations of K.S.A. 2014 Supp. 8-1025 or K.S.A. 8-2,144 or K.S.A. 8-1567, and amendments thereto, may be served in a state correctional facility designated by the secretary of corrections if the secretary determines that substance abuse treatment resources and facility capacity is available. The secretary's determination regarding the availability of treatment resources and facility capacity shall not be subject to review. Prior to imposing any sentence pursuant to this subsection, the court may consider assigning the defendant to a house arrest program pursuant to K.S.A. 2014 Supp. 21-6609, and amendments thereto.

(j) (1) The sentence for any persistent sex offender whose current convicted crime carries a presumptive term of imprisonment shall be double the maximum duration of the presumptive imprisonment term. The sentence for any persistent sex offender whose current conviction carries a presumptive nonprison term shall be presumed imprisonment and shall be double the maximum duration of the presumptive imprisonment term.

(2) Except as otherwise provided in this subsection, as used in this subsection, "persistent sex offender" means a person who:

(A) (i) Has been convicted in this state of a sexually violent crime, as defined in K.S.A. 22-3717, and amendments thereto; and

(ii) at the time of the conviction under subsection (j)(2)(A)(i) has at least one conviction for a sexually violent crime, as defined in K.S.A. 22-3717, and amendments thereto, in this state or comparable felony under the laws of another state, the federal government or a foreign government; or

(B) (i) has been convicted of rape, as defined in K.S.A. 21-3502, prior to its repeal, or K.S.A. 2014 Supp. 21-5503, and amendments thereto; and

(ii) at the time of the conviction under subsection (j)(2)(B)(i) has at least one conviction for rape in this state or comparable felony under the laws of another state, the federal government or a foreign government.

(3) Except as provided in subsection (j)(2)(B), the provisions of this subsection shall not apply to any person whose current convicted crime is a severity level 1 or 2 felony.

(k) (1) If it is shown at sentencing that the offender committed any felony violation for the benefit of, at the direction of, or in association with any criminal street gang, with the specific intent to promote, further or assist in any criminal conduct by gang members, the offender's sentence shall be presumed imprisonment. The court may impose an optional nonprison sentence as provided in subsection (q).

(2) As used in this subsection, "criminal street gang" means any organization, association or group of three or more persons, whether formal or informal, having as one of its primary activities:

(A) The commission of one or more person felonies; or

(B) the commission of felony violations of article 57 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, K.S.A. 2010 Supp. 21-36a01 through 21-36a17, prior to their transfer, or any felony violation of any provision of the uniform controlled substances act prior to July 1, 2009; and

(C) its members have a common name or common identifying sign or symbol; and

(D) its members, individually or collectively, engage in or have engaged in the commission, attempted commission, conspiracy to commit or solicitation of two or more person felonies or felony violations of article 57 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, K.S.A. 2010 Supp. 21-36a01 through 21-36a17, prior to their transfer, any felony violation of any provision of the uniform controlled substances act prior to July 1, 2009, or any substantially similar offense from another jurisdiction.

(l) Except as provided in subsection (o), the sentence for a violation of subsection (a)(1) of K.S.A. 2014 Supp. 21-5807(a)(1), and amendments thereto, or any attempt or conspiracy, as defined in K.S.A. 2014 Supp. 21-5301 and 21-5302, and amendments thereto, to commit such offense,

when such person being sentenced has a prior conviction for a violation of ~~subsection (a) or (b) of K.S.A. 21-3715(a) or (b), prior to its repeal, 21-3716, prior to its repeal, subsection (a)(1) or (a)(2) of K.S.A. 2014 Supp. 21-5807(a)(1) or (a)(2), or subsection (b) of K.S.A. 2014 Supp. 21-5807(b), and amendments thereto, or any attempt or conspiracy to commit such offense, shall be presumptive imprisonment.~~

(m) The sentence for a violation of K.S.A. 22-4903 ~~or subsection (a)(2) of K.S.A. 2014 Supp. 21-5913(a)(2), and amendments thereto, shall be presumptive imprisonment. If an offense under such sections is classified in grid blocks 5-E, 5-F, 5-G, 5-H or 5-I, the court may impose an optional nonprison sentence as provided in subsection (q).~~

(n) The sentence for a violation of criminal deprivation of property, as defined in K.S.A. 2014 Supp. 21-5803, and amendments thereto, when such property is a motor vehicle, and when such person being sentenced has any combination of two or more prior convictions of ~~subsection (b) of K.S.A. 21-3705(b), prior to its repeal, or of criminal deprivation of property, as defined in K.S.A. 2014 Supp. 21-5803, and amendments thereto, when such property is a motor vehicle, shall be presumptive imprisonment. Such sentence shall not be considered a departure and shall not be subject to appeal.~~

(o) The sentence for a felony violation of theft of property as defined in K.S.A. 2014 Supp. 21-5801, and amendments thereto, or burglary as defined in ~~subsection (a) of K.S.A. 2014 Supp. 21-5807(a), and amendments thereto, when such person being sentenced has no prior convictions for a violation of K.S.A. 21-3701 or 21-3715, prior to their repeal, or theft of property as defined in K.S.A. 2014 Supp. 21-5801, and amendments thereto, or burglary as defined in subsection (a) of K.S.A. 2014 Supp. 21-5807(a), and amendments thereto; or the sentence for a felony violation of theft of property as defined in K.S.A. 2014 Supp. 21-5801, and amendments thereto, when such person being sentenced has one or two prior felony convictions for a violation of K.S.A. 21-3701, 21-3715 or 21-3716, prior to their repeal, or theft of property as defined in K.S.A. 2014 Supp. 21-5801, and amendments thereto, or burglary or aggravated burglary as defined in K.S.A. 2014 Supp. 21-5807, and amendments thereto; or the sentence for a felony violation of burglary as defined in subsection (a) of K.S.A. 2014 Supp. 21-5807(a), and amendments thereto, when such person being sentenced has one prior felony conviction for a violation of K.S.A. 21-3701, 21-3715 or 21-3716, prior to their repeal, or theft of property as defined in K.S.A. 2014 Supp. 21-5801, and amendments thereto, or burglary or aggravated burglary as defined in K.S.A. 2014 Supp. 21-5807, and amendments thereto, shall be the sentence as provided by this section, except that the court may order an optional nonprison sentence for a defendant to participate in a drug treatment program, including, but not limited to, an approved after-care plan, if the court makes the following findings on the record:~~

(1) Substance abuse was an underlying factor in the commission of the crime;

(2) substance abuse treatment in the community is likely to be more effective than a prison term in reducing the risk of offender recidivism; and

(3) participation in an intensive substance abuse treatment program will serve community safety interests.

A defendant sentenced to an optional nonprison sentence under this subsection shall be supervised by community correctional services. The provisions of ~~subsection (f)(1) of K.S.A. 2014 Supp. 21-6824(f)(1)~~, and amendments thereto, shall apply to a defendant sentenced under this subsection. The sentence under this subsection shall not be considered a departure and shall not be subject to appeal.

(p) The sentence for a felony violation of theft of property as defined in K.S.A. 2014 Supp. 21-5801, and amendments thereto, when such person being sentenced has any combination of three or more prior felony convictions for violations of K.S.A. 21-3701, 21-3715 or 21-3716, prior to their repeal, or theft of property as defined in K.S.A. 2014 Supp. 21-5801, and amendments thereto, or burglary or aggravated burglary as defined in K.S.A. 2014 Supp. 21-5807, and amendments thereto; or the sentence for a violation of burglary as defined in ~~subsection (a) of K.S.A. 2014 Supp. 21-5807(a)~~, and amendments thereto, when such person being sentenced has any combination of two or more prior convictions for violations of K.S.A. 21-3701, 21-3715 and 21-3716, prior to their repeal, or theft of property as defined in K.S.A. 2014 Supp. 21-5801, and amendments thereto, or burglary or aggravated burglary as defined in K.S.A. 2014 Supp. 21-5807, and amendments thereto, shall be presumed imprisonment and the defendant shall be sentenced to prison as provided by this section, except that the court may recommend that an offender be placed in the custody of the secretary of corrections, in a facility designated by the secretary to participate in an intensive substance abuse treatment program, upon making the following findings on the record:

(1) Substance abuse was an underlying factor in the commission of the crime;

(2) substance abuse treatment with a possibility of an early release from imprisonment is likely to be more effective than a prison term in reducing the risk of offender recidivism; and

(3) participation in an intensive substance abuse treatment program with the possibility of an early release from imprisonment will serve community safety interests by promoting offender reformation.

The intensive substance abuse treatment program shall be determined by the secretary of corrections, but shall be for a period of at least four months. Upon the successful completion of such intensive treatment program, the offender shall be returned to the court and the court may modify the sentence by directing that a less severe penalty be imposed

in lieu of that originally adjudged within statutory limits. If the offender's term of imprisonment expires, the offender shall be placed under the applicable period of postrelease supervision. The sentence under this subsection shall not be considered a departure and shall not be subject to appeal.

(q) As used in this section, an "optional nonprison sentence" is a sentence which the court may impose, in lieu of the presumptive sentence, upon making the following findings on the record:

(1) An appropriate treatment program exists which is likely to be more effective than the presumptive prison term in reducing the risk of offender recidivism; and

(2) the recommended treatment program is available and the offender can be admitted to such program within a reasonable period of time; or

(3) the nonprison sanction will serve community safety interests by promoting offender reformation.

Any decision made by the court regarding the imposition of an optional nonprison sentence shall not be considered a departure and shall not be subject to appeal.

(r) The sentence for a violation of ~~subsection (c)(2) of~~ K.S.A. 2014 Supp. 21-5413(c)(2), and amendments thereto, shall be presumptive imprisonment and shall be served consecutively to any other term or terms of imprisonment imposed. Such sentence shall not be considered a departure and shall not be subject to appeal.

(s) The sentence for a violation of K.S.A. 2014 Supp. 21-5512, and amendments thereto, shall be presumptive imprisonment. Such sentence shall not be considered a departure and shall not be subject to appeal.

(t) (1) If the trier of fact makes a finding that an offender wore or used ballistic resistant material in the commission of, or attempt to commit, or flight from any felony, in addition to the sentence imposed pursuant to the Kansas sentencing guidelines act, the offender shall be sentenced to an additional 30 months' imprisonment.

(2) The sentence imposed pursuant to subsection (t)(1) shall be presumptive imprisonment and shall be served consecutively to any other term or terms of imprisonment imposed. Such sentence shall not be considered a departure and shall not be subject to appeal.

(3) As used in this subsection, "ballistic resistant material" means: (A) Any commercially produced material designed with the purpose of providing ballistic and trauma protection, including, but not limited to, bulletproof vests and kevlar vests; and (B) any homemade or fabricated substance or item designed with the purpose of providing ballistic and trauma protection.

(u) The sentence for a violation of K.S.A. 2014 Supp. 21-6107, and amendments thereto, or any attempt or conspiracy, as defined in K.S.A. 2014 Supp. 21-5301 and 21-5302, and amendments thereto, to commit

such offense, when such person being sentenced has a prior conviction for a violation of K.S.A. 21-4018, prior to its repeal, or K.S.A. 2014 Supp. 21-6107, and amendments thereto, or any attempt or conspiracy to commit such offense, shall be presumptive imprisonment. Such sentence shall not be considered a departure and shall not be subject to appeal.

(v) The sentence for a third or subsequent violation of K.S.A. 8-1568, and amendments thereto, shall be presumptive imprisonment and shall be served consecutively to any other term or terms of imprisonment imposed. Such sentence shall not be considered a departure and shall not be subject to appeal.

(w) *The sentence for aggravated criminal damage to property as defined in K.S.A. 2014 Supp. 21-5813(b), and amendments thereto, when such person being sentenced has a prior conviction for any nonperson felony shall be presumptive imprisonment. Such sentence shall not be considered a departure and shall not be subject to appeal.*

Sec. 12. K.S.A. 2014 Supp. 50-6,109 is hereby amended to read as follows: 50-6,109. (a) ~~As used in K.S.A. 2014 Supp. 50-6,112a through 50-6,112c, and amendments thereto, and K.S.A. 2014 Supp. 50-6,109 through 50-6,112 50-6,112c, section 1, section 2, section 3, section 4, section 5 and section 6, and amendments thereto, shall be known and may be cited as the scrap metal theft reduction act.~~

(b) *As used in the scrap metal theft reduction act:*

~~(a)(1) “Scrap metal dealer” means any person individual, firm, company, partnership, association or corporation that operates a business out of a fixed location, and that is also either:~~

~~(1) Engaged in the business of buying and dealing in regulated scrap metal;~~

~~(2) purchasing, gathering, collecting, soliciting or procuring regulated scrap metal; or~~

~~(3) operating, carrying on, conducting or maintaining a regulated scrap metal yard or place where regulated scrap metal is gathered together and stored or kept for shipment, sale or transfer that is engaged in the business of buying, trading or dealing in regulated scrap metal for the purpose of sale for recycling.~~

~~(b) “Regulated scrap metal yard” means any yard, plot, space, enclosure, building or any other place where regulated scrap metal is collected, gathered together and stored or kept for shipment, sale or transfer.~~

~~(c)(2) “Regulated scrap metal” shall mean wire, cable, bars, ingots, wire scraps, pieces, pellets, clamps, aircraft parts, junk vehicles, vehicle parts, pipes or connectors made from aluminum; catalytic converters containing platinum, palladium or rhodium, and copper, titanium, tungsten, stainless steel and nickel in any form; for which the purchase price described in K.S.A. 2014 Supp. 50-6,110 and 50-6,111, and amendments thereto, was primarily based on the content therein of aluminum, copper,~~

~~titanium, tungsten, nickel, platinum, palladium, stainless steel or rhodium; any item composed in whole or in part of any nonferrous metal other than an item composed of tin, that is purchased or otherwise acquired for the purpose of recycling or storage for later recycling. Aluminum shall not include food or beverage containers~~ means any item, in any form, for which the purchase price described in K.S.A. 2014 Supp. 50-6,110 and 50-6,111, and amendments thereto, was primarily based on the content of:

- (A) Aluminum, except that aluminum shall not include food or beverage containers;
- (B) copper;
- (C) brass;
- (D) bronze;
- (E) stainless steel;
- (F) zinc;
- (G) titanium;
- (H) tungsten;
- (I) nickel;
- (J) platinum;
- (K) palladium;
- (L) rhodium;
- (M) magnesium;
- (N) lead;
- (O) any other nonferrous metal; or
- (P) any combination of nonferrous metals listed in subsections (b)(2)(A) through (b)(2)(P).

~~(d)~~(3) “Bales of regulated metal” means regulated scrap metal property processed with professional recycling equipment by compression, shearing or shredding, to a form in which it may be sold by a scrap metal dealer consistent with industry standards.

~~(e)~~ “Ferrous metal” means a metal that contains iron or steel.

~~(f)~~(4) “Junk vehicle” means a vehicle as defined in K.S.A. 8-126, and amendments thereto, not requiring a title as provided in chapter 8 of the Kansas Statutes Annotated, and amendments thereto, an aircraft; or a boat, farming implement, industrial equipment, trailer or any other conveyance used on the highways and roadways, which has no use or resale value except as scrap which is sold for scrap value.

~~(g)~~(5) “Nonferrous metal” means a metal that does not contain iron or steel, including but not limited to: Copper, brass, aluminum, bronze, lead, zinc, nickel and their alloys.

~~(h)~~ “Tin” means a metal consisting predominantly of light sheet metal ferrous scrap, including large and small household appliances, construction siding and construction roofing.

~~(i)~~(6) “Vehicle part” means the front clip consisting of the two front fenders, hood, grill and front bumper of an automobile assembled as one

unit; or the rear clip consisting of those body parts behind the rear edge of the back doors, including both rear quarter panels, the rear window, trunk lid, trunk floor panel and rear bumper, assembled as one unit, ~~or any other vehicle part.~~

(7) “Person” means any individual, scrap metal dealer, manager or employee, owner, operator, corporation, partnership or association.

(8) “Attorney general” means the attorney general of the state of Kansas or the attorney general’s designee.

Sec. 13. K.S.A. 2014 Supp. 50-6,110 is hereby amended to read as follows: 50-6,110. (a) ~~Except as provided in subsection (d).~~ It shall be unlawful for any person to sell any item or items of regulated scrap metal to a scrap metal dealer, or employee or agent of a dealer, in this state unless such person *meets the requirements of this subsection.*

(1) ~~Such person shall present~~ *present* to such scrap metal dealer, or employee or agent of such dealer, at or before the time of sale, the following ~~information:~~ The seller’s name, address, sex, date of birth and ~~the identifying number from~~ the seller’s driver’s license, military identification card, passport or personal identification license. ~~The identifying number from~~ An official governmental document for a country other than the United States may be used to meet this requirement provided that a legible fingerprint is also obtained from the seller.

(2) *Such person shall complete and sign the statement provided for in subsection (b)(10).*

(b) Every scrap metal dealer shall keep a register in which the dealer, or employee or agent of the dealer, shall at the time of purchase or receipt of any item for which such information is required to be presented, cross-reference to previously received information, or accurately and legibly record at the time of sale the following information:

(1) The time, date and place of transaction;

(2) the seller’s name, address, sex, date of birth and the identifying number from the seller’s driver’s license, military identification card, passport or personal identification license; the identifying number from an official governmental document for a country other than the United States may be used to meet this requirement provided that a legible fingerprint is also obtained from the seller;

(3) a copy of the identification card or document containing such identifying number;

(4) the license number, color and style or make of any motor vehicle in which the junk vehicle or other regulated scrap metal property is delivered in a purchase transaction;

(5) a general description, made in accordance with the custom of the trade, of the predominant types of junk vehicle or other regulated scrap metal property purchased in the transaction;



(6) the weight, quantity or volume, made in accordance with the custom of the trade, of the regulated scrap metal property purchased;

(7) if a junk vehicle or vehicle part is being bought or sold, a description of the junk vehicle or vehicle part, including the make, model, color, vehicle identification number and serial number if applicable;

(8) ~~the amount of consideration given in a purchase price paid for, traded for or dealt for in a transaction for the junk vehicle or other regulated scrap metal property; and~~

(9) the full name of the individual acting on behalf of the regulated scrap metal dealer in making the purchase; and

(10) *a signed statement from the seller indicating from where the property was obtained and that: (A) Each item is the seller's own personal property, is free of encumbrances and is not stolen; or (B) the seller is acting for the owner and has permission to sell each item. If the seller is not the owner, such statement shall include the name and address of the owner of the property.*

(c) *Every scrap metal dealer shall photograph both the seller and the item or lot of items being sold at the time of purchase or receipt of any item for which such information is required to be presented. Such photographs shall be kept with the record of the transaction and the scrap metal dealer's register of information required by subsection (b).*

~~(c)(d)~~ The scrap metal dealer's register of information required by subsection (b), including copies of identification cards and signed statements by sellers, and photographs required by subsection (c) may be kept in electronic format.

(e) *Every scrap metal dealer shall forward the information required by this section to the database described in section 1, and amendments thereto.*

~~(d)~~ Notwithstanding the foregoing, this section shall not apply to:

~~(1)~~ Transactions involving regulated scrap metal, except for catalytic converters, for which the total sale price for all regulated scrap metal is \$50.00 or less;

~~(2)~~ transactions involving only catalytic converters for which the total sale price is \$30.00 or less;

~~(3)~~ transactions in which the seller is also a scrap metal dealer; or

~~(4)~~ transactions for which the seller is known to the purchasing scrap metal dealer to be an established business that operates out of a fixed business location and that can reasonably be expected to generate regulated scrap metal:

~~(c)~~ The exceptions contained in subsections (d)(1) and (d)(2) shall not apply to any purchase from any seller of the following materials:

~~(1)~~ Catalytic converters purchased separate from a vehicle;

~~(2)~~ coated or insulated wire or stripped wire or burnt wire;

~~(3)~~ refrigeration condensing units or air conditioning coils of any type;

or

~~(4) copper tubing, bars, plate, buss bar and sheet copper.~~

~~(f) It shall be unlawful for any scrap metal dealer, or employee or agent of the dealer, to pay for any of the items described in subsections (c)(1) through (4) by any means other than:~~

~~(1) A prenumbered check drawn on a regular bank account in the name of the scrap metal dealer and with such check made payable to the person documented as the seller in accordance with subsection (b); or~~

~~(2) a system for automated cash or electronic payment distribution which photographs or videotapes the payment recipient and identifies the payment with a distinct transaction in the register maintained in accordance with subsection (b).~~

*(f) Notwithstanding any other provision to the contrary, this section shall not apply to transactions in which the seller is a:*

*(1) Registered scrap metal dealer;*

*(2) vehicle dealer licensed under chapter 8 of the Kansas Statutes Annotated, and amendments thereto; or*

*(3) scrap metal dealer or vehicle dealer registered or licensed in another state.*

*(g) (1) Except as provided in subsection (g)(2), this section shall not apply to transactions in which the seller is known to the purchasing scrap metal dealer to be a licensed business that operates out of a fixed business location and that can reasonably be expected to generate regulated scrap metal.*

*(2) The attorney general may determine, by rules and regulations, which of the requirements of this section shall apply to transactions described in subsection (g)(1).*

Sec. 14. K.S.A. 2014 Supp. 50-6,111 is hereby amended to read as follows: 50-6,111. (a) It shall be unlawful for any such scrap metal dealer, or employee or agent of the dealer, to purchase any item or items of regulated scrap metal in a transaction for which K.S.A. 2014 Supp. 50-6,110, and amendments thereto, requires information to be presented by the seller, without demanding and receiving from the seller that information. Every scrap metal dealer shall file and maintain a record of information obtained in compliance with the requirements in K.S.A. 2014 Supp. 50-6,110, and amendments thereto. All records kept in accordance with the provisions of ~~this~~ *the scrap metal theft reduction act* shall be open at all times to ~~peace or~~ law enforcement officers and shall be kept for two years. If the required information is maintained in electronic format, the scrap metal dealer shall provide a printout of the information to ~~peace or~~ law enforcement officers upon request.

~~(b) It shall be unlawful for any scrap metal dealer, or employee or agent of the dealer, to purchase any item or items of regulated scrap metal in a transaction for which K.S.A. 2014 Supp. 50-6,110, and amendments thereto, requires information to be presented by the seller, without~~

~~obtaining from the seller a signed statement that: (1) Each item is the seller's own personal property, is free of encumbrances and is not stolen; or (2) that the seller is acting for the owner and has permission to sell each item.~~

~~(e)-(b)~~ It shall be unlawful for any scrap metal dealer, or employee or agent of the dealer, to purchase any junk vehicle in a transaction for which K.S.A. 2014 Supp. 50-6,110, and amendments thereto, requires information to be presented by the seller, without:

(1) Inspecting the vehicle offered for sale and recording the vehicle identification number; and

(2) obtaining an appropriate ~~vehicle title or~~ bill of sale issued by a governmentally operated vehicle impound facility if the vehicle purchased has been impounded by such facility or agency.

~~(d)-(c)~~ It shall be unlawful for any scrap metal dealer, or employee or agent of the dealer, to purchase or receive any regulated scrap metal from a minor unless such minor is accompanied by a parent or guardian or such minor is a licensed scrap metal dealer.

~~(e)-(d)~~ It shall be unlawful for any scrap metal dealer, or employee or agent of the dealer, to purchase any of the following items ~~of regulated scrap metal property~~ without obtaining proof that the seller is an employee, agent or person who is authorized to sell the item ~~of regulated scrap metal property~~ on behalf of the governmental entity; utility provider; railroad; cemetery; civic organization; *manufacturing, industrial or other commercial vendor that generates or sells such items in the regular course of business*; or scrap metal dealer:

- (1) Utility access cover;
- (2) street light poles or fixtures;
- (3) road or bridge guard rails;
- (4) highway or street sign;
- (5) water meter cover;
- (6) traffic directional or traffic control signs;
- (7) traffic light signals;
- (8) any metal marked with any form of the name or initials of a governmental entity;
- (9) property owned and marked by a telephone, cable, electric, water or other utility provider;
- (10) property owned and marked by a railroad;
- (11) funeral markers or vases;
- (12) historical markers;
- (13) bales of regulated metal;
- (14) beer kegs;
- (15) manhole covers;
- (16) fire hydrants or fire hydrant caps;
- (17) junk vehicles with missing or altered vehicle identification numbers;

- (18) real estate signs;
- (19) bleachers or risers, in whole or in part; ~~and~~
- (20) twisted pair copper telecommunications wiring of 25 pair or greater existing in 19, 22, 24 or 26 gauge; *and*
- (21) *burnt wire*.

~~(f)~~(e) It shall be unlawful for any scrap metal dealer, or employee or agent of the dealer, to sell, trade, melt or crush, or in any way dispose of, alter or destroy any regulated scrap metal, junk vehicle or vehicle part upon notice from any law enforcement agency, or any of their agents or employees, that they have cause to believe an item has been stolen. A scrap metal dealer shall hold any of the items that are designated by or on behalf of the law enforcement agency for 30 days, exclusive of week-ends and holidays.

Sec. 15. K.S.A. 2014 Supp. 50-6,112a is hereby amended to read as follows: 50-6,112a. (a) ~~No business shall~~ A *scrap metal dealer shall not* purchase any regulated scrap metal without having first registered each place of business *with the attorney general* as herein provided. ~~In case such place of business is located within the corporate limits of a city, the registration shall be made to the governing body of such city. In all other cases, the registration shall be made to the board of county commissioners in the county in which such place of business is to be located.~~

~~(b) A board of county commissioners shall provide the clerk of the township with written notice of the filing of a registration by a scrap metal dealer within 10 days of registration or renewal.~~

~~(c) The governing body of any city and the board of county commissioners shall provide the sheriff, chief of police or director of all law enforcement agencies in the county written notice of the filing of registration by a scrap metal dealer within 10 days of registration or renewal.~~

*(b) The attorney general shall establish a system for the public to confirm scrap metal dealer registration certificates. Such system shall include a listing of valid registration certificates and such other information collected pursuant to the scrap metal theft reduction act, as the attorney general may determine is appropriate. Disclosure of any information through use of the system established by the attorney general shall not be deemed to be an endorsement of any scrap metal dealer or determination of any facts, qualifications, information or reputation of any scrap metal dealer by the attorney general, the state, or any of their respective agents, officers, employees or assigns.*

~~(d)~~(c) A registration for a scrap metal dealer shall be verified and upon a form approved by the attorney general and contain:

(1) (A) The name and residence of the applicant, *including all previous names and aliases; or*

(B) *if the applicant is a: Corporation, the name and address of each manager, officer or director thereof, and each stockholder owning in the*

*aggregate more than 25% of the stock of such corporation; or partnership or limited liability company, the name and address of each partner or member;*

(2) *the length of time that the applicant has resided within the state of Kansas and a list of all residences outside the state of Kansas during the previous 10 years;*

(3) *the particular place of business for which a registration is desired, the name of the business, the address where the business is to be conducted, the hours of operation and the days of the week during which the applicant proposes to engage in business;*

(4) *the name of the owner of the premises upon which the place of business is located; and*

(5) *the applicant shall disclose any prior convictions within 10 years immediately preceding the date of making the registration for: ~~Theft, as defined in K.S.A. 21-3701, prior to its repeal, or K.S.A. 2014 Supp. 21-5801, and amendments thereto, theft of property lost, mislaid or delivered by mistake, as defined in K.S.A. 21-3703, prior to its repeal, or K.S.A. 2014 Supp. 21-5802, and amendments thereto, theft of services, as defined in K.S.A. 21-3704, prior to its repeal, criminal deprivation of property, as defined in K.S.A. 21-3705, prior to its repeal, or K.S.A. 2014 Supp. 21-5803, and amendments thereto, or any other crime involving possession of stolen property~~ A violation of article 37 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or K.S.A. 2014 Supp. 21-5801 through 21-5839 or K.S.A. 2014 Supp. 21-6412(a)(6), and amendments thereto; perjury, K.S.A. 21-3805, prior to its repeal, or K.S.A. 2014 Supp. 21-5903, and amendments thereto; compounding a crime, K.S.A. 21-3807, prior to its repeal; obstructing legal process or official duty, K.S.A. 21-3808, prior to its repeal; falsely reporting a crime, K.S.A. 21-3818, prior to its repeal; interference with law enforcement, K.S.A. 2014 Supp. 21-5904, and amendments thereto; interference with judicial process, K.S.A. 2014 Supp. 21-5905, and amendments thereto; or any crime involving dishonesty or false statement or any substantially similar offense pursuant to the laws of any city, state or of the United States.*

~~(e)~~(d) *Each registration for a scrap metal dealer to purchase regulated scrap metal shall be accompanied by a fee of not less than \$100 nor more than \$400, as prescribed by the board of county commissioners or the governing body of the city, as the case may be \$500 nor more than \$1,500, as prescribed by the attorney general for each particular place of business for which a registration is desired.*

~~(f)~~(e) *The board of county commissioners or the governing body of a city attorney general shall accept a registration for a scrap metal dealer as otherwise provided for herein, from any scrap metal dealer engaged in business in such county or city and qualified to file such registration, to purchase regulated scrap metals. Such registration shall be issued for a period of 10 years one year.*

~~(g)~~(f) If an original registration is accepted, the governing body of the city or the board of county commissioners *attorney general* shall grant and issue renewals thereof upon application of the registration holder, if the registration holder is qualified to receive the same and the registration has not been revoked as provided by law. The registration fee for such renewal shall be not less than \$25 nor more than \$50 *renewal fee shall be not more than \$1,500, as prescribed by the attorney general.*

~~(h)~~(g) No Any registration issued under ~~this~~ the scrap metal theft reduction act shall not be transferable.

(i) Violation of subsection (a) is a class A nonperson misdemeanor.

~~(j)~~(h) This section shall not apply to a business licensed under the provisions of K.S.A. 8-2404, and amendments thereto, unless such business buys or recycles regulated scrap metal that are not motor vehicle components.

Sec. 16. On and after January 1, 2016, K.S.A. 2014 Supp. 50-6,112b is hereby amended to read as follows: 50-6,112b. (a) After examining the information contained in a filing for a scrap metal dealer registration and determining the registration meets the statutory requirements for such registration, the governing body of the city or the board of county commissioners *attorney general* shall accept such filing and the scrap metal dealer shall be deemed to be properly registered.

(b) No scrap metal registration shall be accepted for:

(1) *A person who is not a citizen or legal permanent resident of the United States.*

(2) *A person who is under 18 years of age and whose parents or legal guardians have been convicted of a felony or other crime which would disqualify a person from registration under this section and such crime was committed during the time that such parents or legal guardians held a registration under this the scrap metal theft reduction act.*

~~(2)~~(3) A person who, within ~~five~~ 10 years immediately preceding the date of filing, has pled guilty to, *entered into a diversion agreement for*, been convicted of, released from incarceration for or released from probation or parole for committing, attempting to commit, or conspiring to commit a violation of: Article 37 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or K.S.A. 2014 Supp. 21-5801 through 21-5839 ~~and subsection (a)(6) of~~ or K.S.A. 2014 Supp. 21-6412, ~~(a)(6), and amendments thereto~~; perjury, K.S.A. 21-3805, prior to its repeal, or K.S.A. 2014 Supp. 21-5903, *and amendments thereto*; compounding a crime, K.S.A. 21-3807, prior to its repeal; obstructing legal process or official duty, K.S.A. 21-3808, prior to its repeal; falsely reporting a crime, K.S.A. 21-3818, prior to its repeal; interference with law enforcement, K.S.A. 2014 Supp. 21-5904, *and amendments thereto*; interference with judicial process, K.S.A. 2014 Supp. 21-5905, *and amendments thereto*; or any crime involving ~~moral turpitude~~ *dishonesty or false statement or any*

*substantially similar offense pursuant to the laws of any city, state or of the United States.*

~~(3) A person who, within the five years immediately preceding the date of registration, has pled guilty to, been found guilty of, or entered a diversion agreement for violating the provisions of K.S.A. 2014 Supp. 50-6,112a, and amendments thereto, K.S.A. 50-6,109 et seq., and amendments thereto, the laws of another state comparable to such provisions or laws of any county or city regulating the sale or purchase of regulated scrap metal three or more times.~~

~~(4) A person who within the three 10 years immediately preceding the date of registration held a scrap metal dealer registration which was revoked, or managed a facility for a scrap metal dealer whose registration was revoked, or was an employee whose conduct led to or contributed to the revocation of such registration.~~

(5) A person who makes a materially false statement on the registration application or has made a materially false statement on a registration or similar filing within the last ~~three~~ 10 years.

(6) A partnership or limited liability company, unless all *partners or* members of the partnership or limited liability company are otherwise qualified to file a registration.

(7) A corporation, if any manager, officer or director thereof, or any stockholder owning in the aggregate more than 25% of the stock of such corporation, would be ineligible to receive a license hereunder for any reason.

(8) A person whose place of business is conducted by a manager or agent unless the manager or agent possesses all of the qualifications for registration.

(9) A person whose spouse has been convicted of a felony or other crime which would disqualify a person from registration under this section and such crime was committed during the time that the spouse held a registration under ~~this the scrap metal theft reduction act.~~

(10) *A person who does not own the premises upon which the place of business is located for which a license is sought, unless the person has a written lease for at least ¾ of the period for which the license is to be issued.*

*(c) Any person filing a scrap metal dealer registration may be subject to a criminal history records check and may be given a written notice that a criminal history records check is required. The attorney general may require such applicant to be fingerprinted and submit to a state and national criminal history record check. If required, such fingerprints shall be used to identify the applicant and to determine whether the applicant has a record of criminal history in this state or another jurisdiction. The attorney general shall submit any fingerprints provided to the Kansas bureau of investigation and the federal bureau of investigation for a state and national criminal history record check. Local and state law enforce-*

*ment officers and agencies shall assist the attorney general in the taking and processing of fingerprints of applicants. The attorney general may use the information obtained from fingerprinting and the criminal history for purposes of verifying the identification of the applicant and in the official determination of whether the scrap metal dealer registration shall be accepted. If the criminal history record information is used to disqualify an applicant, the applicant shall be informed in writing of that decision.*

Sec. 17. On and after January 1, 2016, K.S.A. 2014 Supp. 50-6,112c is hereby amended to read as follows: 50-6,112c. (a) ~~The board of county commissioners or the governing body of any city~~ attorney general, upon five days notice to the persons holding a registration, may suspend the scrap metal dealer's registration for up to 30 days for any one of the following reasons:

(1) The registrant has been ~~convicted of violating~~ *found to have violated* any of the provisions of ~~K.S.A. 50-6,109 et seq., and amendments thereto~~ *the scrap metal theft reduction act*, or any similar ordinance, resolution or rules or regulations ~~made by the board or the city, as the case may be;~~

(2) the employment or continuation in employment of a person if the registered scrap metal dealer knows such person has, within the 24 months prior to the notice of suspension or revocation action, been ~~convicted of violating~~ *found to have violated* any of the provisions of ~~K.S.A. 50-6,109 et seq., and amendments thereto~~ *the scrap metal theft reduction act*, or the laws of another state comparable to such provisions, or any city or county ordinance or resolution, or regulation controlling scrap metal sale or purchase in Kansas or any other state; or

(3) permitting any criminal activity under the Kansas criminal code, or similar ordinance, resolution or rules or regulations made by the board or city, as the case may be, in or upon the registrant's place of business.

~~(b)(c)~~ The ~~board of county commissioners or the governing body of any city~~ attorney general may revoke the registration of a scrap metal dealer who has had its registration suspended three or more times within a 24-month period.

~~(e)(d)~~ The ~~board of county commissioners or the governing body of any city~~ attorney general, upon five days' notice to the person holding the registration, shall revoke or suspend the registration for any one of the following reasons:

(1) The registrant has fraudulently registered by knowingly giving materially false information on the registration form;

(2) the registrant has become ineligible to obtain a registration under ~~this~~ *the scrap metal theft reduction act*;

(3) the nonpayment of any registration fees after receiving written notice that such registration fees are more than 30 days past due; or



(4) ~~within 20 days after the order of the board denying, revoking or suspending any registration, the registrant may appeal to the district court and the district court shall proceed to hear such appeal as though the court had original jurisdiction of the matter. Upon request by the registrant, the district court may enjoin the revocation or suspension of a registration until final disposition of any action brought under this act~~ *the nonpayment of any civil penalty after receiving written notice that such penalty is more than 30 days past due.*

~~(d)~~ *(e)* Any action brought under ~~subsections (a), (b) or (c)~~ *this section* shall be brought individually against a single registrant's ~~site place of business and not against any other scrap metal sites or locations~~ *place of business* registered by the same individual, company or business entity.

*(f) Any person aggrieved by the decision of the attorney general to suspend or revoke a registration under this section may appeal such decision in accordance with rules and regulations promulgated by the attorney general to implement the scrap metal theft reduction act.*

Sec. 18. K.S.A. 2014 Supp. 21-5804, 21-5813, 21-6604, 21-6604c, 21-6804, 50-6,109, 50-6,110, 50-6,111, 50-6,112 and 50-6,112a are hereby repealed.

Sec. 19. On and after January 1, 2016, K.S.A. 2014 Supp. 50-6,112b and 50-6,112c are hereby repealed.

Sec. 20. This act shall take effect and be in force from and after its publication in the statute book.

Approved June 12, 2015.

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## CHAPTER 97

### SENATE BILL No. 206

AN ACT concerning the vision care services act; relating to powers and duties of the commissioner of insurance; powers and duties of the attorney general; amending K.S.A. 2014 Supp. 40-5905 and 40-5906 and repealing the existing sections.

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

Section 1. K.S.A. 2014 Supp. 40-5905 is hereby amended to read as follows: 40-5905. For the purposes of this act:

(a) (1) "Covered service" means any service or material for which:

(A) Reimbursement from the vision care insurance or health benefit plan is provided for by an insured's vision care insurance plan or health benefit plan contract subject to the application of the vision care insurance or health benefit plan's deductibles, copayments or coinsurance; or

(B) a reimbursement would be available subject to the application of

any contractual limitations of deductibles or copayments required under the vision care discount plan coinsurance.

(2) “Covered services” does not include any services or materials covered or provided at a nominal or de minimus rate.

(b) “Contractual discount” means a percentage reduction from a vision care provider’s usual and customary rate for providing covered services and materials required under a participating provider agreement.

(c) “Discount card” shall have the meaning ascribed to such term in K.S.A. 50-1,100, and amendments thereto.

(d) “Health benefit plan” shall have the meaning ascribed to such term in K.S.A. 40-4602, and amendments thereto.

(e) “Health insurer” shall have the meaning ascribed to such term in K.S.A. 40-4602, and amendments thereto.

(f) “Material” includes, but is not limited to, lenses, devices containing lenses, prisms, lens treatments and coatings, contact lenses, orthoptics, vision training and any prosthetic device necessary to correct, relieve, or treat any defect or abnormal condition of the human eye or its adnexa.

(g) “Participating provider agreement” includes a health benefit plan, vision care insurance or a vision care discount plan.

(h) “Participating provider” shall have the meaning ascribed to such term in K.S.A. 40-4602, and amendments thereto.

(i) “Vision care insurance” means an integrated health benefit plan or vision care insurance policy or contract which provides vision benefits pertaining to the provision of covered services or materials.

(j) “Vision care provider” means an optometrist licensed by the board of examiners in optometry or an ophthalmologist licensed by the state board of healing arts.

(k) “Vision care discount plan” means any entity ~~governed by K.S.A. 50-1,100, and amendments thereto,~~ which has been specifically authorized by the vision care providers to provide discounts to patients, *but which plan is not insurance nor a discount card as defined in K.S.A. 50-1,100, and amendments thereto.*

Sec. 2. K.S.A. 2014 Supp. 40-5906 is hereby amended to read as follows: 40-5906. (a) K.S.A. 2014 Supp. 40-5901 through 40-5906, and amendments thereto, shall be known and may be cited as the vision care services act.

(b) *The commissioner of insurance shall administer the provisions of the vision care services act and may adopt such rules and regulations as necessary to carry out the provisions of the act as it applies to any insurer, health insurer, health benefit plan or vision care insurance provider. Such rules and regulations shall be adopted no later than January 1, 2016.*

(c) *The attorney general shall administer the provisions of the vision care services act as it applies to discount cards and vision care discount plans and may adopt such rules and regulations as necessary to carry out*

*the provisions of the act. Such rules and regulations shall be adopted no later than January 1, 2016.*

Sec. 3. K.S.A. 2014 Supp. 40-5905 and 40-5906 are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.

Approved June 12, 2015.

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## CHAPTER 98

Senate Substitute for HOUSE BILL No. 2281  
(Amends Chapters 38 and 42)

AN ACT concerning public assistance; relating to the medical assistance fee fund, privilege fees and TANF cash assistance; amending K.S.A. 2014 Supp. 39-709, as amended by section 9 of 2015 Senate Substitute for House Bill No. 2258, and 40-3213 and repealing the existing sections; also repealing K.S.A. 2014 Supp. 39-709, as amended by section 150 of 2015 Senate Bill No. 240.

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

New Section 1. (a) There is hereby created in the state treasury the medical assistance fee fund. The commissioner of insurance shall remit to the state treasurer, in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, all moneys collected or received by the commissioner from health maintenance organizations and medicare provider organizations for the fees specified in K.S.A. 40-3213, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the medical assistance fee fund.

(b) Moneys in the medical assistance fee fund shall be expended for the purpose of medicaid medical assistance payments. All expenditures from the medical assistance fee fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of health and environment or the secretary's designee.

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

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

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

(d) The medical assistance fee fund shall be used for the purposes set forth in this act and for no other governmental purposes. It is the intent of the legislature that the fund shall remain intact and inviolate for

the purposes set forth in this act, and moneys in the fund shall not be subject to the provisions of K.S.A. 75-3722, 75-3725a and 75-3726a, and amendments thereto.

(e) The secretary of health and environment shall prepare and deliver to the legislature on or before the first day of each regular legislative session, a report which summarizes all expenditures from the medical assistance fee fund, fund revenues and recommendations regarding the adequacy of the fund to support necessary medical assistance programs.

(f) The provisions of this section shall expire on July 1, 2018.

Sec. 2. K.S.A. 2014 Supp. 39-709, as amended by section 9 of 2015 Senate Substitute for House Bill No. 2258, is hereby amended to read as follows: 39-709. (a) *General eligibility requirements for assistance for which federal moneys are expended.* Subject to the additional requirements below, assistance in accordance with plans under which federal moneys are expended may be granted to any needy person who:

(1) Has insufficient income or resources to provide a reasonable subsistence compatible with decency and health. Where a husband and wife or cohabiting partners are living together, the combined income or resources of both shall be considered in determining the eligibility of either or both for such assistance unless otherwise prohibited by law. The secretary, in determining need of any applicant for or recipient of assistance shall not take into account the financial responsibility of any individual for any applicant or recipient of assistance unless such applicant or recipient is such individual's spouse, cohabiting partner or such individual's minor child or minor stepchild if the stepchild is living with such individual. The secretary in determining need of an individual may provide such income and resource exemptions as may be permitted by federal law. For purposes of eligibility for temporary assistance for needy families, for food assistance and for any other assistance provided through the Kansas department for children and families under which federal moneys are expended, the secretary for children and families shall consider one motor vehicle owned by the applicant for assistance, regardless of the value of such vehicle, as exempt personal property and shall consider any equity in any boat, personal water craft, recreational vehicle, recreational off-highway vehicle or all-terrain vehicle, as defined by K.S.A. 8-126, and amendments thereto, or any additional motor vehicle owned by the applicant for assistance to be a nonexempt resource of the applicant for assistance except that any additional motor vehicle used by the applicant, the applicant's spouse or the applicant's cohabiting partner for the primary purpose of earning income may be considered as exempt personal property in the secretary's discretion.

(2) Is a citizen of the United States or is an alien lawfully admitted to the United States and who is residing in the state of Kansas.

(b) *Temporary assistance for needy families.* Assistance may be

granted under this act to any dependent child, or relative, subject to the general eligibility requirements as set out in subsection (a), who resides in the state of Kansas or whose parent or other relative with whom the child is living resides in the state of Kansas. Such assistance shall be known as temporary assistance for needy families. On and after January 1, 2017, the department shall conduct an electronic check for any false information provided on an application for TANF and other benefits programs administered by the department. Where the husband and wife or cohabiting partners are living together, both shall register for work under the program requirements for temporary assistance for needy families in accordance with criteria and guidelines prescribed by rules and regulations of the secretary.

(1) As used in this subsection, “family group” or “household” means the applicant or recipient for TANF, child care subsidy or employment services and all individuals living together in which there is a relationship of legal responsibility or a qualifying caretaker relationship. This will include a cohabiting boyfriend or girlfriend living with the person legally responsible for the child. The family group shall not be eligible for TANF if the family group contains at least one adult member who has received TANF, including the federal TANF assistance received in any other state, for 36 calendar months beginning on and after October 1, 1996, unless the secretary determines a hardship exists and grants an extension allowing receipt of TANF until the 48-month limit is reached. No extension beyond 48 months shall be granted. Hardship provisions for a recipient include:

(A) Is a caretaker of a disabled family member living in the household;

(B) has a disability which precludes employment on a long-term basis or requires substantial rehabilitation;

(C) needs a time limit extension to overcome the effects of domestic violence/sexual assault;

(D) is involved with prevention and protection services (PPS) and has an open social service plan; or

(E) is determined by the 36th month to have an extreme hardship other than what is designated in criteria listed in subparagraphs (A) through (E). This determination will be made by the executive review team.

(2) All adults applying for TANF shall be required to complete a work program assessment as specified by the Kansas department for children and families, including those who have been disqualified for or denied TANF due to non-cooperation, drug testing requirements or fraud. Adults who are not otherwise eligible for TANF, such as ineligible aliens, relative/non-relative caretakers and adults receiving supplemental security income are not required to complete the assessment process. During the application processing period, applicants must complete at least one

module or its equivalent of the work program assessment to be considered eligible for TANF benefits, unless good cause is found to be exempt from the requirements. Good cause exemptions shall only include:

(A) The applicant can document an existing certification verifying completion of the work program assessment;

(B) the applicant has a valid offer of employment or is employed a minimum of 20 hours a week;

(C) the applicant is a parenting teen without a GED or high school diploma;

(D) the applicant is enrolled in job corps;

(E) the applicant is working with a refugee social services agency; or

(F) the applicant has completed the work program assessment within the last 12 months.

(3) The department for children and families shall maintain a sufficient level of dedicated work program staff to enable the agency to conduct work program case management services to TANF recipients in a timely manner and in full accordance with state law and agency policy.

(4) TANF mandatory work program applicants and recipients shall participate in work components that lead to competitive, integrated employment. Components are defined by the federal government as being either primary or secondary. In order to meet federal work participation requirements, households need to meet at least 30 hours of participation per week, at least 20 hours of which need to be primary and at least 10 hours may be secondary components in one parent households where the youngest child is six years of age or older. Participation hours shall be 55 hours in two parent households (35 hours per week if child care is not used). The maximum assignment is 40 hours per week per individual. For two parent families to meet the federal work participation rate both parents must participate in a combined total of 55 hours per week, 50 hours of which must be in primary components, or one or both parents could be assigned a combined total of 35 hours per week (30 hours of which must be primary components) if department for children and families paid child care is not received by the family. Single parent families with a child under age six meet the federal participation requirement if the parent is engaged in work or work activities for at least 20 hours per week in a primary work component. The following components meet federal definitions of primary hours of participation: Full or part-time employment, apprenticeship, work study, self-employment, job corps, subsidized employment, work experience sites, on-the-job training, supervised community service, vocational education, job search and job readiness. Secondary components include: Job skills training, education directly related to employment such as adult basic education and English as a second language, and completion of a high school diploma or GED.

(5) A parent or other adult caretaker personally providing care for a child under the age of three months in their TANF household is exempt

from work participation activities until the month the child turns three months of age. Such three-month limitation shall not apply to a parent or other adult caretaker who is personally providing care for a child born significantly premature, with serious medical conditions or with a disability as defined by the secretary, in consultation with the secretary of health and environment, and adopted in the rules and regulations. The three-month period is defined as two consecutive months starting with the month after childbirth. The exemption for caring for a child under three months cannot be claimed:

(A) By either parent when two parents are in the home and the household meets the two-parent definition for federal reporting purposes;

(B) by one parent or caretaker when the other parent or caretaker is in the home, and available, capable and suitable to provide care and the household does not meet the two-parent definition for federal reporting purposes;

(C) by a person age 19 or younger when such person is pregnant or a parent of a child in the home and the person does not possess a high school diploma or its equivalent. Such person shall become exempt the month such person turns age 20;

(D) by any adult in the TANF assistance plan when at least one adult has reached the 36 months of TANF cash assistance; or

(E) by any person assigned to a work participation activity for substance use disorders.

(6) TANF work experience placements shall be reviewed after 90 days and are limited to six months per 48-month lifetime limit. A client's progress shall be reviewed prior to each new placement regardless of the length of time they are at the work experience site.

(7) TANF participants with disabilities shall engage in required employment activities to the maximum extent consistent with their abilities. TANF participants shall provide current documentation by a qualified medical practitioner that details the abilities to engage in employment and any limitations in work activities along with the expected duration of such limitations. Disability is defined as a physical or mental impairment constituting or resulting in a substantial impediment to employment for such individual.

(8) Non-cooperation is the failure of the applicant or recipient to comply with all requirements provided in state and federal law, federal and state rules and regulations and agency policy. The period of ineligibility for TANF benefits based on non-cooperation with work programs shall be as follows:

(A) For a first penalty, three months and full cooperation with work program activities;

(B) for a second penalty, six months and full cooperation with work program activities;

(C) for a third penalty, one year and full cooperation with work program activities; and

(D) for a fourth or subsequent penalty, 10 years.

(9) Individuals that have not cooperated with TANF work programs shall be ineligible to participate in the food assistance program. The comparable penalty shall be applied to only the individual in the food assistance program who failed to comply with the TANF work requirement. The agency shall impose the same penalty to the member of the household who failed to comply with TANF requirements. The penalty periods are three months, six months, one year, or 10 years.

(10) Non-cooperation is the failure of the applicant or recipient to comply with all requirements provided in state and federal law, federal and state rules and regulations and agency policy. The period of ineligibility for child care subsidy or TANF benefits based on parents' non-cooperation with child support services shall be as follows:

(A) For the first penalty, three months and cooperation with child support services prior to regaining eligibility;

(B) for a second penalty, six months and cooperation with child support services prior to regaining eligibility;

(C) for a third penalty, one year and cooperation with child support services prior to regaining eligibility; and

(D) for a fourth penalty, 10 years.

(11) Individuals that have not cooperated without good cause with child support services shall be ineligible to participate in the food assistance program. The period of disqualification ends once it has been determined that such individual is cooperating with child support services.

(12) Any individual who is found to have committed fraud or is found guilty of the crime of theft pursuant to K.S.A. 39-720 and K.S.A. 2014 Supp. 21-5801, and amendments thereto, in either the TANF or child care program shall render all adults in the family unit ineligible for TANF assistance. Adults in the household who were determined to have committed fraud or were convicted of the crime of theft pursuant to K.S.A. 39-720 and K.S.A. 2014 Supp. 21-5801, and amendments thereto, shall render themselves and all adult household members ineligible for their lifetime for TANF, even if fraud was committed in only one program. Households who have been determined to have committed fraud or were convicted of the crime of theft pursuant to K.S.A. 39-720 and K.S.A. 2014 Supp. 21-5801, and amendments thereto, shall be required to name a protective payee as approved by the secretary or the secretary's designee to administer TANF benefits or food assistance on behalf of the children. No adult in a household may have access to the TANF cash assistance benefit.

(13)(A) Food assistance shall not be provided to any person convicted of a felony offense occurring on or after July 1, 2015, which includes as an element of such offense the manufacture, cultivation, distribution, pos-



session or use of a controlled substance or controlled substance analog. For food assistance, the individual shall be permanently disqualified if they have been convicted of a state or federal felony offense occurring on or after July 1, 2015, involving possession or use of a controlled substance or controlled substance analog.

(B) Notwithstanding the provisions of subparagraph (A), an individual shall be eligible for food assistance if the individual enrolls in and participates in a drug treatment program approved by the secretary, submits to and passes a drug test and agrees to submit to drug testing if requested by the department pursuant to a drug testing plan.

An individual's failure to submit to testing or failure to successfully pass a drug test shall result in ineligibility for food assistance until a drug test is successfully passed. Failure to successfully complete a drug treatment program shall result in ineligibility for food assistance until a drug treatment plan approved by the secretary is successfully completed, the individual passes a drug test and agrees to submit to drug testing if requested by the department pursuant to a drug testing plan.

(C) The provisions of subparagraph (B) shall not apply to any individual who has been convicted for a second or subsequent felony offense as provided in subparagraph (A).

(14) No TANF cash assistance shall be used to purchase alcohol, cigarettes, tobacco products, lottery tickets, concert tickets, professional or collegiate sporting event tickets or tickets for other entertainment events intended for the general public or sexually oriented adult materials. No TANF cash assistance shall be used in any retail liquor store, casino, gaming establishment, jewelry store, tattoo parlor, massage parlor, body piercing parlor, spa, nail salon, lingerie shop, tobacco paraphernalia store, vapor cigarette store, psychic or fortune telling business, bail bond company, video arcade, movie theater, swimming pool, cruise ship, theme park, dog or horse racing facility, parimutuel facility, or sexually oriented business or any retail establishment which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment, or in any business or retail establishment where minors under age 18 are not permitted. TANF cash assistance transactions for cash withdrawals from automated teller machines shall be limited to \$25, per transaction and to one transaction per day. No TANF cash assistance shall be used for purchases at points of sale outside the state of Kansas. *The secretary for children and families is authorized to raise or rescind the automated teller machine withdrawal limit established by this section in order to ensure continued appropriation of the TANF block grant through compliance with the provisions of the middle class tax relief and job creation act of 2012 which govern adequate access to cash assistance.*

(15) (A) The secretary for children and families shall place a photograph of the recipient, if agreed to by such recipient of public assistance, on any Kansas benefits card issued by the Kansas department for children

and families that the recipient uses in obtaining food, cash or any other services. When a recipient of public assistance is a minor or otherwise incapacitated individual, a parent or legal guardian of such recipient may have a photograph of such parent or legal guardian placed on the card.

(B) Any Kansas benefits card with a photograph of a recipient shall be valid for voting purposes as a public assistance identification card in accordance with the provisions of K.S.A. 25-2908, and amendments thereto.

(C) As used in this paragraph and its subparagraphs, "Kansas benefits card" means any card issued to provide food assistance, cash assistance or child care assistance, including, but not limited to, the vision card, EBT card and Kansas benefits card.

(16) The secretary for children and families shall adopt rules and regulations:

(A) In determining eligibility for the child care subsidy program, including an income of a cohabiting partner in a child care household; and

(B) in determining and maintaining eligibility for non-TANF child care, requiring that all included adults shall be employed a minimum of 20 hours per week or more as defined by the secretary or meet the following specific qualifying exemptions:

(i) Adults who are not capable of meeting the requirement due to a documented physical or mental condition;

(ii) adults who are former TANF recipients who need child care for employment after their TANF case has closed and earned income is a factor in the closure in the two months immediately following TANF closure;

(iii) adult parents included in a case in which the only child receiving benefits is the child of a minor parent who is working on completion of high school or obtaining a GED; or

(iv) adults who are participants in a mandatory food assistance education and training program.

The department for children and families shall provide child care for the pursuit of any degree or certification if the occupation has at least an average job outlook listed in the occupational outlook of the U.S. department of labor, bureau of labor statistics. For occupations with less than an average job outlook, educational plans shall require approval of the secretary or secretary's designee. Child care may also be approved if the student provides verification of a specific job offer that will be available to such student upon completion of the program. Child care for post-secondary education shall be allowed for a lifetime maximum of 24 months per adult. The 24 months may not have to be consecutive. Students shall be engaged in paid employment for a minimum of 15 hours per week. In a two-parent adult household, child care would not be allowed if both parents are adults and attending a formal education or training program at the same time. The household may choose which one

of the parents is participating as a post-secondary student. The other parent shall meet another approvable criteria for child care subsidy.

(17) The secretary for children and families is prohibited from requesting or implementing a waiver or program from the U.S. department of agriculture for the time limited assistance provisions for able-bodied adults aged 18 through 49 without dependents in a household under the food assistance program. The time on food assistance for able-bodied adults aged 18 through 49 without dependents in the household shall be limited to three months in a 36-month period if such adults are not meeting the requirements imposed by the U.S. department of agriculture that they must work for at least 20 hours per week or participate in a federally approved work program or its equivalent.

(18) Eligibility for the food assistance program shall be limited to those individuals who are citizens or who meet qualified non-citizen status as determined by U.S. department of agriculture. Non-citizen individuals who are unable or unwilling to provide qualifying immigrant documentation, as defined by the U.S. department of agriculture, residing within a household shall not be included when determining the household's size for the purposes of assigning a benefit level to the household for food assistance or comparing the household's monthly income with the income eligibility standards. The gross non-exempt earned and unearned income and resources of disqualified individuals shall be counted in its entirety as available to the remaining household members.

(19) The secretary for children and families shall not enact the state option from the U.S. department of agriculture for broad-based categorical eligibility for households applying for food assistance according to the provisions of 7 C.F.R. § 273.2(j)(2)(ii).

(20) No federal or state funds shall be used for television, radio or billboard advertisements that are designed to promote food assistance benefits and enrollment. No federal or state funding shall be used for any agreements with foreign governments designed to promote food assistance.

(21) (A) The secretary for children and families shall not apply gross income standards for food assistance higher than the standards specified in 7 U.S.C. § 2014(c) unless expressly required by federal law. Categorical eligibility exempting households from such gross income standards requirements shall not be granted for any non-cash, in-kind or other benefit unless expressly required by federal law.

(B) The secretary for children and families shall not apply resource limits standards for food assistance that are higher than the standards specified in 7 U.S.C. § 2014(g)(1) unless expressly required by federal law. Categorical eligibility exempting households from such resource limits shall not be granted for any non-cash, in-kind or other benefit unless expressly required by federal law.

(c) *Temporary assistance for needy families; assignment of support*

*rights and limited power of attorney.* By applying for or receiving temporary assistance for needy families such applicant or recipient shall be deemed to have assigned to the secretary on behalf of the state any accrued, present or future rights to support from any other person such applicant may have in such person's own behalf or in behalf of any other family member for whom the applicant is applying for or receiving aid. In any case in which an order for child support has been established and the legal custodian and obligee under the order surrenders physical custody of the child to a caretaker relative without obtaining a modification of legal custody and support rights on behalf of the child are assigned pursuant to this section, the surrender of physical custody and the assignment shall transfer, by operation of law, the child's support rights under the order to the secretary on behalf of the state. Such assignment shall be of all accrued, present or future rights to support of the child surrendered to the caretaker relative. The assignment of support rights shall automatically become effective upon the date of approval for or receipt of such aid without the requirement that any document be signed by the applicant, recipient or obligee. By applying for or receiving temporary assistance for needy families, or by surrendering physical custody of a child to a caretaker relative who is an applicant or recipient of such assistance on the child's behalf, the applicant, recipient or obligee is also deemed to have appointed the secretary, or the secretary's designee, as an attorney-in-fact to perform the specific act of negotiating and endorsing all drafts, checks, money orders or other negotiable instruments representing support payments received by the secretary in behalf of any person applying for, receiving or having received such assistance. This limited power of attorney shall be effective from the date the secretary approves the application for aid and shall remain in effect until the assignment of support rights has been terminated in full.

(d) *Requirements for medical assistance for which federal moneys or state moneys or both are expended.* (1) When the secretary has adopted a medical care plan under which federal moneys or state moneys or both are expended, medical assistance in accordance with such plan shall be granted to any person who is a citizen of the United States or who is an alien lawfully admitted to the United States and who is residing in the state of Kansas, whose resources and income do not exceed the levels prescribed by the secretary. In determining the need of an individual, the secretary may provide for income and resource exemptions and protected income and resource levels. Resources from inheritance shall be counted. A disclaimer of an inheritance pursuant to K.S.A. 59-2291, and amendments thereto, shall constitute a transfer of resources. The secretary shall exempt principal and interest held in irrevocable trust pursuant to K.S.A. 16-303(c), and amendments thereto, from the eligibility requirements of applicants for and recipients of medical assistance. Such assistance shall be known as medical assistance.

(2) For the purposes of medical assistance eligibility determinations on or after July 1, 2004, if an applicant or recipient owns property in joint tenancy with some other party and the applicant or recipient of medical assistance has restricted or conditioned their interest in such property to a specific and discrete property interest less than 100%, then such designation will cause the full value of the property to be considered an available resource to the applicant or recipient. Medical assistance eligibility for receipt of benefits under the title XIX of the social security act, commonly known as medicaid, shall not be expanded, as provided for in the patient protection and affordable care act, public law 111-148, 124 stat. 119, and the health care and education reconciliation act of 2010, public law 111-152, 124 stat. 1029, unless the legislature expressly consents to, and approves of, the expansion of medicaid services by an act of the legislature.

(3) (A) Resources from trusts shall be considered when determining eligibility of a trust beneficiary for medical assistance. Medical assistance is to be secondary to all resources, including trusts, that may be available to an applicant or recipient of medical assistance.

(B) If a trust has discretionary language, the trust shall be considered to be an available resource to the extent, using the full extent of discretion, the trustee may make any of the income or principal available to the applicant or recipient of medical assistance. Any such discretionary trust shall be considered an available resource unless: (i) At the time of creation or amendment of the trust, the trust states a clear intent that the trust is supplemental to public assistance; and (ii) the trust: (a) Is funded from resources of a person who, at the time of such funding, owed no duty of support to the applicant or recipient of medical assistance; or (b) is funded not more than nominally from resources of a person while that person owed a duty of support to the applicant or recipient of medical assistance.

(C) For the purposes of this paragraph, “public assistance” includes, but is not limited to, medicaid, medical assistance or title XIX of the social security act.

(4) (A) When an applicant or recipient of medical assistance is a party to a contract, agreement or accord for personal services being provided by a nonlicensed individual or provider and such contract, agreement or accord involves health and welfare monitoring, pharmacy assistance, case management, communication with medical, health or other professionals, or other activities related to home health care, long term care, medical assistance benefits, or other related issues, any moneys paid under such contract, agreement or accord shall be considered to be an available resource unless the following restrictions are met: (i) The contract, agreement or accord must be in writing and executed prior to any services being provided; (ii) the moneys paid are in direct relationship with the fair market value of such services being provided by similarly situated and trained nonlicensed individuals; (iii) if no similarly situated nonlicensed

individuals or situations can be found, the value of services will be based on federal hourly minimum wage standards; (iv) such individual providing the services will report all receipts of moneys as income to the appropriate state and federal governmental revenue agencies; (v) any amounts due under such contract, agreement or accord shall be paid after the services are rendered; (vi) the applicant or recipient shall have the power to revoke the contract, agreement or accord; and (vii) upon the death of the applicant or recipient, the contract, agreement or accord ceases.

(B) When an applicant or recipient of medical assistance is a party to a written contract for personal services being provided by a licensed health professional or facility and such contract involves health and welfare monitoring, pharmacy assistance, case management, communication with medical, health or other professionals, or other activities related to home health care, long term care, medical assistance benefits or other related issues, any moneys paid in advance of receipt of services for such contracts shall be considered to be an available resource.

(5) Any trust may be amended if such amendment is permitted by the Kansas uniform trust code.

(e) *Eligibility for medical assistance of resident receiving medical care outside state.* A person who is receiving medical care including long-term care outside of Kansas whose health would be endangered by the postponement of medical care until return to the state or by travel to return to Kansas, may be determined eligible for medical assistance if such individual is a resident of Kansas and all other eligibility factors are met. Persons who are receiving medical care on an ongoing basis in a long-term medical care facility in a state other than Kansas and who do not return to a care facility in Kansas when they are able to do so, shall no longer be eligible to receive assistance in Kansas unless such medical care is not available in a comparable facility or program providing such medical care in Kansas. For persons who are minors or who are under guardianship, the actions of the parent or guardian shall be deemed to be the actions of the child or ward in determining whether or not the person is remaining outside the state voluntarily.

(f) *Medical assistance; assignment of rights to medical support and limited power of attorney; recovery from estates of deceased recipients.*

(1) (A) Except as otherwise provided in K.S.A. 39-786 and 39-787, and amendments thereto, or as otherwise authorized on and after September 30, 1989, under section 303 of the federal medicare catastrophic coverage act of 1988, whichever is applicable, by applying for or receiving medical assistance under a medical care plan in which federal funds are expended, any accrued, present or future rights to support and any rights to payment for medical care from a third party of an applicant or recipient and any other family member for whom the applicant is applying shall be deemed to have been assigned to the secretary on behalf of the state. The assignment shall automatically become effective upon the date of approval for

such assistance without the requirement that any document be signed by the applicant or recipient. By applying for or receiving medical assistance the applicant or recipient is also deemed to have appointed the secretary, or the secretary's designee, as an attorney in fact to perform the specific act of negotiating and endorsing all drafts, checks, money orders or other negotiable instruments, representing payments received by the secretary in on behalf of any person applying for, receiving or having received such assistance. This limited power of attorney shall be effective from the date the secretary approves the application for assistance and shall remain in effect until the assignment has been terminated in full. The assignment of any rights to payment for medical care from a third party under this subsection shall not prohibit a health care provider from directly billing an insurance carrier for services rendered if the provider has not submitted a claim covering such services to the secretary for payment. Support amounts collected on behalf of persons whose rights to support are assigned to the secretary only under this subsection and no other shall be distributed pursuant to K.S.A. 39-756(d), and amendments thereto, except that any amounts designated as medical support shall be retained by the secretary for repayment of the unreimbursed portion of assistance. Amounts collected pursuant to the assignment of rights to payment for medical care from a third party shall also be retained by the secretary for repayment of the unreimbursed portion of assistance.

(B) Notwithstanding the provisions of subparagraph (A), the secretary of health and environment, or the secretary's designee, is hereby authorized to and shall exercise any of the powers specified in subparagraph (A) in relation to performance of such secretary's duties pertaining to medical subrogation, estate recovery or any other duties assigned to such secretary in article 74 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto.

(2) The amount of any medical assistance paid after June 30, 1992, under the provisions of subsection (d) is: (A) A claim against the property or any interest therein belonging to and a part of the estate of any deceased recipient or, if there is no estate, the estate of the surviving spouse, if any, shall be charged for such medical assistance paid to either or both; and (B) a claim against any funds of such recipient or spouse in any account under K.S.A. 9-1215, ~~9-1216~~, 17-2263, 17-2264, 17-5828 or 17-5829, and amendments thereto. There shall be no recovery of medical assistance correctly paid to or on behalf of an individual under subsection (d) except after the death of the surviving spouse of the individual, if any, and only at a time when the individual has no surviving child who is under 21 years of age or is blind or permanently and totally disabled. Transfers of real or personal property by recipients of medical assistance without adequate consideration are voidable and may be set aside. Except where there is a surviving spouse, or a surviving child who is under 21 years of age or is blind or permanently and totally disabled, the amount of any

medical assistance paid under subsection (d) is a claim against the estate in any guardianship or conservatorship proceeding. The monetary value of any benefits received by the recipient of such medical assistance under long-term care insurance, as defined by K.S.A. 40-2227, and amendments thereto, shall be a credit against the amount of the claim provided for such medical assistance under this subsection. The secretary of health and environment is authorized to enforce each claim provided for under this subsection. The secretary of health and environment shall not be required to pursue every claim, but is granted discretion to determine which claims to pursue. All moneys received by the secretary of health and environment from claims under this subsection shall be deposited in the social welfare fund. The secretary of health and environment may adopt rules and regulations for the implementation and administration of the medical assistance recovery program under this subsection.

(3) By applying for or receiving medical assistance under the provisions of article 7 of chapter 39 of the Kansas Statutes Annotated, and amendments thereto, such individual or such individual's agent, fiduciary, guardian, conservator, representative payee or other person acting on behalf of the individual consents to the following definitions of estate and the results therefrom:

(A) If an individual receives any medical assistance before July 1, 2004, pursuant to article 7 of chapter 39 of the Kansas Statutes Annotated, and amendments thereto, which forms the basis for a claim under paragraph (2), such claim is limited to the individual's probatable estate as defined by applicable law; and

(B) if an individual receives any medical assistance on or after July 1, 2004, pursuant to article 7 of chapter 39 of the Kansas Statutes Annotated, and amendments thereto, which forms the basis for a claim under paragraph (2), such claim shall apply to the individual's medical assistance estate. The medical assistance estate is defined as including all real and personal property and other assets in which the deceased individual had any legal title or interest immediately before or at the time of death to the extent of that interest or title. The medical assistance estate includes, without limitation assets conveyed to a survivor, heir or assign of the deceased recipient through joint tenancy, tenancy in common, survivorship, transfer-on-death deed, payable-on-death contract, life estate, trust, annuities or similar arrangement.

(4) The secretary of health and environment or the secretary's designee is authorized to file and enforce a lien against the real property of a recipient of medical assistance in certain situations, subject to all prior liens of record and transfers for value to a bona fide purchaser of record. The lien must be filed in the office of the register of deeds of the county where the real property is located within one year from the date of death of the recipient and must contain the legal description of all real property in the county subject to the lien.



(A) After the death of a recipient of medical assistance, the secretary of health and environment or the secretary's designee may place a lien on any interest in real property owned by such recipient.

(B) The secretary of health and environment or the secretary's designee may place a lien on any interest in real property owned by a recipient of medical assistance during the lifetime of such recipient. Such lien may be filed only after notice and an opportunity for a hearing has been given. Such lien may be enforced only upon competent medical testimony that the recipient cannot reasonably be expected to be discharged and returned home. A six-month period of compensated inpatient care at a nursing home or other medical institution shall constitute a determination by the department of health and environment that the recipient cannot reasonably be expected to be discharged and returned home. To return home means the recipient leaves the nursing or medical facility and resides in the home on which the lien has been placed for a continuous period of at least 90 days without being readmitted as an inpatient to a nursing or medical facility. The amount of the lien shall be for the amount of assistance paid by the department of health and environment until the time of the filing of the lien and for any amount paid thereafter for such medical assistance to the recipient. After the lien is filed against any real property owned by the recipient, such lien will be dissolved if the recipient is discharged, returns home and resides upon the real property to which the lien is attached for a continuous period of at least 90 days without being readmitted as an inpatient to a nursing or medical facility. If the recipient is readmitted as an inpatient to a nursing or medical facility for a continuous period of less than 90 days, another continuous period of at least 90 days shall be completed prior to dissolution of the lien.

(5) The lien filed by the secretary of health and environment or the secretary's designee for medical assistance correctly received may be enforced before or after the death of the recipient by the filing of an action to foreclose such lien in the Kansas district court or through an estate probate court action in the county where the real property of the recipient is located. However, it may be enforced only:

(A) After the death of the surviving spouse of the recipient;

(B) when there is no child of the recipient, natural or adopted, who is 20 years of age or less residing in the home;

(C) when there is no adult child of the recipient, natural or adopted, who is blind or disabled residing in the home; or

(D) when no brother or sister of the recipient is lawfully residing in the home, who has resided there for at least one year immediately before the date of the recipient's admission to the nursing or medical facility, and has resided there on a continuous basis since that time.

(6) The lien remains on the property even after a transfer of the title

by conveyance, sale, succession, inheritance or will unless one of the following events occur:

(A) The lien is satisfied. The recipient, the heirs, personal representative or assigns of the recipient may discharge such lien at any time by paying the amount of the lien to the secretary of health and environment or the secretary's designee;

(B) the lien is terminated by foreclosure of prior lien of record or settlement action taken in lieu of foreclosure; or

(C) the value of the real property is consumed by the lien, at which time the secretary of health and environment or the secretary's designee may force the sale for the real property to satisfy the lien.

(7) If the secretary for aging and disability services or the secretary of health and environment, or both, or such secretary's designee has not filed an action to foreclose the lien in the Kansas district court in the county where the real property is located within 10 years from the date of the filing of the lien, then the lien shall become dormant, and shall cease to operate as a lien on the real estate of the recipient. Such dormant lien may be revived in the same manner as a dormant judgment lien is revived under K.S.A. 60-2403 et seq., and amendments thereto.

(8) Within seven days of receipt of notice by the secretary for children and families or the secretary's designee of the death of a recipient of medical assistance under this subsection, the secretary for children and families or the secretary's designee shall give notice of such recipient's death to the secretary of health and environment or the secretary's designee.

(9) All rules and regulations adopted on and after July 1, 2013, and prior to July 1, 2014, to implement this subsection shall continue to be effective and shall be deemed to be duly adopted rules and regulations of the secretary of health and environment until revised, amended, revoked or nullified pursuant to law.

(g) *Placement under the revised Kansas code for care of children or revised Kansas juvenile justice code; assignment of support rights and limited power of attorney.* In any case in which the secretary for children and families pays for the expenses of care and custody of a child pursuant to K.S.A. 2014 Supp. 38-2201 et seq. or 38-2301 et seq., and amendments thereto, including the expenses of any foster care placement, an assignment of all past, present and future support rights of the child in custody possessed by either parent or other person entitled to receive support payments for the child is, by operation of law, conveyed to the secretary. Such assignment shall become effective upon placement of a child in the custody of the secretary or upon payment of the expenses of care and custody of a child by the secretary without the requirement that any document be signed by the parent or other person entitled to receive support payments for the child. When the secretary pays for the expenses of care and custody of a child or a child is placed in the custody of the

secretary, the parent or other person entitled to receive support payments for the child is also deemed to have appointed the secretary, or the secretary's designee, as attorney in fact to perform the specific act of negotiating and endorsing all drafts, checks, money orders or other negotiable instruments representing support payments received by the secretary on behalf of the child. This limited power of attorney shall be effective from the date the assignment to support rights becomes effective and shall remain in effect until the assignment of support rights has been terminated in full.

(h) No person who voluntarily quits employment or who is fired from employment due to gross misconduct as defined by rules and regulations of the secretary or who is a fugitive from justice by reason of a felony conviction or charge or violation of a condition of probation or parole imposed under federal or state law shall be eligible to receive public assistance benefits in this state. Any recipient of public assistance who fails to timely comply with monthly reporting requirements under criteria and guidelines prescribed by rules and regulations of the secretary shall be subject to a penalty established by the secretary by rules and regulations.

(i) If the applicant or recipient of temporary assistance for needy families is a mother of the dependent child, as a condition of the mother's eligibility for temporary assistance for needy families the mother shall identify by name and, if known, by current address the father of the dependent child except that the secretary may adopt by rules and regulations exceptions to this requirement in cases of undue hardship. Any recipient of temporary assistance for needy families who fails to cooperate with requirements relating to child support services under criteria and guidelines prescribed by rules and regulations of the secretary shall be subject to a penalty established by the secretary.

(j) By applying for or receiving child care benefits or food assistance, the applicant or recipient shall be deemed to have assigned, pursuant to K.S.A. 39-756, and amendments thereto, to the secretary on behalf of the state only accrued, present or future rights to support from any other person such applicant may have in such person's own behalf or in behalf of any other family member for whom the applicant is applying for or receiving aid. The assignment of support rights shall automatically become effective upon the date of approval for or receipt of such aid without the requirement that any document be signed by the applicant or recipient. By applying for or receiving child care benefits or food assistance, the applicant or recipient is also deemed to have appointed the secretary, or the secretary's designee, as an attorney in fact to perform the specific act of negotiating and endorsing all drafts, checks, money orders or other negotiable instruments representing support payments received by the secretary in behalf of any person applying for, receiving or having received such assistance. This limited power of attorney shall be effective from the

date the secretary approves the application for aid and shall remain in effect until the assignment of support rights has been terminated in full. An applicant or recipient who has assigned support rights to the secretary pursuant to this subsection shall cooperate in establishing and enforcing support obligations to the same extent required of applicants for or recipients of temporary assistance for needy families.

(k) (1) A program of drug screening for applicants for cash assistance as a condition of eligibility for cash assistance and persons receiving cash assistance as a condition of continued receipt of cash assistance shall be established, subject to applicable federal law, by the secretary for children and families on and before January 1, 2014. Under such program of drug screening, the secretary for children and families shall order a drug screening of an applicant for or a recipient of cash assistance at any time when reasonable suspicion exists that such applicant for or recipient of cash assistance is unlawfully using a controlled substance or controlled substance analog. The secretary for children and families may use any information obtained by the secretary for children and families to determine whether such reasonable suspicion exists, including, but not limited to, an applicant's or recipient's demeanor, missed appointments and arrest or other police records, previous employment or application for employment in an occupation or industry that regularly conducts drug screening, termination from previous employment due to unlawful use of a controlled substance or controlled substance analog or prior drug screening records of the applicant or recipient indicating unlawful use of a controlled substance or controlled substance analog.

(2) Any applicant for or recipient of cash assistance whose drug screening results in a positive test may request that the drug screening specimen be sent to a different drug testing facility for an additional drug screening. Any applicant for or recipient of cash assistance who requests an additional drug screening at a different drug testing facility shall be required to pay the cost of drug screening. Such applicant or recipient who took the additional drug screening and who tested negative for unlawful use of a controlled substance and controlled substance analog shall be reimbursed for the cost of such additional drug screening.

(3) Any applicant for or recipient of cash assistance who tests positive for unlawful use of a controlled substance or controlled substance analog shall be required to complete a substance abuse treatment program approved by the secretary for children and families, secretary of labor or secretary of commerce, and a job skills program approved by the secretary for children and families, secretary of labor or secretary of commerce. Subject to applicable federal laws, any applicant for or recipient of cash assistance who fails to complete or refuses to participate in the substance abuse treatment program or job skills program as required under this subsection shall be ineligible to receive cash assistance until completion of such substance abuse treatment and job skills programs. Upon com-

pletion of both substance abuse treatment and job skills programs, such applicant for or recipient of cash assistance may be subject to periodic drug screening, as determined by the secretary for children and families. Upon a second positive test for unlawful use of a controlled substance or controlled substance analog, a recipient of cash assistance shall be ordered to complete again a substance abuse treatment program and job skills program, and shall be terminated from cash assistance for a period of 12 months, or until such recipient of cash assistance completes both substance abuse treatment and job skills programs, whichever is later. Upon a third positive test for unlawful use of a controlled substance or controlled substance analog, a recipient of cash assistance shall be terminated from cash assistance, subject to applicable federal law.

(4) If an applicant for or recipient of cash assistance is ineligible for or terminated from cash assistance as a result of a positive test for unlawful use of a controlled substance or controlled substance analog, and such applicant for or recipient of cash assistance is the parent or legal guardian of a minor child, an appropriate protective payee shall be designated to receive cash assistance on behalf of such child. Such parent or legal guardian of the minor child may choose to designate an individual to receive cash assistance for such parent's or legal guardian's minor child, as approved by the secretary for children and families. Prior to the designated individual receiving any cash assistance, the secretary for children and families shall review whether reasonable suspicion exists that such designated individual is unlawfully using a controlled substance or controlled substance analog.

(A) In addition, any individual designated to receive cash assistance on behalf of an eligible minor child shall be subject to drug screening at any time when reasonable suspicion exists that such designated individual is unlawfully using a controlled substance or controlled substance analog. The secretary for children and families may use any information obtained by the secretary for children and families to determine whether such reasonable suspicion exists, including, but not limited to, the designated individual's demeanor, missed appointments and arrest or other police records, previous employment or application for employment in an occupation or industry that regularly conducts drug screening, termination from previous employment due to unlawful use of a controlled substance or controlled substance analog or prior drug screening records of the designated individual indicating unlawful use of a controlled substance or controlled substance analog.

(B) Any designated individual whose drug screening results in a positive test may request that the drug screening specimen be sent to a different drug testing facility for an additional drug screening. Any designated individual who requests an additional drug screening at a different drug testing facility shall be required to pay the cost of drug screening. Such designated individual who took the additional drug screening and

who tested negative for unlawful use of a controlled substance and controlled substance analog shall be reimbursed for the cost of such additional drug screening.

(C) Upon any positive test for unlawful use of a controlled substance or controlled substance analog, the designated individual shall not receive cash assistance on behalf of the parent's or legal guardian's minor child, and another designated individual shall be selected by the secretary for children and families to receive cash assistance on behalf of such parent's or legal guardian's minor child.

(5) If a person has been convicted under federal or state law of any offense which is classified as a felony by the law of the jurisdiction and which has as an element of such offense the manufacture, cultivation, distribution, possession or use of a controlled substance or controlled substance analog, and the date of conviction is on or after July 1, 2013, such person shall thereby become forever ineligible to receive any cash assistance under this subsection unless such conviction is the person's first conviction. First-time offenders convicted under federal or state law of any offense which is classified as a felony by the law of the jurisdiction and which has as an element of such offense the manufacture, cultivation, distribution, possession or use of a controlled substance or controlled substance analog, and the date of conviction is on or after July 1, 2013, such person shall become ineligible to receive cash assistance for five years from the date of conviction.

(6) Except for hearings before the Kansas department for children and families or, the results of any drug screening administered as part of the drug screening program authorized by this subsection shall be confidential and shall not be disclosed publicly.

(7) The secretary for children and families may adopt such rules and regulations as are necessary to carry out the provisions of this subsection.

(8) Any authority granted to the secretary for children and families under this subsection shall be in addition to any other penalties prescribed by law.

(9) As used in this subsection:

(A) "Cash assistance" means cash assistance provided to individuals under the provisions of article 7 of chapter 39 of the Kansas Statutes Annotated, and amendments thereto, and any rules and regulations adopted pursuant to such statutes.

(B) "Controlled substance" means the same as in K.S.A. 2014 Supp. 21-5701, and amendments thereto, and 21 U.S.C. § 802.

(C) "Controlled substance analog" means the same as in K.S.A. 2014 Supp. 21-5701, and amendments thereto.

Sec. 3. K.S.A. 2014 Supp. 40-3213 is hereby amended to read as follows: 40-3213. (a) Every health maintenance organization and medi-

care provider organization subject to this act shall pay to the commissioner the following fees:

- (1) For filing an application for a certificate of authority, \$150;
- (2) for filing each annual report, \$50;
- (3) for filing an amendment to the certificate of authority, \$10.

(b) Every health maintenance organization subject to this act shall pay annually to the commissioner at the time such organization files its annual report, a privilege fee in an amount equal to 1% per annum of the total of all premiums, subscription charges or any other term which may be used to describe the charges made by such organization to enrollees, *except during the reporting period beginning January 1, 2015, and ending December 31, 2017, the privilege fee shall be 3.31%, and on and after January 1, 2018, the privilege fee shall be 2%*. In such computations all such organizations shall be entitled to deduct therefrom any premiums or subscription charges returned on account of cancellations and dividends returned to enrollees. If the commissioner shall determine at any time that the application of the privilege fee, *or a change in the rate of the privilege fee*, would cause a denial of, reduction in or elimination of federal financial assistance to the state or to any health maintenance organization subject to this act, the commissioner is hereby authorized to terminate the operation of such privilege fee *or the change in such privilege fee*.

(c) For the purpose of insuring the collection of the privilege fee provided for by subsection (b), every health maintenance organization subject to this act and required by subsection (b) to pay such privilege fee shall at the time it files its annual report, as required by K.S.A. 40-3220, and amendments thereto, make a return, generated by or at the direction of its chief officer or principal managing director, under penalty of K.S.A. 2014 Supp. 21-5824, and amendments thereto, to the commissioner, stating the amount of all premiums, assessments and charges received by the health maintenance organization, whether in cash or notes, during the year ending on the last day of the preceding calendar year. Upon the receipt of such returns the commissioner of insurance shall verify the same and assess the fees upon such organization on the basis and at the rate provided herein and such fees shall thereupon become due and payable.

(d) Premiums or other charges received by an insurance company from the operation of a health maintenance organization subject to this act shall not be subject to any fee or tax imposed under the provisions of K.S.A. 40-252, and amendments thereto.

(e) Fees charged under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state general fund, *except during the period beginning July 1, 2015,*

*and ending on June 30, 2018, such deposit shall be to the credit of the medical assistance fee fund created by section 1, and amendments thereto.*

Sec. 4. K.S.A. 2014 Supp. 39-709, as amended by section 9 of 2015 Senate Substitute for House Bill No. 2258, 39-709, as amended by section 150 of 2015 Senate Bill No. 240, and 40-3213 are hereby repealed.

Sec. 5. This act shall take effect and be in force from and after its publication in the statute book.

Approved June 12, 2015.

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## CHAPTER 99

Senate Substitute for HOUSE BILL No. 2109  
(Amends Chapters 4 and 62)  
(Amended by Chapters 102 and 105)

AN ACT concerning taxation; relating to sales and compensating use tax, rates, distribution thereof, food; income tax, subtraction modifications, credits, individual development accounts, low income scholarship program; motor vehicle taxation; taxation of cigarettes and electronic cigarettes; sales tax authority for Bourbon, Douglas and Thomas counties; property taxation, consolidated fire districts and fire districts; rural opportunity zones; land banks; creating the joint committee on tax exemptions and income tax credits; amending K.S.A. 19-26,111, 19-3610 and 79-5108 and K.S.A. 2014 Supp. 12-187, 12-189, 12-192, 12-3915, 12-5909, 72-99a02, as amended by section 67 of 2015 House Substitute for Senate Bill No. 7, 72-99a03, 72-99a04, 74-50,208, 74-50,223, 79-2925b, 79-32,110, 79-32,117, 79-32,120, 79-32,265, 79-32,267, 79-32,269, 79-3310, 79-3310c, 79-3311, 79-3312, 79-3602, 79-3603, as amended by section 20 of 2015 Senate Substitute for House Bill No. 2155, 79-3606, 79-3620, 79-3695, 79-3703 and 79-3710 and repealing the existing sections; also repealing K.S.A. 2014 Supp. 79-32,270.

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

New Section 1. (a) (1) Notwithstanding the provisions of any other law to the contrary, with respect to the following taxes administered by the department of revenue, an amnesty from the assessment or payment of all penalties and interest with respect to unpaid taxes or taxes due and owing shall apply upon compliance with the provisions of this section and if such tax liability is paid in full within the amnesty period, from September 1, 2015, to October 15, 2015: (A) Privilege tax under K.S.A. 79-1106 et seq., and amendments thereto; (B) taxes under the Kansas estate tax act, K.S.A. 2006 Supp. 79-15,100 et seq., prior to their repeal; (C) taxes under the Kansas income tax act, K.S.A. 79-3201 et seq., and amendments thereto; (D) taxes under the Kansas withholding and declaration of estimated tax act, K.S.A. 79-3294 et seq., and amendments thereto; (E) taxes under the Kansas cigarette and tobacco products act, K.S.A. 79-3301 et seq., and amendments thereto; (F) taxes under the Kansas retailers' sales tax act, K.S.A. 79-3601 et seq., and amendments thereto, and the Kansas compensating tax act, K.S.A. 79-3701 et seq., and amendments thereto;



(G) local sales and use taxes under K.S.A. 12-187 et seq., and amendments thereto; (H) liquor enforcement tax under K.S.A. 79-4101 et seq., and amendments thereto; (I) liquor drink tax under K.S.A. 79-74a01 et seq., and amendments thereto; and (J) mineral severance tax under K.S.A. 79-4216 et seq., and amendments thereto.

(2) Amnesty under this section shall apply only to tax liabilities due and unpaid for tax periods ending on or before December 31, 2013. For the eligible taxes and tax periods, amnesty shall apply to the under-reporting of such tax liabilities, the nonpayment of such taxes and the non-reporting of such tax liabilities.

(3) Amnesty shall not apply to any matter or matters for which, on or after September 1, 2015, any one of the following circumstances exist: (A) The taxpayer has received notice of the commencement of an audit; (B) an audit is in progress; (C) the taxpayer has received notice of an assessment pursuant to K.S.A. 79-2971 or 79-3643, and amendments thereto; (D) as a result of an audit, the taxpayer has received notice of a proposed or estimated assessment or notice of an assessment; (E) the time to administratively appeal an issued assessment has not yet expired; or (F) an assessment resulting from an audit, or any portion of such assessment, is pending in the administrative appeals process before the secretary or the secretary's designee pursuant to K.S.A. 79-3226 or 79-3610, and amendments thereto, or the state board of tax appeals, or is pending in the judicial review process before any state or federal district or appellate court. Amnesty shall not apply to any matter that is the subject of an assessment, or any portion of an assessment, which has been affirmed by a reviewing state or federal district or appellate court. Amnesty shall not apply to any party to any criminal investigation or to any civil or criminal litigation that is pending in any court of the United States or this state for nonpayment, delinquency or fraud in relation to any tax imposed by the state of Kansas. Amnesty shall not apply to any matter involving individual or corporate income tax liability resulting from an audit or adjustment by the federal internal revenue service and reported to the Kansas department of revenue pursuant to K.S.A. 79-3230(f), and amendments thereto.

(b) Upon written application by the taxpayer, on forms prescribed by the secretary of revenue, and upon compliance with the provisions of this section, the department of revenue may waive the imposition and collection of any penalty or interest which may be applicable with respect to taxes eligible for amnesty. The department of revenue may require all applications for amnesty pursuant to this section be submitted electronically.

(c) Amnesty for penalties and interest shall be granted only to those eligible taxpayers who, within the amnesty period of September 1, 2015, to October 15, 2015, and in accordance with rules and regulations established by the secretary of revenue, have properly filed a tax return for

each taxable period for which amnesty is requested, paid the entire balance of tax due and obtained approval of such amnesty by the department of revenue.

(d) If a taxpayer elects to participate in the amnesty program established pursuant to this section as evidenced by full payment of the tax due as established by the secretary of revenue, that election shall constitute an express and absolute relinquishment of all administrative and judicial rights of appeal with respect to such tax liability. No tax payment received pursuant to this section shall be eligible for refund or credit. No payment of penalties or interest made prior to September 1, 2015, shall be eligible for amnesty.

(e) For such tax returns for which amnesty has been requested, nothing in this section shall be interpreted to prohibit the department from adjusting such tax return as a result of a federal, department or other state agency audit.

(f) Fraud or intentional misrepresentation of a material fact in connection with an application for amnesty shall void such application and any waiver of penalties and interest from amnesty.

(g) The department may promulgate such rules and regulations or issue administrative guidelines as are necessary to administer the provisions of this section.

Sec. 2. K.S.A. 2014 Supp. 79-32,265 is hereby amended to read as follows: 79-32,265. Except as otherwise provided, no credit provided under the Kansas income tax act, and amendments thereto, shall be allowed for: (a) Any individual who fails to provide a valid social security number issued to such individual, the individual's spouse and dependents of the individual for purposes of section 205 (c)(2)(A) of the social security act on such individual's Kansas income tax return as the identifying number for such individual for tax purposes; or (b) *or any individual who has not been issued a valid social security number for the entire taxable year in which such credit is claimed, except that this provision shall not apply for an individual whose spouse possesses a valid social security number for the entire taxable year and whose filing status for income tax purposes is married filing jointly.* The provisions of this section shall not apply to the credit provided by K.S.A. 79-32,111, and amendments thereto.

Sec. 3. K.S.A. 2014 Supp. 79-32,117 is hereby amended to read as follows: 79-32,117. (a) The Kansas adjusted gross income of an individual means such individual's federal adjusted gross income for the taxable year, with the modifications specified in this section.

(b) There shall be added to federal adjusted gross income:

(i) Interest income less any related expenses directly incurred in the purchase of state or political subdivision obligations, to the extent that the same is not included in federal adjusted gross income, on obligations of any state or political subdivision thereof, but to the extent that interest

income on obligations of this state or a political subdivision thereof issued prior to January 1, 1988, is specifically exempt from income tax under the laws of this state authorizing the issuance of such obligations, it shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income. Interest income on obligations of this state or a political subdivision thereof issued after December 31, 1987, shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income.

(ii) Taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state or any other taxing jurisdiction to the extent deductible in determining federal adjusted gross income and not credited against federal income tax. This paragraph shall not apply to taxes imposed under the provisions of K.S.A. 79-1107 or 79-1108, and amendments thereto, for privilege tax year 1995, and all such years thereafter.

(iii) The federal net operating loss deduction.

(iv) Federal income tax refunds received by the taxpayer if the deduction of the taxes being refunded resulted in a tax benefit for Kansas income tax purposes during a prior taxable year. Such refunds shall be included in income in the year actually received regardless of the method of accounting used by the taxpayer. For purposes hereof, a tax benefit shall be deemed to have resulted if the amount of the tax had been deducted in determining income subject to a Kansas income tax for a prior year regardless of the rate of taxation applied in such prior year to the Kansas taxable income, but only that portion of the refund shall be included as bears the same proportion to the total refund received as the federal taxes deducted in the year to which such refund is attributable bears to the total federal income taxes paid for such year. For purposes of the foregoing sentence, federal taxes shall be considered to have been deducted only to the extent such deduction does not reduce Kansas taxable income below zero.

(v) The amount of any depreciation deduction or business expense deduction claimed on the taxpayer's federal income tax return for any capital expenditure in making any building or facility accessible to the handicapped, for which expenditure the taxpayer claimed the credit allowed by K.S.A. 79-32,177, and amendments thereto.

(vi) Any amount of designated employee contributions picked up by an employer pursuant to K.S.A. 12-5005, 20-2603, 74-4919 and 74-4965, and amendments thereto.

(vii) The amount of any charitable contribution made to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 79-32,196, and amendments thereto.

(viii) The amount of any costs incurred for improvements to a swine facility, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 2014 Supp. 79-32,204, and amendments thereto.

(ix) The amount of any ad valorem taxes and assessments paid and the amount of any costs incurred for habitat management or construction and maintenance of improvements on real property, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,203, and amendments thereto.

(x) Amounts received as nonqualified withdrawals, as defined by K.S.A. 2014 Supp. 75-643, and amendments thereto, if, at the time of contribution to a family postsecondary education savings account, such amounts were subtracted from the federal adjusted gross income pursuant to ~~paragraph (xv) of subsection (c) of K.S.A. 79-32,117(c)(xv)~~, and amendments thereto, or if such amounts are not already included in the federal adjusted gross income.

(xi) The amount of any contribution made to the same extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 2014 Supp. 74-50,154, and amendments thereto.

(xii) For taxable years commencing after December 31, 2004, amounts received as withdrawals not in accordance with the provisions of K.S.A. 2014 Supp. 74-50,204, and amendments thereto, if, at the time of contribution to an individual development account, such amounts were subtracted from the federal adjusted gross income pursuant to ~~paragraph (xii) of subsection (c)(xiii)~~, or if such amounts are not already included in the federal adjusted gross income.

(xiii) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 2014 Supp. 79-32,217 through 79-32,220 or 79-32,222, and amendments thereto.

(xiv) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 2014 Supp. 79-32,221, and amendments thereto.

(xv) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 2014 Supp. 79-32,223 through 79-32,226, 79-32,228 through 79-32,231, 79-32,233 through 79-32,236, 79-32,238 through 79-32,241, 79-32,245 through 79-32,248 or 79-32,251 through 79-32,254, and amendments thereto.

(xvi) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 2014 Supp. 79-32,227, 79-32,232, 79-32,237, 79-32,249, 79-32,250 or 79-32,255, and amendments thereto.

(xvii) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 2014 Supp. 79-32,256, and amendments thereto.

(xviii) For taxable years commencing after December 31, 2006, the amount of any ad valorem or property taxes and assessments paid to a state other than Kansas or local government located in a state other than Kansas by a taxpayer who resides in a state other than Kansas, when the law of such state does not allow a resident of Kansas who earns income in such other state to claim a deduction for ad valorem or property taxes or assessments paid to a political subdivision of the state of Kansas in determining taxable income for income tax purposes in such other state, to the extent that such taxes and assessments are claimed as an itemized deduction for federal income tax purposes.

(xix) For all taxable years beginning after December 31, 2012, the amount of any: (1) Loss from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) loss from rental real estate, royalties, partnerships, S corporations, except those with wholly owned subsidiaries subject to the Kansas privilege tax, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) farm loss as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent deducted or subtracted in determining the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011, and as revised thereafter by the internal revenue service.

(xx) For all taxable years beginning after December 31, 2012, the amount of any deduction for self-employment taxes under section 164(f) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer, to the extent the deduction is attributable to income reported on schedule C, E or F and on line 12, 17 or 18 of the taxpayer's form 1040 federal income tax return.

(xxi) For all taxable years beginning after December 31, 2012, the amount of any deduction for pension, profit sharing, and annuity plans of self-employed individuals under section 62(a)(6) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxii) For all taxable years beginning after December 31, 2012, the amount of any deduction for health insurance under section 162(l) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiii) For all taxable years beginning after December 31, 2012, the amount of any deduction for domestic production activities under section 199 of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiv) For taxable years commencing after December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid for medical care of the taxpayer or the taxpayer's spouse or dependents when such expenses were paid or incurred for an abortion, or for a health benefit plan, as defined in K.S.A. 2014 Supp. 65-6731, and amendments thereto, for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 2014 Supp. 40-2,190, and amendments thereto, to the extent that such taxes and assessments are claimed as an itemized deduction for federal income tax purposes.

(xxv) For taxable years commencing after December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid by a taxpayer for health care when such expenses were paid or incurred for abortion coverage, a health benefit plan, as defined in K.S.A. 2014 Supp. 65-6731, and amendments thereto, when such expenses were paid or incurred for abortion coverage or amounts contributed to health savings accounts for such taxpayer's employees for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 2014 Supp. 40-2,190, and amendments thereto, to the extent that such taxes and assessments are claimed as a deduction for federal income tax purposes.

(c) There shall be subtracted from federal adjusted gross income:

(i) Interest or dividend income on obligations or securities of any authority, commission or instrumentality of the United States and its possessions less any related expenses directly incurred in the purchase of such obligations or securities, to the extent included in federal adjusted gross income but exempt from state income taxes under the laws of the United States.

(ii) Any amounts received which are included in federal adjusted gross income but which are specifically exempt from Kansas income taxation under the laws of the state of Kansas.

(iii) The portion of any gain or loss from the sale or other disposition of property having a higher adjusted basis for Kansas income tax purposes than for federal income tax purposes on the date such property was sold or disposed of in a transaction in which gain or loss was recognized for purposes of federal income tax that does not exceed such difference in basis, but if a gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to that portion of such gain which is included in federal adjusted gross income.

(iv) The amount necessary to prevent the taxation under this act of

any annuity or other amount of income or gain which was properly included in income or gain and was taxed under the laws of this state for a taxable year prior to the effective date of this act, as amended, to the taxpayer, or to a decedent by reason of whose death the taxpayer acquired the right to receive the income or gain, or to a trust or estate from which the taxpayer received the income or gain.

(v) The amount of any refund or credit for overpayment of taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state, or any taxing jurisdiction, to the extent included in gross income for federal income tax purposes.

(vi) Accumulation distributions received by a taxpayer as a beneficiary of a trust to the extent that the same are included in federal adjusted gross income.

(vii) Amounts received as annuities under the federal civil service retirement system from the civil service retirement and disability fund and other amounts received as retirement benefits in whatever form which were earned for being employed by the federal government or for service in the armed forces of the United States.

(viii) Amounts received by retired railroad employees as a supplemental annuity under the provisions of 45 U.S.C. §§ 228b (a) and 228c (a)(1) et seq.

(ix) Amounts received by retired employees of a city and by retired employees of any board of such city as retirement allowances pursuant to K.S.A. 13-14,106, and amendments thereto, or pursuant to any charter ordinance exempting a city from the provisions of K.S.A. 13-14,106, and amendments thereto.

(x) For taxable years beginning after December 31, 1976, the amount of the federal tentative jobs tax credit disallowance under the provisions of 26 U.S.C. § 280 C. For taxable years ending after December 31, 1978, the amount of the targeted jobs tax credit and work incentive credit disallowances under 26 U.S.C. § 280 C.

(xi) For taxable years beginning after December 31, 1986, dividend income on stock issued by Kansas venture capital, inc.

(xii) For taxable years beginning after December 31, 1989, amounts received by retired employees of a board of public utilities as pension and retirement benefits pursuant to K.S.A. 13-1246, 13-1246a and 13-1249, and amendments thereto.

(xiii) For taxable years beginning after December 31, 2004, amounts contributed to and the amount of income earned on contributions deposited to an individual development account under K.S.A. 2014 Supp. 74-50,201 et seq., and amendments thereto.

(xiv) For all taxable years commencing after December 31, 1996, that portion of any income of a bank organized under the laws of this state or any other state, a national banking association organized under the laws of the United States, an association organized under the savings and loan

code of this state or any other state, or a federal savings association organized under the laws of the United States, for which an election as an S corporation under subchapter S of the federal internal revenue code is in effect, which accrues to the taxpayer who is a stockholder of such corporation and which is not distributed to the stockholders as dividends of the corporation. For all taxable years beginning after December 31, 2012, the amount of modification under this subsection shall exclude the portion of income or loss reported on schedule E and included on line 17 of the taxpayer's form 1040 federal individual income tax return.

(xv) For all taxable years beginning after December 31, 2006, amounts not exceeding \$3,000, or \$6,000 for a married couple filing a joint return, for each designated beneficiary which are contributed to a family postsecondary education savings account established under the Kansas postsecondary education savings program or a qualified tuition program established and maintained by another state or agency or instrumentality thereof pursuant to section 529 of the internal revenue code of 1986, as amended, for the purpose of paying the qualified higher education expenses of a designated beneficiary at an institution of postsecondary education. The terms and phrases used in this paragraph shall have the meaning respectively ascribed thereto by the provisions of K.S.A. 2014 Supp. 75-643, and amendments thereto, and the provisions of such section are hereby incorporated by reference for all purposes thereof.

(xvi) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are or were members of the armed forces of the United States, including service in the Kansas army and air national guard, as a recruitment, sign up or retention bonus received by such taxpayer as an incentive to join, enlist or remain in the armed services of the United States, including service in the Kansas army and air national guard, and amounts received for repayment of educational or student loans incurred by or obligated to such taxpayer and received by such taxpayer as a result of such taxpayer's service in the armed forces of the United States, including service in the Kansas army and air national guard.

(xvii) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are eligible members of the Kansas army and air national guard as a reimbursement pursuant to K.S.A. 48-281, and amendments thereto, and amounts received for death benefits pursuant to K.S.A. 48-282, and amendments thereto, or pursuant to section 1 or section 2 of chapter 207 of the 2005 Session Laws of Kansas, and amendments thereto, to the extent that such death benefits are included in federal adjusted gross income of the taxpayer.

(xviii) For the taxable year beginning after December 31, 2006, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$50,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married



filing jointly; and for all taxable years beginning after December 31, 2007, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$75,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly.

(xix) Amounts received by retired employees of Washburn university as retirement and pension benefits under the university's retirement plan.

(xx) For all taxable years beginning after December 31, 2012, the amount of any: (1) Net profit from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) net income, *not including guaranteed payments as defined in section 707(c) of the federal internal revenue code and as reported to the taxpayer from federal schedule K-1, (form 1065-B), in box 9, code F or as reported to the taxpayer from federal schedule K-1, (form 1065) in box 4*, from rental real estate, royalties, partnerships, S corporations, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) net farm profit as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent included in the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011 and as revised thereafter by the internal revenue service.

(xxi) For all taxable years beginning after December 31, 2013, amounts equal to the unreimbursed travel, lodging and medical expenditures directly incurred by a taxpayer while living, or a dependent of the taxpayer while living, for the donation of one or more human organs of the taxpayer, or a dependent of the taxpayer, to another person for human organ transplantation. The expenses may be claimed as a subtraction modification provided for in this section to the extent the expenses are not already subtracted from the taxpayer's federal adjusted gross income. In no circumstances shall the subtraction modification provided for in this section for any individual, or a dependent, exceed \$5,000. As used in this section, "human organ" means all or part of a liver, pancreas, kidney, intestine, lung or bone marrow. The provisions of this paragraph shall take effect on the day the secretary of revenue certifies to the director of the budget that the cost for the department of revenue of modifications to the automated tax system for the purpose of implementing this paragraph will not exceed \$20,000.

(xxii) For all taxable years beginning after December 31, 2012, the

amount of net gain from the sale of: (1) Cattle and horses, regardless of age, held by the taxpayer for draft, breeding, dairy or sporting purposes, and held by such taxpayer for 24 months or more from the date of acquisition; and (2) other livestock, regardless of age, held by the taxpayer for draft, breeding, dairy or sporting purposes, and held by such taxpayer for 12 months or more from the date of acquisition. The subtraction from federal adjusted gross income shall be limited to the amount of the additions recognized under the provisions of ~~paragraph (xix)~~ of subsection (b)(~~xix~~) attributable to the business in which the livestock sold had been used. As used in this paragraph, the term "livestock" shall not include poultry.

(xxiii) For all taxable years beginning after December 31, 2012, amounts received under either the Overland Park, Kansas police department retirement plan or the Overland Park, Kansas fire department retirement plan, both as established by the city of Overland Park, pursuant to the city's home rule authority.

(xxiv) *For all taxable years beginning after December 31, 2013, the net gain from the sale from Christmas trees grown in Kansas and held by the taxpayer for six years or more.*

(d) There shall be added to or subtracted from federal adjusted gross income the taxpayer's share, as beneficiary of an estate or trust, of the Kansas fiduciary adjustment determined under K.S.A. 79-32,135, and amendments thereto.

(e) The amount of modifications required to be made under this section by a partner which relates to items of income, gain, loss, deduction or credit of a partnership shall be determined under K.S.A. 79-32,131, and amendments thereto, to the extent that such items affect federal adjusted gross income of the partner.

Sec. 4. K.S.A. 79-5108 is hereby amended to read as follows: 79-5108. (a) The secretary of revenue shall provide county officials of the several counties with copies of manuals for the taxation of motor vehicles together with such other information and forms as may be necessary for the administration of the provisions of this act. The county officials of the several counties shall provide the secretary of revenue with such information as may be deemed necessary by the secretary for the proper administration of the provisions of this act.

(b) The amount of the tax levied upon each motor vehicle under the provisions of this act together with the taxable value computed under the provisions of K.S.A. 79-5105, and amendments thereto, for the purpose of computing such tax and such other information as the secretary of revenue shall determine to be necessary for the administration of this act shall be included upon the owner's motor vehicle registration application for such motor vehicle. If the taxable value of such vehicle is computed by the department of revenue, such department shall compute the tax

and list the same upon such registration application. If the motor vehicle is classified by the county appraiser under the provisions of K.S.A. 79-5102 or 79-5103, and amendments thereto, the county appraiser shall determine the taxable value of such motor vehicle and compute the tax and list the same upon such registration application in the space provided for such purpose. The application shall also provide for the addition or inclusion of information by the taxpayer which is necessary for the determination of the tax situs of the motor vehicle.

(c) *A copy of the motor vehicle registration application for an owner of a vehicle subject to registration under the provisions of K.S.A. 8-126 et seq., and amendments thereto, and subject to the tax imposed upon a motor vehicle pursuant to K.S.A. 79-5101 et seq., and amendments thereto, including all information required by such provisions to enable the owner to register the vehicle by completing the registration application and to pay the tax by return mail, shall be mailed by the department of revenue or, at the election of a county, by the county to the address of the owner as shown by the records of the department or the county no later than 45 days before the owner's registration and motor vehicle tax is due.*

(d) The county treasurer shall at least once each week file with the county clerk that portion of all motor vehicle registration applications received in the treasurer's office showing the tax situs and other information relating to the taxation thereof under the provisions of this act. The county clerk shall at least 30 working days prior to the date upon which the county treasurer makes the current tax distribution and by December 15 for any tax distribution to be made in the month of December submit to the county treasurer a motor vehicle tax distribution abstract showing the total taxes collected under the provisions of this act to be distributed to the state and each taxing subdivision in the county~~, including the county as a taxing subdivision~~.

Sec. 5. K.S.A. 2014 Supp. 79-2925b, as amended by section 76 of 2015 House Substitute for Senate Bill No. 7, is hereby amended to read as follows: 79-2925b. (a) Without a majority vote so providing, the governing body of any municipality shall not approve any appropriation or budget, as the case requires, which may be funded by revenue produced from property taxes, and which provides for funding with such revenue in an amount exceeding that of the next preceding year, adjusted to reflect changes in the consumer price index for all urban consumers as published by the United States department of labor for the preceding calendar year. If the total tangible property valuation in any municipality increases from the next preceding year due to increases in the assessed valuation of existing tangible property and such increase exceeds changes in the consumer price index, the governing body shall lower the amount of ad valorem tax to be levied to the amount of ad valorem tax levied in the next

preceding year, adjusted to reflect changes in the consumer price index. This subsection shall not apply to ad valorem taxes levied under K.S.A. 76-6b01 and 76-6b04 and section 11 of 2015 House Substitute for Senate Bill No. 7, and amendments thereto, and any other ad valorem tax levy which was previously approved by the voters of such municipality. *Except as provided in subsection (g)*, notwithstanding the requirements of this subsection, nothing herein shall prohibit a municipality from increasing the amount of ad valorem tax to be levied if the municipality approves the increase with a majority vote of the governing body *by the adoption of a resolution* and publishes such vote as provided in subsection (c).

(b) Revenue that, in the current year, is produced and attributable to the taxation of:

- (1) New improvements to real property;
- (2) increased personal property valuation, other than increased valuation of oil and gas leaseholds and mobile homes;
- (3) property located within added jurisdictional territory; or
- (4) property which has changed in use shall not be considered when determining whether revenue produced from property has increased from the next preceding year.

(c) In the event the governing body votes to approve any appropriation or budget, as the case requires, which may be funded by revenue produced from property taxes, and which provides for funding with such revenue in an amount exceeding that of the next preceding year as provided in subsection (a), notice of such vote shall be published in the official county newspaper of the county where such municipality is located.

(d) The provisions of this section shall be applicable to all fiscal and budget years commencing on and after the effective date of this act.

(e) The provisions of this section shall not apply to revenue received from property tax levied for the sole purpose of repayment of the principal of and interest upon bonded indebtedness, temporary notes and no-fund warrants.

(f) For purposes of this section, "municipality" means any political subdivision of the state which levies an ad valorem tax on property and includes, but is not limited to, any county, township, municipal university, school district, community college, drainage district or other taxing district. "Municipality" shall not include any such political subdivision or taxing district which receives \$1,000 or less in revenue from property taxes in the current year.

(g) *On and after January 1, 2018, in the case of cities and counties, a resolution authorizing the adoption of any appropriation or budget under subsection (a) shall not become effective unless such resolution has been submitted to and approved by a majority of the qualified electors of the city or county voting at an election called and held thereon. The election shall be held at the next regularly scheduled election. Nothing in this*

*subsection shall prevent any city or county from holding more than one election in any year.*

Sec. 6. K.S.A. 2014 Supp. 79-3602 is hereby amended to read as follows: 79-3602. Except as otherwise provided, as used in the Kansas retailers' sales tax act:

(a) "Agent" means a person appointed by a seller to represent the seller before the member states.

(b) "Agreement" means the multistate agreement entitled the streamlined sales and use tax agreement approved by the streamlined sales tax implementing states at Chicago, Illinois on November 12, 2002.

(c) "Alcoholic beverages" means beverages that are suitable for human consumption and contain 0.05% or more of alcohol by volume.

(d) "Certified automated system (CAS)" means software certified under the agreement to calculate the tax imposed by each jurisdiction on a transaction, determine the amount of tax to remit to the appropriate state and maintain a record of the transaction.

(e) "Certified service provider (CSP)" means an agent certified under the agreement to perform all the seller's sales and use tax functions, other than the seller's obligation to remit tax on its own purchases.

(f) "Computer" means an electronic device that accepts information in digital or similar form and manipulates it for a result based on a sequence of instructions.

(g) "Computer software" means a set of coded instructions designed to cause a computer or automatic data processing equipment to perform a task.

(h) "Delivered electronically" means delivered to the purchaser by means other than tangible storage media.

(i) "Delivery charges" means charges by the seller of personal property or services for preparation and delivery to a location designated by the purchaser of personal property or services including, but not limited to, transportation, shipping, postage, handling, crating and packing. Delivery charges shall not include charges for delivery of direct mail if the charges are separately stated on an invoice or similar billing document given to the purchaser.

(j) "Direct mail" means printed material delivered or distributed by United States mail or other delivery services to a mass audience or to addressees on a mailing list provided by the purchaser or at the direction of the purchaser when the cost of the items are not billed directly to the recipients. Direct mail includes tangible personal property supplied directly or indirectly by the purchaser to the direct mail seller for inclusion in the package containing the printed material. Direct mail does not include multiple items of printed material delivered to a single address.

(k) "Director" means the state director of taxation.

(l) "Educational institution" means any nonprofit school, college and

university that offers education at a level above the ~~twelfth~~ 12th grade, and conducts regular classes and courses of study required for accreditation by, or membership in, the North Central Association of Colleges and Schools, the state board of education, or that otherwise qualify as an “educational institution,” as defined by K.S.A. 74-50,103, and amendments thereto. Such phrase shall include: (1) A group of educational institutions that operates exclusively for an educational purpose; (2) non-profit endowment associations and foundations organized and operated exclusively to receive, hold, invest and administer moneys and property as a permanent fund for the support and sole benefit of an educational institution; (3) nonprofit trusts, foundations and other entities organized and operated principally to hold and own receipts from intercollegiate sporting events and to disburse such receipts, as well as grants and gifts, in the interest of collegiate and intercollegiate athletic programs for the support and sole benefit of an educational institution; and (4) nonprofit trusts, foundations and other entities organized and operated for the primary purpose of encouraging, fostering and conducting scholarly investigations and industrial and other types of research for the support and sole benefit of an educational institution.

(m) “Electronic” means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic or similar capabilities.

(n) “Food and food ingredients” means substances, whether in liquid, concentrated, solid, frozen, dried or dehydrated form, that are sold for ingestion or chewing by humans and are consumed for their taste or nutritional value. “Food and food ingredients” does not include alcoholic beverages, *candy, dietary supplements, food sold through vending machines, prepared food, soft drinks* or tobacco.

(o) “Gross receipts” means the total selling price or the amount received as defined in this act, in money, credits, property or other consideration valued in money from sales at retail within this state; and embraced within the provisions of this act. The taxpayer, may take credit in the report of gross receipts for: (1) An amount equal to the selling price of property returned by the purchaser when the full sale price thereof, including the tax collected, is refunded in cash or by credit; and (2) an amount equal to the allowance given for the trade-in of property.

(p) “Ingredient or component part” means tangible personal property which is necessary or essential to, and which is actually used in and becomes an integral and material part of tangible personal property or services produced, manufactured or compounded for sale by the producer, manufacturer or compounder in its regular course of business. The following items of tangible personal property are hereby declared to be ingredients or component parts, but the listing of such property shall not be deemed to be exclusive nor shall such listing be construed to be a restriction upon, or an indication of, the type or types of property to be

included within the definition of “ingredient or component part” as herein set forth:

(1) Containers, labels and shipping cases used in the distribution of property produced, manufactured or compounded for sale which are not to be returned to the producer, manufacturer or compounder for reuse.

(2) Containers, labels, shipping cases, paper bags, drinking straws, paper plates, paper cups, twine and wrapping paper used in the distribution and sale of property taxable under the provisions of this act by wholesalers and retailers and which is not to be returned to such wholesaler or retailer for reuse.

(3) Seeds and seedlings for the production of plants and plant products produced for resale.

(4) Paper and ink used in the publication of newspapers.

(5) Fertilizer used in the production of plants and plant products produced for resale.

(6) Feed for animals, fowl and aquatic plants and animals, the primary purpose of which is use in agriculture or aquaculture, as defined in K.S.A. 47-1901, and amendments thereto, the production of food for human consumption, the production of animal, dairy, poultry or aquatic plant and animal products, fiber, fur, or the production of offspring for use for any such purpose or purposes.

(q) “Isolated or occasional sale” means the nonrecurring sale of tangible personal property, or services taxable hereunder by a person not engaged at the time of such sale in the business of selling such property or services. Any religious organization which makes a nonrecurring sale of tangible personal property acquired for the purpose of resale shall be deemed to be not engaged at the time of such sale in the business of selling such property. Such term shall include: (1) Any sale by a bank, savings and loan institution, credit union or any finance company licensed under the provisions of the Kansas uniform consumer credit code of tangible personal property which has been repossessed by any such entity; and (2) any sale of tangible personal property made by an auctioneer or agent on behalf of not more than two principals or households if such sale is nonrecurring and any such principal or household is not engaged at the time of such sale in the business of selling tangible personal property.

(r) “Lease or rental” means any transfer of possession or control of tangible personal property for a fixed or indeterminate term for consideration. A lease or rental may include future options to purchase or extend.

(1) Lease or rental does not include: (A) A transfer of possession or control of property under a security agreement or deferred payment plan that requires the transfer of title upon completion of the required payments;

(B) a transfer or possession or control of property under an agree-

ment that requires the transfer of title upon completion of required payments and payment of an option price does not exceed the greater of \$100 or 1% of the total required payments; or

(C) providing tangible personal property along with an operator for a fixed or indeterminate period of time. A condition of this exclusion is that the operator is necessary for the equipment to perform as designed. For the purpose of this subsection, an operator must do more than maintain, inspect or set-up the tangible personal property.

(2) Lease or rental does include agreements covering motor vehicles and trailers where the amount of consideration may be increased or decreased by reference to the amount realized upon sale or disposition of the property as defined in 26 U.S.C. § 7701(h)(1).

(3) This definition shall be used for sales and use tax purposes regardless if a transaction is characterized as a lease or rental under generally accepted accounting principles, the internal revenue code, the uniform commercial code, K.S.A. 84-1-101 et seq., and amendments thereto, or other provisions of federal, state or local law.

(4) This definition will be applied only prospectively from the effective date of this act and will have no retroactive impact on existing leases or rentals.

(s) “Load and leave” means delivery to the purchaser by use of a tangible storage media where the tangible storage media is not physically transferred to the purchaser.

(t) “Member state” means a state that has entered in the agreement, pursuant to provisions of article VIII of the agreement.

(u) “Model 1 seller” means a seller that has selected a CSP as its agent to perform all the seller’s sales and use tax functions, other than the seller’s obligation to remit tax on its own purchases.

(v) “Model 2 seller” means a seller that has selected a CAS to perform part of its sales and use tax functions, but retains responsibility for remitting the tax.

(w) “Model 3 seller” means a seller that has sales in at least five member states, has total annual sales revenue of at least \$500,000,000, has a proprietary system that calculates the amount of tax due each jurisdiction and has entered into a performance agreement with the member states that establishes a tax performance standard for the seller. As used in this subsection a seller includes an affiliated group of sellers using the same proprietary system.

(x) “Municipal corporation” means any city incorporated under the laws of Kansas.

(y) “Nonprofit blood bank” means any nonprofit place, organization, institution or establishment that is operated wholly or in part for the purpose of obtaining, storing, processing, preparing for transfusing, furnishing, donating or distributing human blood or parts or fractions of single blood units or products derived from single blood units, whether



or not any remuneration is paid therefor, or whether such procedures are done for direct therapeutic use or for storage for future use of such products.

(z) “Persons” means any individual, firm, copartnership, joint adventure, association, corporation, estate or trust, receiver or trustee, or any group or combination acting as a unit, and the plural as well as the singular number; and shall specifically mean any city or other political subdivision of the state of Kansas engaging in a business or providing a service specifically taxable under the provisions of this act.

(aa) “Political subdivision” means any municipality, agency or subdivision of the state which is, or shall hereafter be, authorized to levy taxes upon tangible property within the state or which certifies a levy to a municipality, agency or subdivision of the state which is, or shall hereafter be, authorized to levy taxes upon tangible property within the state. Such term also shall include any public building commission, housing, airport, port, metropolitan transit or similar authority established pursuant to law and the horsethief reservoir benefit district established pursuant to K.S.A. 82a-2201, and amendments thereto.

(bb) “Prescription” means an order, formula or recipe issued in any form of oral, written, electronic or other means of transmission by a duly licensed practitioner authorized by the laws of this state.

(cc) “Prewritten computer software” means computer software, including prewritten upgrades, which is not designed and developed by the author or other creator to the specifications of a specific purchaser. The combining of two or more prewritten computer software programs or prewritten portions thereof does not cause the combination to be other than prewritten computer software. Prewritten computer software includes software designed and developed by the author or other creator to the specifications of a specific purchaser when it is sold to a person other than the purchaser. Where a person modifies or enhances computer software of which the person is not the author or creator, the person shall be deemed to be the author or creator only of such person’s modifications or enhancements. Prewritten computer software or a prewritten portion thereof that is modified or enhanced to any degree, where such modification or enhancement is designed and developed to the specifications of a specific purchaser, remains prewritten computer software, except that where there is a reasonable, separately stated charge or an invoice or other statement of the price given to the purchaser for such modification or enhancement, such modification or enhancement shall not constitute prewritten computer software.

(dd) “Property which is consumed” means tangible personal property which is essential or necessary to and which is used in the actual process of and consumed, depleted or dissipated within one year in: (1) The production, manufacture, processing, mining, drilling, refining or compounding of tangible personal property; (2) the providing of services; (3) the

irrigation of crops, for sale in the regular course of business; or (4) the storage or processing of grain by a public grain warehouse or other grain storage facility, and which is not reusable for such purpose. The following is a listing of tangible personal property, included by way of illustration but not of limitation, which qualifies as property which is consumed:

(A) Insecticides, herbicides, germicides, pesticides, fungicides, fumigants, antibiotics, biologicals, pharmaceuticals, vitamins and chemicals for use in commercial or agricultural production, processing or storage of fruit, vegetables, feeds, seeds, grains, animals or animal products whether fed, injected, applied, combined with or otherwise used;

(B) electricity, gas and water; and

(C) petroleum products, lubricants, chemicals, solvents, reagents and catalysts.

(ee) "Purchase price" applies to the measure subject to use tax and has the same meaning as sales price.

(ff) "Purchaser" means a person to whom a sale of personal property is made or to whom a service is furnished.

(gg) "Quasi-municipal corporation" means any county, township, school district, drainage district or any other governmental subdivision in the state of Kansas having authority to receive or hold moneys or funds.

(hh) "Registered under this agreement" means registration by a seller with the member states under the central registration system provided in article IV of the agreement.

(ii) "Retailer" means a seller regularly engaged in the business of selling, leasing or renting tangible personal property at retail or furnishing electrical energy, gas, water, services or entertainment, and selling only to the user or consumer and not for resale.

(jj) "Retail sale" or "sale at retail" means any sale, lease or rental for any purpose other than for resale, sublease or subrent.

(kk) "Sale" or "sales" means the exchange of tangible personal property, as well as the sale thereof for money, and every transaction, conditional or otherwise, for a consideration, constituting a sale, including the sale or furnishing of electrical energy, gas, water, services or entertainment taxable under the terms of this act and including, except as provided in the following provision, the sale of the use of tangible personal property by way of a lease, license to use or the rental thereof regardless of the method by which the title, possession or right to use the tangible personal property is transferred. The term "sale" or "sales" shall not mean the sale of the use of any tangible personal property used as a dwelling by way of a lease or rental thereof for a term of more than 28 consecutive days.

(ll) (1) "Sales or selling price" applies to the measure subject to sales tax and means the total amount of consideration, including cash, credit, property and services, for which personal property or services are sold, leased or rented, valued in money, whether received in money or otherwise, without any deduction for the following:

- (A) The seller's cost of the property sold;
  - (B) the cost of materials used, labor or service cost, interest, losses, all costs of transportation to the seller, all taxes imposed on the seller and any other expense of the seller;
  - (C) charges by the seller for any services necessary to complete the sale, other than delivery and installation charges;
  - (D) delivery charges; and
  - (E) installation charges.
- (2) "Sales or selling price" includes consideration received by the seller from third parties if:
- (A) The seller actually receives consideration from a party other than the purchaser and the consideration is directly related to a price reduction or discount on the sale;
  - (B) the seller has an obligation to pass the price reduction or discount through to the purchaser;
  - (C) the amount of the consideration attributable to the sale is fixed and determinable by the seller at the time of the sale of the item to the purchaser; and
  - (D) one of the following criteria is met:
    - (i) The purchaser presents a coupon, certificate or other documentation to the seller to claim a price reduction or discount where the coupon, certificate or documentation is authorized, distributed or granted by a third party with the understanding that the third party will reimburse any seller to whom the coupon, certificate or documentation is presented;
    - (ii) the purchaser identifies to the seller that the purchaser is a member of a group or organization entitled to a price reduction or discount. A preferred customer card that is available to any patron does not constitute membership in such a group; or
    - (iii) the price reduction or discount is identified as a third party price reduction or discount on the invoice received by the purchaser or on a coupon, certificate or other documentation presented by the purchaser.
- (3) "Sales or selling price" shall not include:
- (A) Discounts, including cash, term or coupons that are not reimbursed by a third party that are allowed by a seller and taken by a purchaser on a sale;
  - (B) interest, financing and carrying charges from credit extended on the sale of personal property or services, if the amount is separately stated on the invoice, bill of sale or similar document given to the purchaser;
  - (C) any taxes legally imposed directly on the consumer that are separately stated on the invoice, bill of sale or similar document given to the purchaser;
  - (D) the amount equal to the allowance given for the trade-in of property, if separately stated on the invoice, billing or similar document given to the purchaser; and
  - (E) commencing on July 1, 2006, and ending on June 30, 2009, cash

rebates granted by a manufacturer to a purchaser or lessee of a new motor vehicle if paid directly to the retailer as a result of the original sale.

(mm) “Seller” means a person making sales, leases or rentals of personal property or services.

(nn) “Service” means those services described in and taxed under the provisions of K.S.A. 79-3603, and amendments thereto.

(oo) “Sourcing rules” means the rules set forth in K.S.A. 2014 Supp. 79-3670 through 79-3673, K.S.A. 12-191 and 12-191a, and amendments thereto, which shall apply to identify and determine the state and local taxing jurisdiction sales or use taxes to pay, or collect and remit on a particular retail sale.

(pp) “Tangible personal property” means personal property that can be seen, weighed, measured, felt or touched, or that is in any other manner perceptible to the senses. Tangible personal property includes electricity, water, gas, steam and prewritten computer software.

(qq) “Taxpayer” means any person obligated to account to the director for taxes collected under the terms of this act.

(rr) “Tobacco” means cigarettes, cigars, chewing or pipe tobacco or any other item that contains tobacco.

(ss) “Entity-based exemption” means an exemption based on who purchases the product or who sells the product. An exemption that is available to all individuals shall not be considered an entity-based exemption.

(tt) “Over-the-counter” drug means a drug that contains a label that identifies the product as a drug as required by 21 C.F.R. § 201.66. The over-the-counter drug label includes: (1) A drug facts panel; or (2) a statement of the active ingredients with a list of those ingredients contained in the compound, substance or preparation. Over-the-counter drugs do not include grooming and hygiene products such as soaps, cleaning solutions, shampoo, toothpaste, antiperspirants and sun tan lotions and screens.

(uu) “Ancillary services” means services that are associated with or incidental to the provision of telecommunications services, including, but not limited to, detailed telecommunications billing, directory assistance, vertical service and voice mail services.

(vv) “Conference bridging service” means an ancillary service that links two or more participants of an audio or video conference call and may include the provision of a telephone number. Conference bridging service does not include the telecommunications services used to reach the conference bridge.

(ww) “Detailed telecommunications billing service” means an ancillary service of separately stating information pertaining to individual calls on a customer’s billing statement.

(xx) “Directory assistance” means an ancillary service of providing telephone number information or address information, or both.

(yy) “Vertical service” means an ancillary service that is offered in connection with one or more telecommunications services, which offers advanced calling features that allow customers to identify callers and to manage multiple calls and call connections, including conference bridging services.

(zz) “Voice mail service” means an ancillary service that enables the customer to store, send or receive recorded messages. Voice mail service does not include any vertical services that the customer may be required to have in order to utilize the voice mail service.

(aaa) “Telecommunications service” means the electronic transmission, conveyance or routing of voice, data, audio, video or any other information or signals to a point, or between or among points. The term telecommunications service includes such transmission, conveyance or routing in which computer processing applications are used to act on the form, code or protocol of the content for purposes of transmissions, conveyance or routing without regard to whether such service is referred to as voice over internet protocol services or is classified by the federal communications commission as enhanced or value added. Telecommunications service does not include:

(1) Data processing and information services that allow data to be generated, acquired, stored, processed or retrieved and delivered by an electronic transmission to a purchaser where such purchaser’s primary purpose for the underlying transaction is the processed data or information;

(2) installation or maintenance of wiring or equipment on a customer’s premises;

(3) tangible personal property;

(4) advertising, including, but not limited to, directory advertising;

(5) billing and collection services provided to third parties;

(6) internet access service;

(7) radio and television audio and video programming services, regardless of the medium, including the furnishing of transmission, conveyance and routing of such services by the programming service provider. Radio and television audio and video programming services shall include, but not be limited to, cable service as defined in 47 U.S.C. § 522(6) and audio and video programming services delivered by commercial mobile radio service providers, as defined in 47 C.F.R. § 20.3;

(8) ancillary services; or

(9) digital products delivered electronically, including, but not limited to, software, music, video, reading materials or ring tones.

(bbb) “800 service” means a telecommunications service that allows a caller to dial a toll-free number without incurring a charge for the call. The service is typically marketed under the name 800, 855, 866, 877 and 888 toll-free calling, and any subsequent numbers designated by the federal communications commission.

(ccc) “900 service” means an inbound toll telecommunications service purchased by a subscriber that allows the subscriber’s customers to call in to the subscriber’s prerecorded announcement or live service. 900 service does not include the charge for collection services provided by the seller of the telecommunications services to the subscriber, or service or product sold by the subscriber to the subscriber’s customer. The service is typically marketed under the name 900 service, and any subsequent numbers designated by the federal communications commission.

(ddd) “Value-added non-voice data service” means a service that otherwise meets the definition of telecommunications services in which computer processing applications are used to act on the form, content, code or protocol of the information or data primarily for a purpose other than transmission, conveyance or routing.

(eee) “International” means a telecommunications service that originates or terminates in the United States and terminates or originates outside the United States, respectively. United States includes the District of Columbia or a U.S. territory or possession.

(fff) “Interstate” means a telecommunications service that originates in one United States state, or a United States territory or possession, and terminates in a different United States state or a United States territory or possession.

(ggg) “Intrastate” means a telecommunications service that originates in one United States state or a United States territory or possession, and terminates in the same United States state or a United States territory or possession.

(hhh) *“Candy” means a preparation of sugar, honey or other natural or artificial sweeteners in combination with chocolate, fruits, nuts or other ingredients or flavorings in the form of bars, drops or pieces. Candy shall not include any preparation containing flour and shall require no refrigeration.*

(iii) *“Food sold through vending machines” means food dispensed from a machine or other mechanical device that accepts payment.*

(jjj) (1) *“Prepared food” means any of the following:*

(A) *Food sold in a heated state or heated by the seller;*

(B) *two or more food ingredients mixed or combined by the seller for sale as a single item; or*

(C) *food sold with eating utensils provided by the seller, including plates, knives, forks, spoons, glasses, cups, napkins or straws. A plate does not include a container or packaging used to transport the food.*

(2) *“Prepared food” does not include:*

(A) *Food that is only cut, repackaged or pasteurized by the seller;*

(B) *eggs, fish, meat, poultry and foods containing these raw animal foods requiring cooking by the consumer as recommended by the United States food and drug administration, in chapter 3, part 401.11 of its food code, so as to prevent foodborne illnesses;*

(C) *if sold without eating utensils provided by the seller, bakery items, including breads, rolls, buns, biscuits, bagels, croissants, pastries, donuts, danish, cakes, tortes, pies, tarts, muffins, bars, cookies and tortillas; or*

(D) *food sold by a seller whose primary North American industry classification system, United States, 2002 edition, classification is manufacturing in sector 311, except subsector 3118.*

(lll) *“Soft drinks” means nonalcoholic beverages that contain natural or artificial sweeteners. “Soft drinks” does not include beverages that contain milk or milk products; soy, rice or similar milk substitutes; or greater than 50% of vegetable or fruit juice by volume.*

(mmm) *“Dietary supplement” shall have the same meaning ascribed to it as in K.S.A. 79-3606(jjj), and amendments thereto.*

Sec. 7. K.S.A. 2014 Supp. 79-3603, as amended by section 20 of 2015 Senate Substitute for House Bill No. 2155, is hereby amended to read as follows: 79-3603. For the privilege of engaging in the business of selling tangible personal property at retail in this state or rendering or furnishing any of the services taxable under this act, there is hereby levied and there shall be collected and paid a tax at the rate of 6.15%, *and commencing July 1, 2015, at the rate of 6.55%*. Within a redevelopment district established pursuant to K.S.A. 74-8921, and amendments thereto, there is hereby levied and there shall be collected and paid an additional tax at the rate of 2% until the earlier of the date the bonds issued to finance or refinance the redevelopment project have been paid in full or the final scheduled maturity of the first series of bonds issued to finance any part of the project upon:

(a) The gross receipts received from the sale of tangible personal property at retail within this state;

(b) the gross receipts from intrastate, interstate or international telecommunications services and any ancillary services sourced to this state in accordance with K.S.A. 2014 Supp. 79-3673, and amendments thereto, except that telecommunications service does not include *prior to January 1, 2020*: (1) Any interstate or international 800 or 900 service; (2) any interstate or international private communications service as defined in K.S.A. 2014 Supp. 79-3673, and amendments thereto; (3) any value-added nonvoice data service; (4) any telecommunication service to a provider of telecommunication services which will be used to render telecommunications services, including carrier access services; or (5) any service or transaction defined in this section among entities classified as members of an affiliated group as provided by section 1504 of the federal internal revenue code of 1986, as in effect on January 1, 2001;

(c) the gross receipts from the sale or furnishing of gas, water, electricity and heat, which sale is not otherwise exempt from taxation under the provisions of this act, and whether furnished by municipally or privately owned utilities, except that, on and after January 1, 2006, for sales

of gas, electricity and heat delivered through mains, lines or pipes to residential premises for noncommercial use by the occupant of such premises, and for agricultural use and also, for such use, all sales of propane gas, the state rate shall be 0%; and for all sales of propane gas, LP gas, coal, wood and other fuel sources for the production of heat or lighting for noncommercial use of an occupant of residential premises, the state rate shall be 0%, but such tax shall not be levied and collected upon the gross receipts from: (1) The sale of a rural water district benefit unit; (2) a water system impact fee, system enhancement fee or similar fee collected by a water supplier as a condition for establishing service; or (3) connection or reconnection fees collected by a water supplier;

(d) the gross receipts from the sale of meals or drinks furnished at any private club, drinking establishment, catered event, restaurant, eating house, dining car, hotel, drugstore or other place where meals or drinks are regularly sold to the public;

(e) the gross receipts from the sale of admissions to any place providing amusement, entertainment or recreation services including admissions to state, county, district and local fairs, but such tax shall not be levied and collected *prior to January 1, 2020*, upon the gross receipts received from sales of admissions to any cultural and historical event which occurs triennially;

(f) the gross receipts from the operation of any coin-operated device dispensing or providing tangible personal property, amusement or other services except, *prior to January 1, 2020*, laundry services, whether automatic or manually operated;

(g) the gross receipts from the service of renting of rooms by hotels, as defined by K.S.A. 36-501, and amendments thereto, or by accommodation brokers, as defined by K.S.A. 12-1692, and amendments thereto, but such tax shall not be levied and collected *prior to January 1, 2020*, upon the gross receipts received from sales of such service to the federal government and any agency, officer or employee thereof in association with the performance of official government duties;

(h) the gross receipts from the service of renting or leasing of tangible personal property except such tax shall not apply to the renting or leasing of machinery, equipment or other personal property owned by a city and purchased from the proceeds of industrial revenue bonds issued prior to July 1, 1973, in accordance with the provisions of K.S.A. 12-1740 through 12-1749, and amendments thereto, and any city or lessee renting or leasing such machinery, equipment or other personal property purchased with the proceeds of such bonds who shall have paid a tax under the provisions of this section upon sales made prior to July 1, 1973, shall be entitled to a refund from the sales tax refund fund of all taxes paid thereon;

(i) the gross receipts from the rendering of dry cleaning, pressing,



dyeing and laundry services except laundry services rendered through a coin-operated device whether automatic or manually operated;

(j) the gross receipts from the rendering of the services of washing and washing and waxing of vehicles;

(k) the gross receipts from cable, community antennae and other subscriber radio and television services;

(l) (1) except as otherwise provided by paragraph (2), the gross receipts received from the sales of tangible personal property to all contractors, subcontractors or repairmen for use by them in erecting structures, or building on, or otherwise improving, altering, or repairing real or personal property.

(2) Any such contractor, subcontractor or repairman who maintains an inventory of such property both for sale at retail and for use by them for the purposes described by paragraph (1) shall be deemed a retailer with respect to purchases for and sales from such inventory, except that the gross receipts received from any such sale, other than a sale at retail, shall be equal to the total purchase price paid for such property and the tax imposed thereon shall be paid by the deemed retailer;

(m) the gross receipts received from fees and charges by public and private clubs, drinking establishments, organizations and businesses for participation in sports, games and other recreational activities, but such tax shall not be levied and collected *prior to January 1, 2020*, upon the gross receipts received from: (1) Fees and charges by any political subdivision, by any organization exempt from property taxation pursuant to K.S.A. 79-201 *Ninth*, and amendments thereto, or by any youth recreation organization exclusively providing services to persons 18 years of age or younger which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for participation in sports, games and other recreational activities; and (2) entry fees and charges for participation in a special event or tournament sanctioned by a national sporting association to which spectators are charged an admission which is taxable pursuant to subsection (e);

(n) the gross receipts received from dues charged by public and private clubs, drinking establishments, organizations and businesses, payment of which entitles a member to the use of facilities for recreation or entertainment, but such tax shall not be levied and collected *prior to January 1, 2020*, upon the gross receipts received from: (1) Dues charged by any organization exempt from property taxation pursuant to K.S.A. 79-201 *Eighth* and *Ninth*, and amendments thereto; and (2) sales of memberships in a nonprofit organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and whose purpose is to support the operation of a nonprofit zoo;

(o) the gross receipts received from the isolated or occasional sale of motor vehicles or trailers but not including: (1) The transfer of motor

vehicles or trailers *prior to January 1, 2020*, by a person to a corporation or limited liability company solely in exchange for stock securities or membership interest in such corporation or limited liability company; (2) the transfer of motor vehicles or trailers *prior to January 1, 2020*, by one corporation or limited liability company to another when all of the assets of such corporation or limited liability company are transferred to such other corporation or limited liability company; or (3) the sale of motor vehicles or trailers *prior to January 1, 2020*, which are subject to taxation pursuant to the provisions of K.S.A. 79-5101 et seq., and amendments thereto, by an immediate family member to another immediate family member. For the purposes of paragraph (3), immediate family member means lineal ascendants or descendants, and their spouses. Any amount of sales tax paid pursuant to the Kansas retailers sales tax act on the isolated or occasional sale of motor vehicles or trailers on and after July 1, 2004, which the base for computing the tax was the value pursuant to K.S.A. 79-5105(a), (b)(1) and (b)(2), and amendments thereto, when such amount was higher than the amount of sales tax which would have been paid under the law as it existed on June 30, 2004, shall be refunded to the taxpayer pursuant to the procedure prescribed by this section. Such refund shall be in an amount equal to the difference between the amount of sales tax paid by the taxpayer and the amount of sales tax which would have been paid by the taxpayer under the law as it existed on June 30, 2004. Each claim for a sales tax refund shall be verified and submitted not later than six months from the effective date of this act to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of tax paid as provided by this act. All such refunds shall be paid from the sales tax refund fund, upon warrants of the director of accounts and reports pursuant to vouchers approved by the director of taxation or the director's designee. No refund for an amount less than \$10 shall be paid pursuant to this act. In determining the base for computing the tax on such isolated or occasional sale, the fair market value of any motor vehicle or trailer traded in by the purchaser to the seller may be deducted from the selling price;

(p) the gross receipts received for the service of installing or applying tangible personal property which when installed or applied is not being held for sale in the regular course of business, and whether or not such tangible personal property when installed or applied remains tangible personal property or becomes a part of real estate, except that no tax shall be imposed upon the service of installing or applying tangible personal property in connection with the original construction of a building or facility, the original construction, reconstruction, restoration, remodeling, renovation, repair or replacement of a residence or the construction, reconstruction, restoration, replacement or repair of a bridge or highway.

For the purposes of this subsection:

(1) “Original construction” shall mean the first or initial construction of a new building or facility. The term “original construction” shall include the addition of an entire room or floor to any existing building or facility, the completion of any unfinished portion of any existing building or facility and the restoration, reconstruction or replacement of a building, facility or utility structure damaged or destroyed by fire, flood, tornado, lightning, explosion, windstorm, ice loading and attendant winds, terrorism or earthquake, but such term, except with regard to a residence, shall not include replacement, remodeling, restoration, renovation or reconstruction under any other circumstances;

(2) “building” shall mean only those enclosures within which individuals customarily are employed, or which are customarily used to house machinery, equipment or other property, and including the land improvements immediately surrounding such building;

(3) “facility” shall mean a mill, plant, refinery, oil or gas well, water well, feedlot or any conveyance, transmission or distribution line of any cooperative, nonprofit, membership corporation organized under or subject to the provisions of K.S.A. 17-4601 et seq., and amendments thereto, or municipal or quasi-municipal corporation, including the land improvements immediately surrounding such facility;

(4) “residence” shall mean only those enclosures within which individuals customarily live;

(5) “utility structure” shall mean transmission and distribution lines owned by an independent transmission company or cooperative, the Kansas electric transmission authority or natural gas or electric public utility; and

(6) “windstorm” shall mean straight line winds of at least 80 miles per hour as determined by a recognized meteorological reporting agency or organization;

(q) the gross receipts received for the service of repairing, servicing, altering or maintaining tangible personal property which when such services are rendered is not being held for sale in the regular course of business, and whether or not any tangible personal property is transferred in connection therewith. The tax imposed by this subsection shall be applicable to the services of repairing, servicing, altering or maintaining an item of tangible personal property which has been and is fastened to, connected with or built into real property;

(r) the gross receipts from fees or charges made under service or maintenance agreement contracts for services, charges for the providing of which are taxable under the provisions of subsection (p) or (q);

(s) on and after January 1, 2005, the gross receipts received from the sale of prewritten computer software and the sale of the services of modifying, altering, updating or maintaining prewritten computer software, whether the prewritten computer software is installed or delivered elec-

tronically by tangible storage media physically transferred to the purchaser or by load and leave;

(t) the gross receipts received for telephone answering services;

(u) the gross receipts received from the sale of prepaid calling service and prepaid wireless calling service as defined in K.S.A. 2014 Supp. 79-3673, and amendments thereto;

(v) all sales of bingo cards, bingo faces and instant bingo tickets by licensees under section 1 of *2015 Senate Substitute for House Bill No. 2155*, et seq., and amendments thereto, shall be exempt from taxes imposed pursuant to this section *prior to January 1, 2020*; ~~and~~

(w) all sales of charitable raffle tickets in accordance with section 1 of *2015 Senate Substitute for House Bill No. 2155*, et seq., and amendments thereto, shall be exempt from taxes imposed pursuant to this section *prior to January 1, 2020*; *and*

(x) *commencing July 1, 2016, and thereafter, the gross receipts from the sale of food and food ingredients shall be taxed at the rate of 4.95%.*

Sec. 8. K.S.A. 2014 Supp. 79-3620 is hereby amended to read as follows: 79-3620. (a) All revenue collected or received by the director of taxation from the taxes imposed by this act shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury, less amounts withheld as provided in subsection (b) and amounts credited as provided in subsections (c), (d) and (e), to the credit of the state general fund.

(b) A refund fund, designated as “sales tax refund fund” not to exceed \$100,000 shall be set apart and maintained by the director from sales tax collections and estimated tax collections and held by the state treasurer for prompt payment of all sales tax refunds. Such fund shall be in such amount, within the limit set by this section, as the director shall determine is necessary to meet current refunding requirements under this act. In the event such fund as established by this section is, at any time, insufficient to provide for the payment of refunds due claimants thereof, the director shall certify the amount of additional funds required to the director of accounts and reports who shall promptly transfer the required amount from the state general fund to the sales tax refund fund, and notify the state treasurer, who shall make proper entry in the records.

(c) (1) ~~The state treasurer shall credit  $\frac{5}{100}$  of the revenue collected or received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 4.9%, and deposited as provided in subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.~~

(2) ~~The state treasurer shall credit  $\frac{5}{100}$  of the revenue collected or received from the tax imposed by K.S.A. 79-3603, and amendments~~

~~thereto, at the rate of 5.3%, and deposited as provided in subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.~~

~~(3) On July 1, 2006, the state treasurer shall credit  $\frac{19}{263}$  of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 5.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.~~

~~(4) On July 1, 2007, the state treasurer shall credit  $\frac{13}{106}$  of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 5.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.~~

~~(5) On July 1, 2010, the state treasurer shall credit 11.427% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.~~

~~(6)(2) On July 1, 2011, the state treasurer shall credit 11.26% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.~~

~~(7)(3) On July 1, 2012, the state treasurer shall credit 11.233% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.~~

~~(8)(4) On July 1, 2013, and thereafter, the state treasurer shall credit 17.073% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.15%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.~~

*(5) On July 1, 2015, the state treasurer shall credit 16.327% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.55%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.*

*(6) On July 1, 2016, and thereafter, the state treasurer shall credit 16.550% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rates of 6.55% and 4.95%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.*

(d) The state treasurer shall credit all revenue collected or received from the tax imposed by K.S.A. 79-3603, and amendments thereto, as

certified by the director, from taxpayers doing business within that portion of a STAR bond project district occupied by a STAR bond project or taxpayers doing business with such entity financed by a STAR bond project as defined in K.S.A. 2014 Supp. 12-17,162, and amendments thereto, that was determined by the secretary of commerce to be of state-wide as well as local importance or will create a major tourism area for the state or the project was designated as a STAR bond project as defined in K.S.A. 2014 Supp. 12-17,162, and amendments thereto, to the city bond finance fund, which fund is hereby created. The provisions of this subsection shall expire when the total of all amounts credited hereunder and under ~~subsection (d) of K.S.A. 79-3710(d)~~, and amendments thereto, is sufficient to retire the special obligation bonds issued for the purpose of financing all or a portion of the costs of such STAR bond project.

(e) All revenue certified by the director of taxation as having been collected or received from the tax imposed by ~~subsection (c) of K.S.A. 79-3603(c)~~, and amendments thereto, on the sale or furnishing of gas, water, electricity and heat for use or consumption within the intermodal facility district described in this subsection, shall be credited by the state treasurer to the state highway fund. Such revenue may be transferred by the secretary of transportation to the rail service improvement fund pursuant to law. The provisions of this subsection shall take effect upon certification by the secretary of transportation that a notice to proceed has been received for the construction of the improvements within the intermodal facility district, but not later than December 31, 2010, and shall expire when the secretary of revenue determines that the total of all amounts credited hereunder and pursuant to ~~subsection (c) of K.S.A. 79-3710(e)~~, and amendments thereto, is equal to \$53,300,000, but not later than December 31, 2045. Thereafter, all revenues shall be collected and distributed in accordance with applicable law. For all tax reporting periods during which the provisions of this subsection are in effect, none of the exemptions contained in K.S.A. 79-3601 et seq., and amendments thereto, shall apply to the sale or furnishing of any gas, water, electricity and heat for use or consumption within the intermodal facility district. As used in this subsection, "intermodal facility district" shall consist of an intermodal transportation area as defined by ~~subsection (oo) of K.S.A. 12-1770a(oo)~~, and amendments thereto, located in Johnson county within the polygonal-shaped area having Waverly Road as the eastern boundary, 191st Street as the southern boundary, Four Corners Road as the western boundary, and Highway 56 as the northern boundary, and the polygonal-shaped area having Poplar Road as the eastern boundary, 183rd Street as the southern boundary, Waverly Road as the western boundary, and the BNSF mainline track as the northern boundary, that includes capital investment in an amount exceeding \$150 million for the construction of an intermodal facility to handle the transfer, storage and distribution of freight through railway and trucking operations.

Sec. 9. K.S.A. 2014 Supp. 79-3703 is hereby amended to read as follows: 79-3703. There is hereby levied and there shall be collected from every person in this state a tax or excise for the privilege of using, storing, or consuming within this state any article of tangible personal property. Such tax shall be levied and collected in an amount equal to the consideration paid by the taxpayer multiplied by the rate of ~~6.15%~~ 6.55%, *except that commencing July 1, 2016, such rate shall be 4.95% on food and food ingredients as defined by K.S.A. 79-3602, and amendments thereto.* Within a redevelopment district established pursuant to K.S.A. 74-8921, and amendments thereto, there is hereby levied and there shall be collected and paid an additional tax of 2% until the earlier of: (1) The date the bonds issued to finance or refinance the redevelopment project undertaken in the district have been paid in full; or (2) the final scheduled maturity of the first series of bonds issued to finance the redevelopment project. All property purchased or leased within or without this state and subsequently used, stored or consumed in this state shall be subject to the compensating tax if the same property or transaction would have been subject to the Kansas retailers' sales tax had the transaction been wholly within this state.

Sec. 10. K.S.A. 2014 Supp. 79-3710 is hereby amended to read as follows: 79-3710. (a) All revenue collected or received by the director under the provisions of this act shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury, less amounts set apart as provided in subsection (b) and amounts credited as provided in subsection (c), (d) and (e), to the credit of the state general fund.

(b) A revolving fund, designated as "compensating tax refund fund" not to exceed \$10,000 shall be set apart and maintained by the director from compensating tax collections and estimated tax collections and held by the state treasurer for prompt payment of all compensating tax refunds. Such fund shall be in such amount, within the limit set by this section, as the director shall determine is necessary to meet current refunding requirements under this act.

~~(c) (1) The state treasurer shall credit 5% of the revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 4.9%, and deposited as provided in subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.~~

~~(2) The state treasurer shall credit 5/100 of the revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 5.3%, and deposited as provided in subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.~~

~~(3) On July 1, 2006, the state treasurer shall credit  $\frac{19}{205}$  of the revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 5.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.~~

~~(4) On July 1, 2007, the state treasurer shall credit  $\frac{13}{100}$  of the revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 5.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.~~

~~(5)~~ On July 1, 2010, the state treasurer shall credit 11.427% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

~~(6)~~(2) On July 1, 2011, the state treasurer shall credit 11.26% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

~~(7)~~(3) On July 1, 2012, the state treasurer shall credit 11.233% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

~~(8)~~(4) On July 1, 2013, ~~and thereafter~~, the state treasurer shall credit 17.073% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.15%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(5) *On July 1, 2015, the state treasurer shall credit 16.327% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.55%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.*

(6) *On July 1, 2016, and thereafter, the state treasurer shall credit 16.550% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rates of 6.55% and 4.95%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.*

(d) The state treasurer shall credit all revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, as certified by the director, from taxpayers doing business within that portion of a redevelopment district occupied by a redevelopment project that was determined by the secretary of commerce to be of statewide as well



as local importance or will create a major tourism area for the state as defined in K.S.A. 12-1770a, and amendments thereto, to the city bond finance fund created by ~~subsection (d) of K.S.A. 79-3620(d)~~, and amendments thereto. The provisions of this subsection shall expire when the total of all amounts credited hereunder and under ~~subsection (d) of K.S.A. 79-3620(d)~~, and amendments thereto, is sufficient to retire the special obligation bonds issued for the purpose of financing all or a portion of the costs of such redevelopment project.

This subsection shall not apply to a project designated as a special bond project as defined in ~~subsection (z) of K.S.A. 12-1770a(z)~~, and amendments thereto.

(e) All revenue certified by the director of taxation as having been collected or received from the tax imposed by ~~subsection (c) of K.S.A. 79-3603(c)~~, and amendments thereto, on the sale or furnishing of gas, water, electricity and heat for use or consumption within the intermodal facility district described in this subsection, shall be credited by the state treasurer to the state highway fund. Such revenue may be transferred by the secretary of transportation to the rail service improvement fund pursuant to law. The provisions of this subsection shall take effect upon certification by the secretary of transportation that a notice to proceed has been received for the construction of the improvements within the intermodal facility district, but not later than December 31, 2010, and shall expire when the secretary of revenue determines that the total of all amounts credited hereunder and pursuant to ~~subsection (e) of K.S.A. 79-3620(e)~~, and amendments thereto, is equal to \$53,300,000, but not later than December 31, 2045. Thereafter, all revenues shall be collected and distributed in accordance with applicable law. For all tax reporting periods during which the provisions of this subsection are in effect, none of the exemptions contained in K.S.A. 79-3601 et seq., and amendments thereto, shall apply to the sale or furnishing of any gas, water, electricity and heat for use or consumption within the intermodal facility district. As used in this subsection, "intermodal facility district" shall consist of an intermodal transportation area as defined by ~~subsection (oo) of K.S.A. 12-1770a(oo)~~, and amendments thereto, located in Johnson county within the polygonal-shaped area having Waverly Road as the eastern boundary, 191st Street as the southern boundary, Four Corners Road as the western boundary, and Highway 56 as the northern boundary, and the polygonal-shaped area having Poplar Road as the eastern boundary, 183rd Street as the southern boundary, Waverly Road as the western boundary, and the BNSF mainline track as the northern boundary, that includes capital investment in an amount exceeding \$150 million for the construction of an intermodal facility to handle the transfer, storage and distribution of freight through railway and trucking operations.

New Sec. 11. (a) There is hereby established the joint committee on

tax exemptions and income tax credits which shall be within the legislative branch of state government and which shall be composed of 11 members as follows:

- (1) The president of the senate, or the president's designee;
- (2) the speaker of the house of representatives, or the speaker's designee;
- (3) the speaker pro tem of the house of representatives, or the speaker pro tem's designee;
- (4) the majority leader of the senate, or the majority leader's designee;
- (5) the majority leader of the house of representatives, or the majority leader's designee;
- (6) the minority leader of the senate, or the minority leader's designee;
- (7) the minority leader of the house of representatives, or the minority leader's designee;
- (8) the chairperson of the house committee on taxation, or the chairperson's designee;
- (9) the chairperson of the senate committee on assessment and taxation, or the chairperson's designee;
- (10) the chairperson of the house committee on appropriations, or the chairperson's designee; and
- (11) the chairperson of the senate committee on ways and means, or the chairperson's designee.

(b) All members of the joint committee on tax exemptions and income tax credits shall serve for terms ending on the first day of the regular legislative session in odd-numbered years. The joint committee shall organize annually and elect a chairperson and vice-chairperson in accordance with this subsection. On and after the first day of the regular legislative session in odd-numbered years, the chairperson shall be one of the representative members of the joint committee elected by the members of the joint committee and the vice-chairperson shall be one of the senate members elected by the members of the joint committee and, after the first day of the regular legislative session in even-numbered years, the chairperson shall be one of the senate members of the joint committee elected by the members of the joint committee and the vice-chairperson shall be one of the representative members of the joint committee elected by the members of the joint committee. The chairperson and vice-chairperson of the joint committee shall serve in such capacities until the first day of the regular legislative session in the ensuing year. The vice-chairperson shall exercise all of the powers of the chairperson in the absence of the chairperson. If a vacancy occurs in the office of the chairperson or vice-chairperson, a member of the joint committee, who is a member of the same house as the member who vacated the office, shall be elected by the members of the joint committee to fill such vacancy.

(c) The joint committee on tax exemptions and income tax credits may meet at any time and at any place within the state on the call of the chairperson. Members of the joint committee shall receive compensation and travel expenses and subsistence expenses or allowances as provided in K.S.A. 75-3212, and amendments thereto, when attending meetings of such committee authorized by the legislative coordinating council.

(d) In accordance with K.S.A. 46-1204, and amendments thereto, the legislative coordinating council may provide for such professional services as may be requested by the joint committee on tax exemptions and income tax credits.

(e) The joint committee on tax exemptions and income tax credits shall:

(1) Review and make recommendations prior to January 1, 2017, regarding the appropriateness of every statutory sales tax exemption including the identification of all business to business exemptions, property tax exemption and income tax credit as to whether the exemption or credit serves a necessary public purpose or is legally required pursuant to the constitution of the United States or the state of Kansas or other federal law; and

(2) make recommendations for the establishment of standards to be utilized in granting sales tax exemptions, property tax exemptions and income tax credits by the legislature.

(f) The joint committee on tax exemptions and income tax credits may introduce such legislation as it deems necessary in performing its function. In light of the complexities and indivisibility of the many individual exemptions and credits that are the subject of this topic under study by the joint committee, the recommendations of the joint committee as expressed in legislation shall constitute a comprehensive legislative enactment and within constitutional limitations, such legislation shall be considered by the legislature.

(g) The joint committee on tax exemptions and income tax credits shall report to the legislature on or before January 1, 2017, any findings and recommendations concerning sales tax exemptions, property tax exemptions and income tax credits including any recommended legislation.

New Sec. 12. (a) On and after July 1, 2016, a tax is hereby imposed upon the privilege of selling or dealing in electronic cigarettes in this state by any person engaged in business as a distributor thereof, at the rate of \$.20 per milliliter of consumable material for electronic cigarettes and a proportionate tax at the like rate on all fractional parts thereof. For electronic cigarettes in the possession of retail dealers for which tax has not been paid, tax shall be imposed under this subsection at the earliest time the retail dealer: (1) Brings or causes to be brought into this state from without the state electronic cigarettes for sale; (2) makes, manufactures

or fabricates electronic cigarettes in this state for sale in this state; or (3) sells electronic cigarettes to consumers within this state.

(b) The secretary of revenue shall adopt rules and regulations to implement the provisions of this section.

Sec. 13. K.S.A. 2014 Supp. 12-187 is hereby amended to read as follows: 12-187. (a) No city shall impose a retailers' sales tax under the provisions of this act without the governing body of such city having first submitted such proposition to and having received the approval of a majority of the electors of the city voting thereon at an election called and held therefor. The governing body of any city may submit the question of imposing a retailers' sales tax and the governing body shall be required to submit the question upon submission of a petition signed by electors of such city equal in number to not less than 10% of the electors of such city.

(b) (1) The board of county commissioners of any county may submit the question of imposing a countywide retailers' sales tax to the electors at an election called and held thereon, and any such board shall be required to submit the question upon submission of a petition signed by electors of such county equal in number to not less than 10% of the electors of such county who voted at the last preceding general election for the office of secretary of state, or upon receiving resolutions requesting such an election passed by not less than  $\frac{2}{3}$  of the membership of the governing body of each of one or more cities within such county which contains a population of not less than 25% of the entire population of the county, or upon receiving resolutions requesting such an election passed by  $\frac{2}{3}$  of the membership of the governing body of each of one or more taxing subdivisions within such county which levy not less than 25% of the property taxes levied by all taxing subdivisions within the county.

(2) The board of county commissioners of Anderson, Atchison, Barton, Brown, Butler, Chase, Cowley, Cherokee, Crawford, Ford, Franklin, Jefferson, Linn, Lyon, Marion, Miami, Montgomery, Neosho, Osage, Ottawa, Reno, Riley, Saline, Seward, Sumner, *Thomas*, Wabaunsee, Wilson and Wyandotte counties may submit the question of imposing a countywide retailers' sales tax and pledging the revenue received therefrom for the purpose of financing the construction or remodeling of a courthouse, jail, law enforcement center facility or other county administrative facility, to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire when sales tax sufficient to pay all of the costs incurred in the financing of such facility has been collected by retailers as determined by the secretary of revenue. Nothing in this paragraph shall be construed to allow the rate of tax imposed by Butler, Chase, Cowley, Lyon, Montgomery, Neosho, Riley, Sumner or Wilson county pursuant to this paragraph to exceed or be imposed at any

rate other than the rates prescribed in K.S.A. 12-189, and amendments thereto.

(3) (A) Except as otherwise provided in this paragraph, the result of the election held on November 8, 1988, on the question submitted by the board of county commissioners of Jackson county for the purpose of increasing its countywide retailers' sales tax by 1% is hereby declared valid, and the revenue received therefrom by the county shall be expended solely for the purpose of financing the Banner Creek reservoir project. The tax imposed pursuant to this paragraph shall take effect on the effective date of this act and shall expire not later than five years after such date.

(B) The result of the election held on November 8, 1994, on the question submitted by the board of county commissioners of Ottawa county for the purpose of increasing its countywide retailers' sales tax by 1% is hereby declared valid, and the revenue received therefrom by the county shall be expended solely for the purpose of financing the erection, construction and furnishing of a law enforcement center and jail facility.

(C) Except as otherwise provided in this paragraph, the result of the election held on November 2, 2004, on the question submitted by the board of county commissioners of Sedgwick county for the purpose of increasing its countywide retailers' sales tax by 1% is hereby declared valid, and the revenue received therefrom by the county shall be used only to pay the costs of: (i) Acquisition of a site and constructing and equipping thereon a new regional events center, associated parking and infrastructure improvements and related appurtenances thereto, to be located in the downtown area of the city of Wichita, Kansas, (the "downtown arena"); (ii) design for the Kansas coliseum complex and construction of improvements to the pavilions; and (iii) establishing an operating and maintenance reserve for the downtown arena and the Kansas coliseum complex. The tax imposed pursuant to this paragraph shall commence on July 1, 2005, and shall terminate not later than 30 months after the commencement thereof.

(D) Except as otherwise provided in this paragraph, the result of the election held on August 5, 2008, on the question submitted by the board of county commissioners of Lyon county for the purpose of increasing its countywide retailers' sales tax by 1% is hereby declared valid, and the revenue received therefrom by the county shall be expended for the purposes of ad valorem tax reduction and capital outlay. The tax imposed pursuant to this paragraph shall terminate not later than five years after the commencement thereof.

(E) Except as otherwise provided in this paragraph, the result of the election held on August 5, 2008, on the question submitted by the board of county commissioners of Rawlins county for the purpose of increasing its countywide retailers' sales tax by 0.75% is hereby declared valid, and the revenue received therefrom by the county shall be expended for the

purposes of financing the costs of a swimming pool. The tax imposed pursuant to this paragraph shall terminate not later than 15 years after the commencement thereof or upon payment of all costs authorized pursuant to this paragraph in the financing of such project.

(F) The result of the election held on December 1, 2009, on the question submitted by the board of county commissioners of Chautauqua county for the purpose of increasing its countywide retailers' sales tax by 1% is hereby declared valid, and the revenue received from such tax by the county shall be expended for the purposes of financing the costs of constructing, furnishing and equipping a county jail and law enforcement center and necessary improvements appurtenant to such jail and law enforcement center. Any tax imposed pursuant to authority granted in this paragraph shall terminate upon payment of all costs authorized pursuant to this paragraph incurred in the financing of the project described in this paragraph.

*(G) The result of the election held on April 7, 2015, on the question submitted by the board of county commissioners of Bourbon county for the purpose of increasing its retailers' sales tax by 0.4% is hereby declared valid, and the revenue received therefrom by the county shall be expended solely for the purpose of financing the costs of constructing, furnishing and operating a courthouse, law enforcement center or jail facility improvements. Any tax imposed pursuant to authority granted in this paragraph shall terminate upon payment of all costs authorized pursuant to this paragraph incurred in the financing of the project described in this paragraph.*

(4) The board of county commissioners of Finney and Ford counties may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing all or any portion of the cost to be paid by Finney or Ford county for construction of highway projects identified as system enhancements under the provisions of ~~paragraph (5) of subsection (b) of~~ K.S.A. 68-2314(b)(5), and amendments thereto, to the electors at an election called and held thereon. Such election shall be called and held in the manner provided by the general bond law. The tax imposed pursuant to this paragraph shall expire upon the payment of all costs authorized pursuant to this paragraph in the financing of such highway projects. Nothing in this paragraph shall be construed to allow the rate of tax imposed by Finney or Ford county pursuant to this paragraph to exceed the maximum rate prescribed in K.S.A. 12-189, and amendments thereto. If any funds remain upon the payment of all costs authorized pursuant to this paragraph in the financing of such highway projects in Finney county, the state treasurer shall remit such funds to the treasurer of Finney county and upon receipt of such moneys shall be deposited to the credit of the county road and bridge fund. If any funds remain upon the payment of all costs authorized pursuant to this paragraph in the financing of such

highway projects in Ford county, the state treasurer shall remit such funds to the treasurer of Ford county and upon receipt of such moneys shall be deposited to the credit of the county road and bridge fund.

(5) The board of county commissioners of any county may submit the question of imposing a retailers' sales tax at the rate of 0.25%, 0.5%, 0.75% or 1% and pledging the revenue received therefrom for the purpose of financing the provision of health care services, as enumerated in the question, to the electors at an election called and held thereon. Whenever any county imposes a tax pursuant to this paragraph, any tax imposed pursuant to ~~paragraph (2) of subsection (a)(2)~~ by any city located in such county shall expire upon the effective date of the imposition of the countywide tax, and thereafter the state treasurer shall remit to each such city that portion of the countywide tax revenue collected by retailers within such city as certified by the director of taxation. The tax imposed pursuant to this paragraph shall be deemed to be in addition to the rate limitations prescribed in K.S.A. 12-189, and amendments thereto. As used in this paragraph, health care services shall include, but not be limited to, the following: Local health departments, city or county hospitals, city or county nursing homes, preventive health care services including immunizations, prenatal care and the postponement of entry into nursing homes by home care services, mental health services, indigent health care, physician or health care worker recruitment, health education, emergency medical services, rural health clinics, integration of health care services, home health services and rural health networks.

(6) The board of county commissioners of Allen county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of operation and construction of a solid waste disposal area or the modification of an existing landfill to comply with federal regulations to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon the payment of all costs incurred in the financing of the project undertaken. Nothing in this paragraph shall be construed to allow the rate of tax imposed by Allen county pursuant to this paragraph to exceed or be imposed at any rate other than the rates prescribed in K.S.A. 12-189, and amendments thereto.

(7) The board of county commissioners of Clay, Dickinson and Miami county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.50% in the case of Clay and Dickinson county and at a rate of up to 1% in the case of Miami county, and pledging the revenue received therefrom for the purpose of financing the costs of roadway construction and improvement to the electors at an election called and held thereon. Except as otherwise provided, the tax imposed pursuant to this paragraph shall expire after five years from the date such tax is first collected. The result of the election held on November 2, 2004, on the

question submitted by the board of county commissioners of Miami county for the purpose of extending for an additional five-year period the countywide retailers' sales tax imposed pursuant to this subsection in Miami county is hereby declared valid. The countywide retailers' sales tax imposed pursuant to this subsection in Clay and Miami county may be extended or reenacted for additional five-year periods upon the board of county commissioners of Clay and Miami county submitting such question to the electors at an election called and held thereon for each additional five-year period as provided by law.

(8) The board of county commissioners of Sherman county may submit the question of imposing a countywide retailers' sales tax at the rate of 1% and pledging the revenue received therefrom for the purpose of financing the costs of street and roadway improvements to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized pursuant to this paragraph in the financing of such project.

(9) The board of county commissioners of Cowley, Crawford, Russell and Woodson county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% in the case of Crawford, Russell and Woodson county and at a rate of up to 0.25%, in the case of Cowley county and pledging the revenue received therefrom for the purpose of financing economic development initiatives or public infrastructure projects. The tax imposed pursuant to this paragraph shall expire after five years from the date such tax is first collected.

(10) The board of county commissioners of Franklin county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing recreational facilities. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such facilities.

(11) The board of county commissioners of Douglas county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purposes of conservation, access and management of open space; preservation of cultural heritage; and economic development projects and activities.

(12) The board of county commissioners of Shawnee county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom to the city of Topeka for the purpose of financing the costs of rebuilding the Topeka boulevard bridge and other public infrastructure improvements associated with such project to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such project.

(13) The board of county commissioners of Jackson county may submit the question of imposing a countywide retailers' sales tax at a rate of



0.4% and pledging the revenue received therefrom as follows: 50% of such revenues for the purpose of financing for economic development initiatives; and 50% of such revenues for the purpose of financing public infrastructure projects to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after seven years from the date such tax is first collected. The board of county commissioners of Jackson county may submit the question of imposing a countywide retailers' sales tax at a rate of 0.4% which such tax shall take effect after the expiration of the tax imposed pursuant to this paragraph prior to the effective date of this act, and pledging the revenue received therefrom for the purpose of financing public infrastructure projects to the electors at an election called and held thereon. Such tax shall expire after seven years from the date such tax is first collected.

(14) The board of county commissioners of Neosho county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of roadway construction and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized pursuant to this paragraph in the financing of such project.

(15) The board of county commissioners of Saline county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of construction and operation of an expo center to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after five years from the date such tax is first collected.

(16) The board of county commissioners of Harvey county may submit the question of imposing a countywide retailers' sales tax at the rate of 1.0% and pledging the revenue received therefrom for the purpose of financing the costs of property tax relief, economic development initiatives and public infrastructure improvements to the electors at an election called and held thereon.

(17) The board of county commissioners of Atchison county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing the costs of construction and maintenance of sports and recreational facilities to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such facilities.

(18) The board of county commissioners of Wabaunsee county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of bridge and roadway construction and improvement to the electors at an election called and held thereon. The tax im-

posed pursuant to this paragraph shall expire after 15 years from the date such tax is first collected.

(19) The board of county commissioners of Jefferson county may submit the question of imposing a countywide retailers' sales tax at the rate of 1% and pledging the revenue received therefrom for the purpose of financing the costs of roadway construction and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after six years from the date such tax is first collected. The countywide retailers' sales tax imposed pursuant to this paragraph may be extended or reenacted for additional six-year periods upon the board of county commissioners of Jefferson county submitting such question to the electors at an election called and held thereon for each additional six-year period as provided by law.

(20) The board of county commissioners of Riley county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 1% and pledging the revenue received therefrom for the purpose of financing the costs of bridge and roadway construction and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after five years from the date such tax is first collected.

(21) The board of county commissioners of Johnson county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing the construction and operation costs of public safety projects, including, but not limited to, a jail, detention center, sheriff's resource center, crime lab or other county administrative or operational facility dedicated to public safety, to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after 10 years from the date such tax is first collected. The countywide retailers' sales tax imposed pursuant to this subsection may be extended or reenacted for additional periods not exceeding 10 years upon the board of county commissioners of Johnson county submitting such question to the electors at an election called and held thereon for each additional ten-year period as provided by law.

(22) The board of county commissioners of Wilson county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 1% and pledging the revenue received therefrom for the purpose of financing the costs of roadway construction and improvements to federal highways, the development of a new industrial park and other public infrastructure improvements to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized pursuant to this paragraph in the financing of such project or projects.

(23) The board of county commissioners of Butler county may submit the question of imposing a countywide retailers' sales tax at the rate of

either 0.25%, 0.5%, 0.75% or 1% and pledging the revenue received therefrom for the purpose of financing the costs of public safety capital projects or bridge and roadway construction projects, or both, to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such projects.

(24) The board of county commissioners of Barton county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of roadway and bridge construction and improvement and infrastructure development and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after 10 years from the date such tax is first collected.

(25) The board of county commissioners of Jefferson county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing the costs of the county's obligation as participating employer to make employer contributions and other required contributions to the Kansas public employees retirement system for eligible employees of the county who are members of the Kansas police and firemen's retirement system, to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such purpose.

(26) The board of county commissioners of Pottawatomie county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of construction or remodeling of a courthouse, jail, law enforcement center facility or other county administrative facility, or public infrastructure improvements, or both, to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such project or projects.

(27) The board of county commissioners of Kingman county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25%, 0.5%, 0.75% or 1% and pledging the revenue received therefrom for the purpose of financing the costs of constructing and furnishing a law enforcement center and jail facility and the costs of roadway and bridge improvements to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire not later than 20 years from the date such tax is first collected.

(28) The board of county commissioners of Edwards county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.375% and pledging the revenue therefrom for the purpose of fi-

nancing the costs of economic development initiatives to the electors at an election called and held thereon.

(29) The board of county commissioners of Rooks county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue therefrom for the purpose of financing the costs of constructing or remodeling and furnishing a jail facility to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon the payment of all costs authorized in financing such project or projects.

(30) *The board of county commissioners of Douglas county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the construction or remodeling of a courthouse, jail, law enforcement center facility, detention facility or other county administrative facility, specifically including mental health and for the operation thereof.*

(31) *The board of county commissioners of Bourbon county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 1%, in increments of 0.05%, and pledging the revenue received therefrom for the purpose of financing the costs of constructing, furnishing and operating a courthouse, law enforcement center or jail facility improvements to the electors at an election called and held thereon.*

(c) The boards of county commissioners of any two or more contiguous counties, upon adoption of a joint resolution by such boards, may submit the question of imposing a retailers' sales tax within such counties to the electors of such counties at an election called and held thereon and such boards of any two or more contiguous counties shall be required to submit such question upon submission of a petition in each of such counties, signed by a number of electors of each of such counties where submitted equal in number to not less than 10% of the electors of each of such counties who voted at the last preceding general election for the office of secretary of state, or upon receiving resolutions requesting such an election passed by not less than  $\frac{2}{3}$  of the membership of the governing body of each of one or more cities within each of such counties which contains a population of not less than 25% of the entire population of each of such counties, or upon receiving resolutions requesting such an election passed by  $\frac{2}{3}$  of the membership of the governing body of each of one or more taxing subdivisions within each of such counties which levy not less than 25% of the property taxes levied by all taxing subdivisions within each of such counties.

(d) Any city retailers' sales tax being levied by a city prior to July 1, 2006, shall continue in effect until repealed in the manner provided herein for the adoption and approval of such tax or until repealed by the adoption of an ordinance for such repeal. Any countywide retailers' sales tax in the amount of 0.5% or 1% in effect on July 1, 1990, shall continue

in effect until repealed in the manner provided herein for the adoption and approval of such tax.

(e) Any city or county proposing to adopt a retailers' sales tax shall give notice of its intention to submit such proposition for approval by the electors in the manner required by K.S.A. 10-120, and amendments thereto. The notices shall state the time of the election and the rate and effective date of the proposed tax. If a majority of the electors voting thereon at such election fail to approve the proposition, such proposition may be resubmitted under the conditions and in the manner provided in this act for submission of the proposition. If a majority of the electors voting thereon at such election shall approve the levying of such tax, the governing body of any such city or county shall provide by ordinance or resolution, as the case may be, for the levy of the tax. Any repeal of such tax or any reduction or increase in the rate thereof, within the limits prescribed by K.S.A. 12-189, and amendments thereto, shall be accomplished in the manner provided herein for the adoption and approval of such tax except that the repeal of any such city retailers' sales tax may be accomplished by the adoption of an ordinance so providing.

(f) The sufficiency of the number of signers of any petition filed under this section shall be determined by the county election officer. Every election held under this act shall be conducted by the county election officer.

(g) The governing body of the city or county proposing to levy any retailers' sales tax shall specify the purpose or purposes for which the revenue would be used, and a statement generally describing such purpose or purposes shall be included as a part of the ballot proposition.

Sec. 14. K.S.A. 2014 Supp. 12-189 is hereby amended to read as follows: 12-189. The rate of any city retailers' sales tax shall be fixed in increments of 0.05% and in an amount not to exceed 2% for general purposes and not to exceed 1% for special purposes which shall be determined by the governing body of the city. For any retailers' sales tax imposed by a city for special purposes, such city shall specify the purposes for which such tax is imposed. All such special purpose retailers' sales taxes imposed by a city shall expire after 10 years from the date such tax is first collected. The rate of any countywide retailers' sales tax shall be fixed in an amount not to exceed 1% and shall be fixed in increments of 0.25%, and which amount shall be determined by the board of county commissioners, except that:

(a) The board of county commissioners of Wabaunsee county, for the purposes of ~~paragraph (2) of subsection (b) of~~ K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 1.25%; the board of county commissioners of Osage or Reno county, for the purposes of ~~paragraph (2) of subsection (b) of~~ K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 1.25% or 1.5%; the board of county commissioners

of Cherokee, Crawford, Ford, Saline, Seward, *Thomas* or Wyandotte county, for the purposes of ~~paragraph (2) of subsection (b)~~ of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 1.5%, the board of county commissioners of Atchison county, for the purposes of ~~paragraph (2) of subsection (b)~~ of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 1.5% or 1.75%; the board of county commissioners of Anderson, Barton, Jefferson or Ottawa county, for the purposes of ~~paragraph (2) of subsection (b)~~ of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 2%; the board of county commissioners of Marion county, for the purposes of ~~paragraph (2) of subsection (b)~~ of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 2.5%; the board of county commissioners of Franklin, Linn and Miami counties, for the purposes of ~~paragraph (2) of subsection (b)~~ of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at a percentage which is equal to the sum of the rate allowed to be imposed by the respective board of county commissioners on July 1, 2007, plus up to 1.0%; and the board of county commissioners of Brown county, for the purposes of ~~paragraph (2) of subsection (b)~~ of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at up to 2%;

(b) the board of county commissioners of Jackson county, for the purposes of ~~paragraph (3) of subsection (b)~~ of K.S.A. 12-187(b)(3), and amendments thereto, may fix such rate at 2%;

(c) the boards of county commissioners of Finney and Ford counties, for the purposes of ~~paragraph (4) of subsection (b)~~ of K.S.A. 12-187(b)(4), and amendments thereto, may fix such rate at 0.25%;

(d) the board of county commissioners of any county for the purposes of ~~paragraph (5) of subsection (b)~~ of K.S.A. 12-187(b)(5), and amendments thereto, may fix such rate at a percentage which is equal to the sum of the rate allowed to be imposed by a board of county commissioners on the effective date of this act plus 0.25%, 0.5%, 0.75% or 1%, as the case requires;

(e) the board of county commissioners of Dickinson county, for the purposes of ~~paragraph (7) of subsection (b)~~ of K.S.A. 12-187(b)(7), and amendments thereto, may fix such rate at 1.5%, and the board of county commissioners of Miami county, for the purposes of ~~paragraph (7) of subsection (b)~~ of K.S.A. 12-187(b)(7), and amendments thereto, may fix such rate at 1.25%, 1.5%, 1.75% or 2%;

(f) the board of county commissioners of Sherman county, for the purposes of ~~paragraph (8) of subsection (b)~~ of K.S.A. 12-187(b)(8), and amendments thereto, may fix such rate at 2.25%;

(g) the board of county commissioners of Crawford or Russell county for the purposes of ~~paragraph (9) of subsection (b)~~ of K.S.A. 12-187(b)(9), and amendments thereto, may fix such rate at 1.5%;

(h) the board of county commissioners of Franklin county, for the

purposes of ~~paragraph (10) of subsection (b) of K.S.A. 12-187(b)(10)~~, and amendments thereto, may fix such rate at 1.75%;

(i) the board of county commissioners of Douglas county, for the purposes of ~~paragraph (11) of subsection (b) of K.S.A. 12-187(b)(11) and (b)(30)~~, and amendments thereto, may fix such rate at ~~1.25%~~ 1.75%;

(j) the board of county commissioners of Jackson county, for the purposes of ~~subsection (b)(13) of K.S.A. 12-187(b)(13)~~, and amendments thereto, may fix such rate at 1.4%;

(k) the board of county commissioners of Sedgwick county, for the purposes of ~~paragraph (3)(C) of subsection (b) of K.S.A. 12-187(b)(3)(C)~~, and amendments thereto, may fix such rate at 2%;

(l) the board of county commissioners of Neosho county, for the purposes of ~~paragraph (14) of subsection (b) of K.S.A. 12-187(b)(14)~~, and amendments thereto, may fix such rate at 1.0% or 1.5%;

(m) the board of county commissioners of Saline county, for the purposes of ~~paragraph (15) of subsection (b) of K.S.A. 12-187(b)(15)~~, and amendments thereto, may fix such rate at up to 1.5%;

(n) the board of county commissioners of Harvey county, for the purposes of ~~paragraph (16) of subsection (b) of K.S.A. 12-187(b)(16)~~, and amendments thereto, may fix such rate at 2.0%;

(o) the board of county commissioners of Atchison county, for the purpose of ~~paragraph (17) of subsection (b) of K.S.A. 12-187(b)(17)~~, and amendments thereto, may fix such rate at a percentage which is equal to the sum of the rate allowed to be imposed by the board of county commissioners of Atchison county on the effective date of this act plus 0.25%;

(p) the board of county commissioners of Wabaunsee county, for the purpose of ~~paragraph (18) of subsection (b) of K.S.A. 12-187(b)(18)~~, and amendments thereto, may fix such rate at a percentage which is equal to the sum of the rate allowed to be imposed by the board of county commissioners of Wabaunsee county on July 1, 2007, plus 0.5%;

(q) the board of county commissioners of Jefferson county, for the purpose of ~~paragraphs (19) and (25) of subsection (b) of K.S.A. 12-187(b)(19) and (25)~~, and amendments thereto, may fix such rate at 2.25%;

(r) the board of county commissioners of Riley county, for the purpose of ~~paragraph (20) of subsection (b) of K.S.A. 12-187(b)(20)~~, and amendments thereto, may fix such rate at a percentage which is equal to the sum of the rate allowed to be imposed by the board of county commissioners of Riley county on July 1, 2007, plus up to 1%;

(s) the board of county commissioners of Johnson county for the purposes of ~~paragraph (21) of subsection (b) of K.S.A. 12-187(b)(21)~~, and amendments thereto, may fix such rate at a percentage which is equal to the sum of the rate allowed to be imposed by the board of county commissioners of Johnson county on July 1, 2007, plus 0.25%;

(t) the board of county commissioners of Wilson county for the pur-

poses of ~~paragraph (22) of subsection (b) of K.S.A. 12-187(b)(22)~~, and amendments thereto, may fix such rate at up to 2%;

(u) the board of county commissioners of Butler county for the purposes of ~~paragraph (23) of subsection (b) of K.S.A. 12-187(b)(23)~~, and amendments thereto, may fix such rate at a percentage which is equal to the sum of the rate otherwise allowed pursuant to this section, plus 0.25%, 0.5%, 0.75% or 1%;

(v) the board of county commissioners of Barton county, for the purposes of ~~paragraph (24) of subsection (b) of K.S.A. 12-187(b)(24)~~, and amendments thereto, may fix such rate at up to 1.5%;

(w) the board of county commissioners of Lyon county, for the purposes of ~~paragraph (3)(D) of subsection (b) of K.S.A. 12-187(b)(3)(D)~~, and amendments thereto, may fix such rate at 1.5%;

(x) the board of county commissioners of Rawlins county, for the purposes of ~~paragraph (3)(E) of subsection (b) of K.S.A. 12-187(b)(3)(E)~~, and amendments thereto, may fix such rate at 1.75%;

(y) the board of county commissioners of Chautauqua county, for the purposes of ~~paragraph (3)(F) of subsection (b) of K.S.A. 12-187(b)(3)(F)~~, and amendments thereto, may fix such rate at 2.0%;

(z) the board of county commissioners of Pottawatomie county, for the purposes of ~~paragraph (26) of subsection (b) of K.S.A. 12-187(b)(26)~~, and amendments thereto, may fix such rate at up to 1.5%;

(aa) the board of county commissioners of Kingman county, for the purposes of ~~paragraph (27) of subsection (b) of K.S.A. 12-187(b)(27)~~, and amendments thereto, may fix such rate at a percentage which is equal to the sum of the rate otherwise allowed pursuant to this section, plus 0.25%, 0.5%, 0.75%, or 1%;

(bb) the board of county commissioners of Edwards county, for the purposes of ~~paragraph (28) of subsection (b) of K.S.A. 12-187(b)(28)~~, and amendments thereto, may fix such rate at 1.375%; ~~and~~

(cc) the board of county commissioners of Rooks county, for the purposes of ~~paragraph (29) of subsection (b) of K.S.A. 12-187(b)(29)~~, and amendments thereto, may fix such rate at up to 1.5%; ~~and~~

(dd) *the board of county commissioners of Bourbon county, for the purposes of K.S.A. 12-187(b)(3)(G) and (b)(31), and amendments thereto, may fix such rate at up to 2.0%.*

Any county or city levying a retailers' sales tax is hereby prohibited from administering or collecting such tax locally, but shall utilize the services of the state department of revenue to administer, enforce and collect such tax. Except as otherwise specifically provided in K.S.A. 12-189a, and amendments thereto, such tax shall be identical in its application, and exemptions therefrom, to the Kansas retailers' sales tax act and all laws and administrative rules and regulations of the state department of revenue relating to the Kansas retailers' sales tax shall apply to such local sales tax insofar as such laws and rules and regulations may be made



applicable. The state director of taxation is hereby authorized to administer, enforce and collect such local sales taxes and to adopt such rules and regulations as may be necessary for the efficient and effective administration and enforcement thereof.

Upon receipt of a certified copy of an ordinance or resolution authorizing the levy of a local retailers' sales tax, the director of taxation shall cause such taxes to be collected within or without the boundaries of such taxing subdivision at the same time and in the same manner provided for the collection of the state retailers' sales tax. Such copy shall be submitted to the director of taxation within 30 days after adoption of any such ordinance or resolution. All moneys collected by the director of taxation under the provisions of this section shall be credited to a county and city retailers' sales tax fund which fund is hereby established in the state treasury, except that all moneys collected by the director of taxation pursuant to the authority granted in ~~paragraph (22) of subsection (b) of K.S.A. 12-187(b)(22)~~, and amendments thereto, shall be credited to the Wilson county capital improvements fund. Any refund due on any county or city retailers' sales tax collected pursuant to this act shall be paid out of the sales tax refund fund and reimbursed by the director of taxation from collections of local retailers' sales tax revenue. Except for local retailers' sales tax revenue required to be deposited in the redevelopment bond fund established under K.S.A. 74-8927, and amendments thereto, all local retailers' sales tax revenue collected within any county or city pursuant to this act shall be apportioned and remitted at least quarterly by the state treasurer, on instruction from the director of taxation, to the treasurer of such county or city.

Revenue that is received from the imposition of a local retailers' sales tax which exceeds the amount of revenue required to pay the costs of a special project for which such revenue was pledged shall be credited to the city or county general fund, as the case requires.

The director of taxation shall provide, upon request by a city or county clerk or treasurer or finance officer of any city or county levying a local retailers' sales tax, monthly reports identifying each retailer doing business in such city or county or making taxable sales sourced to such city or county, setting forth the tax liability and the amount of such tax remitted by each retailer during the preceding month and identifying each business location maintained by the retailer and such retailer's sales or use tax registration or account number. Such report shall be made available to the clerk or treasurer or finance officer of such city or county within a reasonable time after it has been requested from the director of taxation. The director of taxation shall be allowed to assess a reasonable fee for the issuance of such report. Information received by any city or county pursuant to this section shall be confidential, and it shall be unlawful for any officer or employee of such city or county to divulge any such information in any manner. Any violation of this paragraph by a city

or county officer or employee is a class A misdemeanor, and such officer or employee shall be dismissed from office. Reports of violations of this paragraph shall be investigated by the attorney general. The district attorney or county attorney and the attorney general shall have authority to prosecute violations of this paragraph.

Sec. 15. K.S.A. 2014 Supp. 12-192 is hereby amended to read as follows: 12-192. (a) Except as otherwise provided by subsection (b), (d) or (h), all revenue received by the director of taxation from a countywide retailers' sales tax shall be apportioned among the county and each city located in such county in the following manner: (1) One-half of all revenue received by the director of taxation shall be apportioned among the county and each city located in such county in the proportion that the total tangible property tax levies made in such county in the preceding year for all funds of each such governmental unit bear to the total of all such levies made in the preceding year; and (2) one-half of all revenue received by the director of taxation from such countywide retailers' sales tax shall be apportioned among the county and each city located in such county, first to the county that portion of the revenue equal to the proportion that the population of the county residing in the unincorporated area of the county bears to the total population of the county, and second to the cities in the proportion that the population of each city bears to the total population of the county, except that no persons residing within the Fort Riley military reservation shall be included in the determination of the population of any city located within Riley county. All revenue apportioned to a county shall be paid to its county treasurer and shall be credited to the general fund of the county.

(b) (1) In lieu of the apportionment formula provided in subsection (a), all revenue received by the director of taxation from a countywide retailers' sales tax imposed within Johnson county at the rate of 0.75%, 1% or 1.25% after July 1, 2007, shall be apportioned among the county and each city located in such county in the following manner: (A) The revenue received from the first 0.5% rate of tax shall be apportioned in the manner prescribed by subsection (a); and (B) the revenue received from the rate of tax exceeding 0.5% shall be apportioned as follows: (i) One-fourth shall be apportioned among the county and each city located in such county in the proportion that the total tangible property tax levies made in such county in the preceding year for all funds of each such governmental unit bear to the total of all such levies made in the preceding year; (ii) one-fourth shall be apportioned among the county and each city located in such county, first to the county that portion of the revenue equal to the proportion that the population of the county residing in the unincorporated area of the county bears to the total population of the county, and second to the cities in the proportion that the population of

each city bears to the total population of the county; and (iii) one-half shall be retained by the county for its sole use and benefit.

(2) In lieu of the apportionment formula provided in subsection (a), all money received by the director of taxation from a countywide sales tax imposed within Montgomery county pursuant to the election held on November 8, 1994, shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged. All revenue apportioned and paid from the imposition of such tax to the treasurer of any city prior to the effective date of this act shall be remitted to the county treasurer and expended only for the purpose for which the revenue received from the tax was pledged.

(3) In lieu of the apportionment formula provided in subsection (a), on and after the effective date of this act, all moneys received by the director of taxation from a countywide retailers' sales tax imposed within Phillips county pursuant to the election held on September 20, 2005, shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged.

(c) (1) Except as otherwise provided by paragraph (2) of this subsection, for purposes of subsections (a) and (b), the term "total tangible property tax levies" means the aggregate dollar amount of tax revenue derived from ad valorem tax levies applicable to all tangible property located within each such city or county. The ad valorem property tax levy of any county or city district entity or subdivision shall be included within this term if the levy of any such district entity or subdivision is applicable to all tangible property located within each such city or county.

(2) For the purposes of subsections (a) and (b), any ad valorem property tax levied on property located in a city in Johnson county for the purpose of providing fire protection service in such city shall be included within the term "total tangible property tax levies" for such city regardless of its applicability to all tangible property located within each such city. If the tax is levied by a district which extends across city boundaries, for purposes of this computation, the amount of such levy shall be apportioned among each city in which such district extends in the proportion that such tax levied within each city bears to the total tax levied by the district.

(d) (1) All revenue received from a countywide retailers' sales tax imposed pursuant to ~~paragraphs (2), (3)(C), (3)(F), (6), (7), (8), (9), (12), (14), (15), (16), (17), (18), (19), (20), (22), (23), (25), (27), (28) and (29) of subsection (b) of K.S.A. 12-187(b)(2), (3)(C), (3)(F), (3)(G), (6), (7), (8), (9), (12), (14), (15), (16), (17), (18), (19), (20), (22), (23), (25), (27), (28), (29), (30) and (31),~~ and amendments thereto, shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged.

(2) Except as otherwise provided in ~~paragraph (5) of subsection (b)~~

~~of K.S.A. 12-187(b)(5), and amendments thereto, all revenues received from a countywide retailers' sales tax imposed pursuant to paragraph (5) of subsection (b) of K.S.A. 12-187(b)(5), and amendments thereto, shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged.~~

(3) All revenue received from a countywide retailers' sales tax imposed pursuant to ~~paragraph (26) of subsection (b) of~~ K.S.A. 12-187(b)(26), and amendments thereto, shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged unless the question of imposing a countywide retailers' sales tax authorized by ~~paragraph (26) of subsection (b) of~~ K.S.A. 12-187(b)(26), and amendments thereto, includes the apportionment of revenue prescribed in subsection (a).

(e) All revenue apportioned to the several cities of the county shall be paid to the respective treasurers thereof and deposited in the general fund of the city. Whenever the territory of any city is located in two or more counties and any one or more of such counties do not levy a countywide retailers' sales tax, or whenever such counties do not levy countywide retailers' sales taxes at a uniform rate, the revenue received by such city from the proceeds of the countywide retailers' sales tax, as an alternative to depositing the same in the general fund, may be used for the purpose of reducing the tax levies of such city upon the taxable tangible property located within the county levying such countywide retailers' sales tax.

(f) Prior to March 1 of each year, the secretary of revenue shall advise each county treasurer of the revenue collected in such county from the state retailers' sales tax for the preceding calendar year.

(g) Prior to December 31 of each year, the clerk of every county imposing a countywide retailers' sales tax shall provide such information deemed necessary by the secretary of revenue to apportion and remit revenue to the counties and cities pursuant to this section.

(h) The provisions of subsections (a) and (b) for the apportionment of countywide retailers' sales tax shall not apply to any revenues received pursuant to a county or countywide retailers' sales tax levied or collected under K.S.A. 74-8929, and amendments thereto. All such revenue collected under K.S.A. 74-8929, and amendments thereto, shall be deposited into the redevelopment bond fund established by K.S.A. 74-8927, and amendments thereto, for the period of time set forth in K.S.A. 74-8927, and amendments thereto.

Sec. 16. K.S.A. 2014 Supp. 12-3915 is hereby amended to read as follows: 12-3915. The governing body of any fire district created pursuant to this act shall have the authority to:

(a) Levy taxes and special assessments as provided by law. Except as provided by K.S.A. 12-3913, and amendments thereto, the governing

body shall fix the amount of the tax, ~~not to exceed 15 mills~~, to be levied upon all taxable tangible property in the consolidated fire district;

- (b) enter into contracts;
- (c) acquire and dispose of real and personal property;
- (d) acquire, construct, reconstruct, equip, operate, maintain and furnish buildings to house fire-fighting equipment;
- (e) acquire, operate and maintain fire-fighting equipment;
- (f) issue general obligation bonds and no-fund warrants;
- (g) pay compensation and salaries to fire district employees;
- (h) exercise eminent domain;
- (i) pay the operation and maintenance expenses of the fire district and other expenses legally incurred by the district;
- (j) select regular employees, provide for their compensation and furnish quarters for such employees if deemed desirable;
- (k) provide for the organization of volunteer members who may be compensated for fighting fires, responding to emergencies or attending meetings;
- (l) provide special clothing and equipment for such employees and volunteers;
- (m) insure such employees and volunteers against accidental death and injury in the performance of their duties;
- (n) pay for the acquisition, installation or maintenance of one or more fire hydrants, or similar devices for fighting fires, including necessary equipment, services or supplies related thereto.

The acquisition, installation and maintenance shall be subject to the mutual agreement of the governing body of the fire district and the governing body of the rural water district which owns, operates or maintains the water line on which the fire hydrant, or other similar device for fighting fires, is to be installed; and

- (o) do all things necessary or desirable to maintain and operate such department so as to furnish fire protection for the inhabitants of the district and otherwise effectuate the purposes of this act.

Sec. 17. K.S.A. 2014 Supp. 12-5909 is hereby amended to read as follows: 12-5909. (a) Until sold or otherwise disposed of by the bank and except for special assessments levied by a municipality to finance public improvements, any property acquired by the bank shall be exempt from the payment of ad valorem taxes levied by the state and any other political or taxing subdivision of the state.

(b) Except for special assessments levied by a municipality to finance public improvements, when the board acquires property pursuant to this act, the county treasurer shall remove from the tax rolls all taxes, assessments, charges, penalties and interest that are due and payable on the property at the time of acquisition by the board.

- (c) Property held by the bank shall remain liable for special assess-

ments levied by a municipality to finance public improvements, but no payment thereof shall be required until such property is sold or otherwise conveyed by the bank.

(d) The governing body of any municipality which has levied special assessments on property acquired by the bank may abate part or all of the special assessments, and the bank and governing body may enter into agreements related thereto. Any special assessments that are abated shall be removed from the tax rolls by the county treasurer as of the effective date of the abatement.

*(e) The governing body of any municipality which has levied special assessments on property acquired by the bank may enter into an agreement with the bank to defer or reamortize part or all of the special assessments. The governing body of the municipality shall provide for such deferral or reamortization by passage of an ordinance, if a city, and by passage of a resolution by any other municipality. Any special assessments that are deferred or reamortized shall be corrected on the tax rolls by the county treasurer as of the effective date of the ordinance or resolution providing for such deferral or reamortization.*

Sec. 18. K.S.A. 19-26,111 is hereby amended to read as follows: 19-26,111. (a) Until sold or otherwise disposed of by the bank and except for special assessments levied by a municipality to finance public improvements, any property acquired by the bank shall be exempt from the payment of ad valorem taxes levied by the state and any other political or taxing subdivision of the state.

(b) Except for special assessments levied by a municipality to finance public improvements, when the board acquires property pursuant to this act, the county treasurer shall remove from the tax rolls all taxes, assessments, charges, penalties and interest that are due and payable on the property at the time of acquisition by the board.

(c) Property held by the bank shall remain liable for special assessments levied by a municipality to finance public improvements, but no payment thereof shall be required until such property is sold or otherwise conveyed by the bank.

(d) The governing body of any municipality which has levied special assessments on property acquired by the bank may abate part or all of the special assessments, and the bank and governing body may enter into agreements related thereto. Any special assessments that are abated shall be removed from the tax rolls by the county treasurer as of the effective date of the abatement.

*(e) The governing body of any municipality which has levied special assessments on property acquired by the bank may enter into an agreement with the bank to defer or reamortize part or all of the special assessments. The governing body of the municipality shall provide for such deferral or reamortization by passage of an ordinance, if a city, and by*

*passage of a resolution by any other municipality. Any special assessments that are deferred or reamortized shall be corrected on the tax rolls by the county treasurer as of the effective date of the ordinance or resolution providing for such deferral or reamortization.*

Sec. 19. K.S.A. 19-3610 is hereby amended to read as follows: 19-3610. ~~(a)~~ The board of county commissioners each year shall levy an ad valorem tax on the taxable tangible property within each fire district in the county organized by virtue of this act, including or excluding such property within any city in each district as the case may be, as is required by the budget of each district. All proceeds of such levy shall be used to carry out the powers, duties and functions of the governing body of the fire district as specified in K.S.A. 19-3601a, and amendments thereto. ~~Except as otherwise authorized by this section, the board of county commissioners shall not make a levy, in any year, in any fire district in excess of five mills upon the property in the district.~~ Whenever a fire district has contracted with any other fire district, city or township or private entity within the vicinity of the district to furnish fire protection to the district, the board may make a tax levy which produces a sum not exceeding the amount payable to the other fire district, city or township or private entity under such contract during the budget year for which the tax levy is made.

~~(b) The board of county commissioners of any county, when authorized by a majority of the electors of any fire district voting at an election called and held thereon, may levy a tax of more than five mills but not more than seven mills in any year upon the property within such district. Such election shall be a question submitted election and shall be called and held in the manner provided for the calling and holding of elections upon the question of issuance of bonds under the provisions of K.S.A. 10-120, and amendments thereto.~~

Sec. 20. K.S.A. 2014 Supp. 72-99a02, as amended by section 67 of 2015 House Substitute for Senate Bill No. 7, is hereby amended to read as follows: 72-99a02. As used in the tax credit for low income students scholarship program act:

(a) "Contributions" means monetary gifts or donations and in-kind contributions, gifts or donations that have an established market value.

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

(c) "Educational scholarship" means an amount not to exceed \$8,000 ~~per school year~~ provided to ~~an eligible student~~ *student, or to a qualified school with respect to an eligible student*, to cover all or a portion of the costs of *education including* tuition, fees and expenses of a qualified school and, if applicable, the costs of transportation to a qualified school if provided by such qualified school.

(d) "Eligible student" means a child who:

(1) (A) Qualifies as an at-risk pupil as defined in K.S.A. 72-6407, prior to its repeal, and who is attending a *public* school ~~that would qualify as~~

~~either a title I focus school or a title I priority school as described by the state board under the elementary and secondary education act flexibility waiver as amended in January 2013; or (B) has received~~ *been eligible to receive* an educational scholarship under this program and has not graduated from high school or reached 21 years of age;

(2) ~~resides in Kansas while receiving~~ *eligible for* an educational scholarship; and

(3) (A) was enrolled in any public school in the previous school year in which an educational scholarship is first sought for the child; or (B) is eligible to be enrolled in any public school in the school year in which an educational scholarship is first sought for the child and the child is under the age of six years.

(e) “Parent” includes a guardian, custodian or other person with authority to act on behalf of the child.

(f) “Program” means the tax credit for low income students scholarship program established in K.S.A. 2014 Supp. 72-99a01 through 72-99a07, and amendments thereto.

(g) “Public school” means a school that would qualify as either a title I focus school or a title I priority school as described by the state board under the elementary and secondary education act flexibility waiver as amended in January 2013 and is operated by a school district.

(h) “Qualified school” means any nonpublic school that provides education to elementary or secondary students, has notified the state board of its intention to participate in the program and complies with the requirements of the program.

(i) “Scholarship granting organization” means an organization that complies with the requirements of this program and provides educational scholarships ~~to eligible students attending or to qualified schools of their parents’ choice in which parents have enrolled eligible students.~~

(j) “School district” or “district” means any unified school district organized and operating under the laws of this state.

(k) “School year” shall have the meaning ascribed thereto in section 5 of 2015 House Substitute for Senate Bill No. 7, and amendments thereto.

(l) “Secretary” means the secretary of revenue.

(m) “State board” means the state board of education.

Sec. 21. K.S.A. 2014 Supp. 72-99a03 is hereby amended to read as follows: 72-99a03. (a) There is hereby established the tax credit for low income students scholarship program. The program shall provide eligible students with an opportunity to attend schools of their parents’ choice.

(b) Each scholarship granting organization shall issue a receipt, in a form prescribed by the secretary, to each contributing taxpayer indicating the value of the contribution received. Each taxpayer shall provide a copy of such receipt when claiming the tax credit established in K.S.A. 2014 Supp. 72-99a07, and amendments thereto.



(c) Prior to awarding an educational scholarship *with respect* to an eligible student, unless such student is under the age of six years, the scholarship granting organization shall receive written verification from the state board that such student is an eligible student under this program, provided the state board and the board of education of the school district in which the eligible student was enrolled the previous school year have received written consent from such eligible student's parent authorizing the release of such information.

(d) Upon receipt of information in accordance with ~~subsection (a)(2) of K.S.A. 2014 Supp. 72-99a04(a)(2)~~, and amendments thereto, the state board shall inform the scholarship granting organization ~~if such student has already been designated to receive~~ *whether* an educational scholarship *has been awarded* by another scholarship granting organization *with respect to the eligible student*.

(e) ~~In each school year, each eligible student under this program shall not receive no more than one \$8,000 in educational scholarship scholarships may be awarded~~ under this program *with respect to an eligible student*.

~~(f) An eligible student's participation in this program by receiving an educational scholarship constitutes a waiver to special education services provided by any school district, unless such school district agrees to provide such services to the qualified school.~~

Sec. 22. K.S.A. 2014 Supp. 72-99a04 is hereby amended to read as follows: 72-99a04. (a) To be eligible to participate in the program, a scholarship granting organization shall comply with the following:

(1) The scholarship granting organization shall notify the secretary and the state board of the scholarship granting organization's intent to provide educational scholarships ~~to students attending qualified schools;~~

(2) upon granting an educational scholarship ~~to an eligible student,~~ the scholarship granting organization shall report such information to the state board;

(3) the scholarship granting organization shall provide verification to the secretary that the scholarship granting organization is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986;

(4) upon receipt of contributions in an aggregate amount or value in excess of \$50,000 during a school year, a scholarship granting organization shall file with the state board either:

(A) A surety bond payable to the state in an amount equal to the aggregate amount of contributions expected to be received during the school year; or

(B) financial information demonstrating the scholarship granting organization's ability to pay an aggregate amount equal to the amount of

the contributions expected to be received during the school year, which must be reviewed and approved of in writing by the state board;

(5) scholarship granting organizations that provide other nonprofit services in addition to providing educational scholarships shall not commingle contributions made under the program with other contributions made to such organization. A scholarship granting organization under this subsection shall also file with the state board, prior to the commencement of each school year, either:

(A) A surety bond payable to the state in an amount equal to the aggregate amount of contributions expected to be received during the school year; or

(B) financial information demonstrating the nonprofit organization's ability to pay an aggregate amount equal to the amount of the contributions expected to be received during the school year, which must be reviewed and approved of in writing by the state board;

(6) ~~the scholarship granting organization shall ensure that each qualified school receiving educational scholarships from the scholarship granting organization~~ ~~is in~~ shall annually certify to the scholarship granting organization its compliance with the requirements of the program;

(7) at the end of the calendar year, the scholarship granting organization shall have its accounts examined and audited by a certified public accountant. Such audit shall include, but not be limited to, information verifying that the educational scholarships awarded by the scholarship granting organization were distributed to ~~the qualified schools with respect to~~ eligible students determined by the state board under ~~subsection (c) of K.S.A. 2014 Supp. 72-99a03(c), and amendments thereto, and information specified in this section.~~ Prior to filing a copy of the audit with the state board, such audit shall be duly verified and certified by a certified public accountant; and

(8) if a scholarship granting organization decides to limit the number or type of qualified schools who will receive educational scholarships, the scholarship granting organization shall provide, in writing, the name or names of those qualified schools to any contributor and the state board.

(b) No scholarship granting organization shall provide an educational scholarship ~~for~~ *with respect to* any eligible student to attend any qualified school with paid staff or paid board members, or relatives thereof, in common with the scholarship granting organization.

(c) The scholarship granting organization shall disburse not less than 90% of contributions received pursuant to the program ~~to eligible students~~ in the form of educational scholarships within 36 months of receipt of such contributions. If such contributions have not been disbursed within the applicable 36-month time period, then the scholarship granting organization shall not accept new contributions until 90% of the received contributions have been disbursed in the form of educational scholar-

ships. Any income earned from contributions must be disbursed in the form of educational scholarships.

(d) A scholarship granting organization may continue to provide an educational scholarship *with respect to an eligible student who received an educational scholarship under this program* ~~with respect to an eligible student who received an educational scholarship under this program~~ *who was an eligible student* in the year immediately preceding the current school year.

(e) A scholarship granting organization shall direct payments of ~~an educational scholarship~~ *scholarships* to the qualified school ~~on behalf of the eligible student~~ *attended by the eligible student or in which the eligible student is enrolled*. Payment ~~shall~~ *may* be made by check made payable to both the parent and the qualified school *or to only the qualified school*. If an eligible student transfers to a new qualified school during a school year, the scholarship granting organization shall direct payment in a prorated amount to the original qualified school and the new qualified school based on the eligible student's attendance. If the eligible student transfers to a public school and enrolls in such public school after September 20 of the current school year, the scholarship granting organization shall direct payment in a prorated amount to the original qualified school and the public school based on the eligible student's attendance. The prorated amount to the public school shall be considered a donation and shall be paid to the school district of such public school in accordance with K.S.A. 72-8210, and amendments thereto, ~~to provide for the education of such eligible student.~~

(f) By June 1 of each year, a scholarship granting organization shall submit a report to the state board for the educational scholarships provided in the immediately preceding 12 months. Such report shall be in a form and manner as prescribed by the state board, approved and signed by a certified public accountant, and shall contain the following information:

- (1) The name and address of the scholarship granting organization;
- (2) the name and address of each eligible student ~~receiving~~ *with respect to whom* an educational scholarship *was awarded* by the scholarship granting organization;
- (3) the total number and total dollar amount of contributions received during the 12-month reporting period; and
- (4) the total number and total dollar amount of educational scholarships awarded during the 12-month reporting period and the total number and total dollar amount of educational scholarships awarded during the 12-month reporting period *with respect to eligible students who qualified under subsection (d) of K.S.A. 2014 Supp. 72-99a02(d)*, and amendments thereto.

(g) No scholarship granting organization shall:

- (1) Provide an ~~eligible student with an~~ educational scholarship *with respect to an eligible student that is* established by funding from any contributions made by any relative of such eligible student; or

(2) accept a contribution from any source with the express or implied condition that such contribution be directed toward an educational scholarship for a particular eligible student.

Sec. 23. K.S.A. 2014 Supp. 74-50,208 is hereby amended to read as follows: 74-50,208. (a) A program contributor shall be allowed a credit against state income tax imposed under the Kansas income tax act in an amount not to exceed 75% of the contribution amount. If the amount of the credit allowed by this section exceeds the taxpayer's income tax liability imposed under the Kansas income tax act, such excess amount shall be refunded to the taxpayer. No credit pursuant to this section shall be allowed for any contribution made by a program contributor which also qualified for a community services tax credit pursuant to the provisions of K.S.A. 79-32,195 et seq., and amendments thereto.

(b) The administration of the community-based organization, with the cooperation of the participating financial institutions, shall submit the names of contributors and the total amount each contributor contributes to the individual development account reserve fund for the calendar year. The secretary of revenue shall determine the date by which such information shall be submitted to the department of revenue by the local administrator.

(c) The total tax credits authorized pursuant to this section shall not exceed \$500,000 in any fiscal year.

(d) The provisions of this section shall be applicable to all taxable years commencing after December 31, ~~2010~~ 2014.

~~(e) For tax year 2013 and all tax years thereafter, the income tax credit provided by this section shall only be available to taxpayers subject to the income tax on corporations imposed pursuant to subsection (c) of K.S.A. 79-32,110, and amendments thereto, and shall be applied only against such taxpayer's corporate income tax liability.~~

Sec. 24. K.S.A. 2014 Supp. 74-50,223 is hereby amended to read as follows: 74-50,223. (a) Any county that has been designated a rural opportunity zone pursuant to K.S.A. 74-50,222, and amendments thereto, may participate in the program provided in this section by authorizing such participation by the county commission of such county through a duly enacted written resolution. Such county shall provide a certified copy of such resolution to the secretary of commerce on or before January 1, 2012, for calendar year 2012, or on or before January 1 for each calendar year thereafter, in which a county chooses to participate. Such resolution shall obligate the county to participate in the program provided by this section for a period of five years, and shall be irrevocable. Such resolution shall specify the maximum amount of outstanding student loan balance for each resident individual to be repaid as provided in subsection (b), except the maximum amount of such balance shall be \$15,000.

(b) If a county submits a resolution as provided in subsection (a),

under the program provided in this section, subject to subsection (d), the state of Kansas and such county which chooses to participate as provided in subsection (a), shall agree to pay in equal shares the outstanding student loan balance of any resident individual who qualifies to have such individual's student loans repaid under the provisions of subsection (c) over a five-year period, except that the maximum amount of such balance shall be \$15,000. The amount of such repayment shall be equal to 20% of the outstanding student loan balance of the individual in a year over the five-year repayment period. The state of Kansas is not obligated to pay the student loan balance of any resident individual who qualifies pursuant to subsection (c) prior to the county submitting a resolution to the secretary pursuant to subsection (a). Each such county shall certify to the secretary that such county has made the payment required by this subsection.

(c) A resident individual shall be entitled to have such individual's outstanding student loan balance paid for attendance at an institution of higher education where such resident individual earned an associate, bachelor or post-graduate degree under the provisions of this section when such resident individual establishes domicile in a county designated as a rural opportunity zone which participates in the program as provided in subsection (a), on and after the date in which such county commenced such participation, and prior to July 1, ~~2016~~ 2021. Such resident individual may enroll in this program in a form and manner prescribed by the secretary. Subject to subsection (d), once enrolled such resident individual shall be entitled to full participation in the program for five years, except that if the resident individual relocates outside the rural opportunity zone for which the resident individual first qualified, such resident individual forfeits such individual's eligibility to participate, and obligations under this section of the state and the county terminate. No resident individual shall enroll and be eligible to participate in this program after June 30, ~~2016~~ 2021.

(d) The provisions of this act shall be subject to appropriation acts. Nothing in this act guarantees a resident individual a right to the benefits provided in this section. The county may continue to participate even if the state does not participate.

(e) The secretary shall adopt rules and regulations necessary to administer the provisions of this section.

(f) On January 1, 2012, and annually thereafter until January 1, ~~2017~~ 2022, the secretary of commerce shall report to the senate committee on assessment and taxation and the house of representatives committee on taxation as to how many residents applied for the rural opportunity zone tax credit.

Sec. 25. K.S.A. 2014 Supp. 79-32,110 is hereby amended to read as follows: 79-32,110.(a) *Resident Individuals*. Except as otherwise provided

by ~~subsection (a)~~ of K.S.A. 79-3220(a), and amendments thereto, a tax is hereby imposed upon the Kansas taxable income of every resident individual, which tax shall be computed in accordance with the following tax schedules:

(1) *Married individuals filing joint returns.*

(A) For tax year 2012:

If the taxable income is:	The tax is:
Not over \$30,000 .....	3.5% of Kansas taxable income
Over \$30,000 but not over \$60,000 .....	\$1,050 plus 6.25% of excess over \$30,000
Over \$60,000 .....	\$2,925 plus 6.45% of excess over \$60,000

(B) For tax year 2013:

If the taxable income is:	The tax is:
Not over \$30,000 .....	3.0% of Kansas taxable income
Over \$30,000 .....	\$900 plus 4.9% of excess over \$30,000

(C) For tax year 2014:

If the taxable income is:	The tax is:
Not over \$30,000 .....	2.7% of Kansas taxable income
Over \$30,000 .....	\$810 plus 4.8% of excess over \$30,000

(D) For tax ~~year~~ years 2015, 2016 and 2017:

If the taxable income is:	The tax is:
Not over \$30,000 .....	2.7% of Kansas taxable income
Over \$30,000 .....	\$810 plus 4.6% of excess over \$30,000

~~(E) For tax year 2016:~~

<del>If the taxable income is:</del>	<del>The tax is:</del>
<del>Not over \$30,000 .....</del>	<del>2.4% of Kansas taxable income</del>
<del>Over \$30,000 .....</del>	<del>\$720 plus 4.6% of excess over \$30,000</del>

~~(F) For tax year 2017:~~

<del>If the taxable income is:</del>	<del>The tax is:</del>
<del>Not over \$30,000 .....</del>	<del>2.3% of Kansas taxable income</del>
<del>Over \$30,000 .....</del>	<del>\$600 plus 4.6% of excess over \$30,000</del>

~~(G) (E)~~ For tax year 2018, and all tax years thereafter:

If the taxable income is:	The tax is:
Not over \$30,000 .....	<del>2.3%</del> 2.6% of Kansas taxable income

Over \$30,000 .....~~\$690~~ \$780 plus ~~3.9%~~ 4.6% of excess over \$30,000

(2) All other individuals.

(A) For tax year 2012:

If the taxable income is:	The tax is:
Not over \$15,000 .....	3.5% of Kansas taxable income
Over \$15,000 but not over \$30,000 .....	\$525 plus 6.25% of excess over \$15,000
Over \$30,000 .....	\$1,462.50 plus 6.45% of excess over \$30,000

(B) For tax year 2013:

If the taxable income is:	The tax is:
Not over \$15,000 .....	3.0% of Kansas taxable income
Over \$15,000 .....	\$450 plus 4.9% of excess over \$15,000

(C) For tax year 2014:

If the taxable income is:	The tax is:
Not over \$15,000 .....	2.7% of Kansas taxable income
Over \$15,000 .....	\$405 plus 4.8% of excess over \$15,000

(D) For tax ~~year~~ years 2015, 2016 and 2017:

If the taxable income is:	The tax is:
Not over \$15,000 .....	2.7% of Kansas taxable income
Over \$15,000 .....	\$405 plus 4.6% of excess over \$15,000

~~(E) For tax year 2016:~~

If the taxable income is:	The tax is:
Not over \$15,000 .....	<del>2.4%</del> of Kansas taxable income
Over \$15,000 .....	<del>\$360 plus 4.6%</del> of excess over \$15,000

~~(F) For tax year 2017:~~

If the taxable income is:	The tax is:
Not over \$15,000 .....	<del>2.3%</del> of Kansas taxable income
Over \$15,000 .....	<del>\$345 plus 4.6%</del> of excess over \$15,000

~~(G)~~ (E) For tax year 2018, and all tax years thereafter:

If the taxable income is:	The tax is:
Not over \$15,000 .....	<del>2.3%</del> 2.6% of Kansas taxable income
Over \$15,000 .....	<del>\$345</del> \$390 plus <del>3.9%</del> 4.6% of excess over \$15,000

(b) *Nonresident Individuals.* A tax is hereby imposed upon the Kansas taxable income of every nonresident individual, which tax shall be an amount equal to the tax computed under subsection (a) as if the nonresident were a resident multiplied by the ratio of modified Kansas source income to Kansas adjusted gross income.

(c) *Corporations.* A tax is hereby imposed upon the Kansas taxable income of every corporation doing business within this state or deriving income from sources within this state. Such tax shall consist of a normal tax and a surtax and shall be computed as follows:

(1) The normal tax shall be in an amount equal to 4% of the Kansas taxable income of such corporation; and

(2) (A) for tax year 2008, the surtax shall be in an amount equal to 3.1% of the Kansas taxable income of such corporation in excess of \$50,000;

(B) for tax years 2009 and 2010, the surtax shall be in an amount equal to 3.05% of the Kansas taxable income of such corporation in excess of \$50,000; and

(C) for tax year 2011, and all tax years thereafter, the surtax shall be in an amount equal to 3% of the Kansas taxable income of such corporation in excess of \$50,000.

(d) *Fiduciaries.* A tax is hereby imposed upon the Kansas taxable income of estates and trusts at the rates provided in ~~paragraph (2) of~~ subsection (a)(2) hereof.

(e) Tax rates provided in this section shall be adjusted pursuant to the provisions of K.S.A. 2014 Supp. 79-32,269, and amendments thereto.

Sec. 26. K.S.A. 2014 Supp. 79-32,120 is hereby amended to read as follows: 79-32,120. (a) (1) If federal taxable income of an individual is determined by itemizing deductions from such individual's federal adjusted gross income, such individual may elect to deduct the Kansas itemized deduction in lieu of the Kansas standard deduction.

(2) For the tax year commencing on January 1, 2013, the Kansas itemized deduction of an individual means 70% of the total amount of deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section.

(3) For the tax year commencing on January 1, 2014, the Kansas itemized deduction of an individual means 65% of the total amount of deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section.

(4) For the tax year ~~years~~ commencing on ~~and after~~ January 1, 2015, the Kansas itemized deduction of an individual means ~~60% of the total amount of~~ *following* deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the fed-



eral internal revenue code with the modifications specified in this section: (A) 100% of charitable contributions that qualify as charitable contributions allowable as deductions in section 170 of the federal internal revenue code; (B) 50% of the amount of qualified residence interest as provided in section 163(h) of the federal internal revenue code; and (C) 50% of the amount of taxes on real and personal property as provided in section 164(a) of the federal internal revenue code.

~~(5) For the tax year commencing on January 1, 2016, the Kansas itemized deduction of an individual means 55% of the total amount of deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section.~~

~~(6) For tax years commencing on and after January 1, 2017, the Kansas itemized deduction of an individual means 50% of the total amount of deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section.~~

(b) The total amount of deductions from federal adjusted gross income shall be reduced by the total amount of income taxes imposed by or paid to this state or any other taxing jurisdiction to the extent that the same are deducted in determining the federal itemized deductions and by the amount of all depreciation deductions claimed for any real or tangible personal property upon which the deduction allowed by K.S.A. 2014 Supp. 79-32,221, 79-32,227, 79-32,232, 79-32,237, 79-32,249, 79-32,250, 79-32,255 or 79-32,256, and amendments thereto, is or has been claimed.

~~(c) The provisions of this section that provide for a reduction in the total amount of deductions from federal adjusted gross income shall not apply to contributions that qualify as charitable contributions allowable as deductions in section 170 of the federal internal revenue code, and amendments thereto.~~

~~(d) Notwithstanding any provision of this section to the contrary, for taxable years commencing after January 1, 2013, the total amount of deductions from federal adjusted gross income shall be reduced by the total amount of wagering losses claimed as an itemized deduction in section 165(d) of the federal internal revenue code, and amendments thereto.~~

Sec. 27. K.S.A. 2014 Supp. 79-32,267 is hereby amended to read as follows: 79-32,267. (a) For taxable years commencing after December 31, 2011, and before January 1, ~~2017~~ 2022, there shall be allowed as a credit against the tax liability of a resident individual taxpayer an amount equal to the resident individual's income tax liability under the provisions of the Kansas income tax act, when the resident individual:

(1) Establishes domicile in a rural opportunity zone on or after July 1, 2011, and prior to January 1, ~~2016~~ 2021, and was domiciled outside

this state for five or more years immediately prior to establishing their domicile in a rural opportunity zone in this state;

(2) had Kansas source income less than \$10,000 in any one year for five or more years immediately prior to establishing their domicile in a rural opportunity zone in this state; and

(3) was domiciled in a rural opportunity zone during the entire taxable year for which such credit is claimed.

(b) A resident individual may claim the credit authorized by this section for not more than five consecutive years following establishment of their domicile in a rural opportunity zone.

(c) The maximum amount of any refund under this section shall be equal to the amount withheld from the resident individual's wages or payments other than wages pursuant to K.S.A. 79-3294 et seq., and amendments thereto, or paid by the resident individual as estimated taxes pursuant to K.S.A. 79-32,101 et seq., and amendments thereto.

(d) No credit shall be allowed under this section if:

(1) The resident individual's income tax return on which the credit is claimed is not timely filed, including any extension; or

(2) the resident individual is delinquent in filing any return with, or paying any tax due to, the state of Kansas or any political subdivision thereof.

(e) This section shall be part of and supplemental to the Kansas income tax act.

Sec. 28. K.S.A. 2014 Supp. 79-32,269 is hereby amended to read as follows: 79-32,269. (a) (1) (A) Except as provided in subsection (a)(2), commencing with fiscal year ~~2018~~ 2020, in any fiscal year in which the amount of selected actual state general fund receipts *less: (i) Increases in payments to the Kansas public employees retirement system required pursuant to K.S.A. 74-4914d, 74-4920, 74-4939 and 74-4967, and amendments thereto, or any other statute; and (ii) increases in the costs of the medicaid program* from such fiscal year exceeds the selected actual state general fund receipts for the immediately preceding fiscal year by more than ~~2%~~ 3%, the director of legislative research shall certify such excess amount, *in dollars*, to the secretary of revenue and the director of the budget. Upon receipt of such certified amount, the secretary shall compute the excess percentage increase in selected actual state general fund receipts above 2%. Based on such excess percentage of calculated receipt growth, the secretary shall compute the income tax rate reductions to go into effect for the next tax year that would reduce by such certified amount, *in dollars*, the tax rates during the fiscal year after the next fiscal next tax year according to the provisions of this section, as follows: (A) Rate reductions for individual income tax rates shall be applied to reduce the highest marginal income tax rate applicable to the current tax year, by such excess percentage minus 0.5%, and the lowest marginal income

~~tax rate applicable to the current tax year by such excess percentage plus 0.5%, except that in no case shall such excess percentage plus 0.5% result in an income tax rate increase. The secretary shall compute any income tax rate reductions so that any excess amount is applied such that an equal number of dollars are used to lower all individual income tax rates in K.S.A. 79-32,110, and amendments thereto. In any such computation by the secretary pursuant to this subsection: (i) the resulting income tax rate shall be rounded down to the nearest 0.1%, and (ii) in any case in which the income tax rate for any individual marginal income tax rate is below 0.4%, such rate shall be 0% 0.01%. Based on all such determinations, the secretary shall reduce individual income tax rates prescribed by K.S.A. 79-32,110, and amendments thereto, as required by this section;~~

(B) ~~upon all individual marginal income tax rates being reduced to 0% pursuant to the provisions of subsection (a)(1)(A), rate reduction next shall be applied for the surtax on corporations applicable to the current tax year by such excess percentage amount. In any such computation by the secretary pursuant to this subsection in which the surtax is below 0.4%, such surtax rate shall be 0%. Based on such determination, the secretary shall reduce the surtax on corporations prescribed by K.S.A. 79-32,110, and amendments thereto, as required by this section; and~~

(C) ~~upon the surtax on corporations being reduced to a rate which when combined with the normal tax rate on corporations is equal to or below the combined surtax and normal tax imposed on national banking associations and state banks or is equal to or below the combined surtax and normal tax imposed on trust companies and savings and loan associations, rate reductions shall be proportionately applied for the tax on corporations, the tax on national banking associations and state banks, and the tax on trust companies and savings and loan associations. Such rate reductions shall be first applied to the surtax until reduced to 0% and then applied to the normal tax for each such tax. In any such computation by the secretary pursuant to this subsection in which any such tax is below 0.4%, such tax rate shall be 0%. Based on such determination, the secretary shall reduce the surtax and the normal tax on corporations prescribed by K.S.A. 79-32,110, and amendments thereto, the surtax and normal tax on national banking associations and state banks prescribed by K.S.A. 79-1107, and amendments thereto, and the surtax and normal tax on trust companies and savings and loan associations prescribed by K.S.A. 79-1108, and amendments thereto, as required by this section.~~

(2) In any fiscal year in which the amount of selected actual state general fund receipts *less: (A) Increases in payments to the Kansas public employees retirement system required pursuant to K.S.A. 74-4914d, 74-4920, 74-4939 and 74-4967, and amendments thereto, or any other statute; and (B) increases in the costs of the medicaid program* for such fiscal year are ~~102%~~ 103% or less than the selected actual state general fund receipts from the immediately preceding fiscal year, the director of leg-

islative research shall certify such amount and fact to the secretary of revenue and the director of the budget. Upon receipt of such amount and fact, the secretary of revenue shall not make any adjustment to the income tax rates for that tax year.

(b) The secretary of revenue shall report any reduction in income tax rates prescribed by this section to the chairperson of the assessment and taxation committee of the senate, the chairperson of the taxation committee of the house of representatives and the governor, and shall cause notice of any such reduction to be published in the Kansas register prior to September 15 of the calendar year immediately preceding the tax year in which such reduction takes effect.

(c) As used in this section, "selected actual state general fund receipts" means receipts from the following taxes and fees: Individual and corporation income taxes imposed under K.S.A. 79-32,110, and amendments thereto, financial institutions privilege taxes imposed under article 11 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, retail sales taxes imposed under K.S.A. 79-3601 et seq., and amendments thereto, compensating use taxes imposed under K.S.A. 79-3701 et seq., and amendments thereto, cigarette and tobacco product taxes imposed under K.S.A. 79-3301 et seq., and amendments thereto, cereal malt beverage and liquor gallonage taxes imposed under K.S.A. 41-501 et seq., and amendments thereto, liquor enforcement taxes imposed under K.S.A. 79-4101 et seq., and amendments thereto, liquor drink taxes imposed under K.S.A. 79-41a01 et seq., and amendments thereto, corporation franchise taxes imposed under K.S.A. 79-5401, and amendments thereto, annual franchise fees charged pursuant to law and mineral severance taxes imposed under K.S.A. 79-4216 et seq., and amendments thereto.

Sec. 29. K.S.A. 2014 Supp. 79-3310 is hereby amended to read as follows: 79-3310. There is imposed a tax upon all cigarettes sold, distributed or given away within the state of Kansas. ~~On and after July 1, 2002, and before January 1, 2003, the rate of such tax shall be \$.70 on each 20 cigarettes or fractional part thereof or \$.875 on each 25 cigarettes, as the case requires. On and after January 1, 2003~~ *July 1, 2015*, the rate of such tax shall be ~~\$.79~~ *\$1.29* on each 20 cigarettes or fractional part thereof or ~~\$.99~~ *\$1.61* on each 25 cigarettes, as the case requires. Such tax shall be collected and paid to the director as provided in this act. Such tax shall be paid only once and shall be paid by the wholesale dealer first receiving the cigarettes as herein provided.

The taxes imposed by this act are hereby levied upon all sales of cigarettes made to any department, institution or agency of the state of Kansas, and to the political subdivisions thereof and their departments, institutions and agencies.

Sec. 30. K.S.A. 2014 Supp. 79-3310c is hereby amended to read as

follows: 79-3310c. ~~(1) On or before July 30, 2002~~ *31, 2015*, each wholesale dealer, retail dealer and vending machine operator shall file a report with the director in such form as the director may prescribe showing cigarettes, cigarette stamps and meter imprints on hand at 12:01 a.m. on July 1, ~~2002~~ *2015*. A tax of ~~\$.46~~ *\$.50* on each 20 cigarettes or fractional part thereof or ~~\$.575~~ *\$.62* on each 25 cigarettes, as the case requires and ~~\$.46 or \$.575~~ *\$.50 or \$.62*, as the case requires upon all tax stamps and all meter imprints purchased from the director and not affixed to cigarettes prior to July 1, ~~2002~~ *2015*, is hereby imposed and shall be due and payable ~~in equal installments on or before July 30, 2002, on or before September 30, 2002, and on or before December 30, 2002~~ *October 31, 2015*. The tax imposed upon such cigarettes, tax stamps and meter imprints shall be imposed only once under this act. The director shall remit all moneys collected pursuant to this section to the state treasurer who shall credit the entire amount thereof to the state general fund.

~~(2) On or before January 30, 2003, each wholesale dealer, retail dealer and vending machine operator shall file a report with the director in such form as the director may prescribe showing cigarettes, cigarette stamps and meter imprints on hand at 12:01 a.m. on January 1, 2003. A tax of \$.09 on each 20 cigarettes or fractional part thereof or \$.115 on each 25 cigarettes, as the case requires and \$.09 or \$.115, as the case requires upon all tax stamps and all meter imprints purchased from the director and not affixed to cigarettes prior to January 1, 2003, is hereby imposed and shall be due and payable in equal installments on or before January 30, 2003, on or before March 30, 2003, and on or before June 30, 2003. The tax imposed upon such cigarettes, tax stamps and meter imprints shall be imposed only once under this act. The director shall remit all moneys collected pursuant to this section to the state treasurer who shall credit the entire amount thereof to the state general fund.~~

Sec. 31. K.S.A. 2014 Supp. 79-3311 is hereby amended to read as follows: 79-3311. The director shall design and designate indicia of tax payment to be affixed to each package of cigarettes as provided by this act. The director shall sell water applied stamps only to licensed wholesale dealers in the amounts of 1,000 or multiples thereof. Stamps applied by the heat process shall be sold only in amounts of 30,000 or multiples thereof, except that such stamps which are suitable for packages containing 25 cigarettes each shall be sold in amounts prescribed by the director. Meter imprints shall be sold only in amounts of 10,000 or multiples thereof. Water applied stamps in amounts of 10,000 or multiples thereof and stamps applied by the heat process and meter imprints shall be supplied to wholesale dealers at a discount of ~~.90% on and after July 1, 2002, and before January 1, 2003, and .80%~~ *0.55% on and after July 1, 2015, and* thereafter, from the face value thereof, and shall be deducted at the time of purchase or from the remittance therefor as hereinafter provided.

Any wholesale cigarette dealer who shall file with the director a bond, of acceptable form, payable to the state of Kansas with a corporate surety authorized to do business in Kansas, shall be permitted to purchase stamps, and remit therefor to the director within 30 days after each such purchase, up to a maximum outstanding at any one time of 85% of the amount of the bond. Failure on the part of any wholesale dealer to remit as herein specified shall be cause for forfeiture of such dealer's bond. All revenue received from the sale of such stamps or meter imprints shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury. The state treasurer shall first credit such amount as the director shall order to the cigarette tax refund fund and shall credit the remaining balance to the state general fund. A refund fund designated the cigarette tax refund fund not to exceed \$10,000 at any time shall be set apart and maintained by the director from taxes collected under this act and held by the state treasurer for prompt payment of all refunds authorized by this act. Such cigarette tax refund fund shall be in such amount as the director shall determine is necessary to meet current refunding requirements under this act.

The wholesale cigarette dealer shall affix to each package of cigarettes stamps or tax meter imprints required by this act prior to the sale of cigarettes to any person, by such dealer or such dealer's agent or agents, within the state of Kansas. The director is empowered to authorize wholesale dealers to affix revenue tax meter imprints upon original packages of cigarettes and is charged with the duty of regulating the use of tax meters to secure payment of the proper taxes. No wholesale dealer shall affix revenue tax meter imprints to original packages of cigarettes without first having obtained permission from the director to employ this method of affixation. If the director approves the wholesale dealer's application for permission to affix revenue tax meter imprints to original packages of cigarettes, the director shall require such dealer to file a suitable bond payable to the state of Kansas executed by a corporate surety authorized to do business in Kansas. The director may, to assure the proper collection of taxes imposed by the act, revoke or suspend the privilege of imprinting tax meter imprints upon original packages of cigarettes. All meters shall be under the direct control of the director, and all transfer assignments or anything pertaining thereto must first be authorized by the director. All inks used in the stamping of cigarettes must be of a special type devised for use in connection with the machine employed and approved by the director. All repairs to the meter are strictly prohibited except by a duly authorized representative of the director. Requests for service shall be directed to the director. Meter machine ink imprints on all packages shall be clear and legible. If a wholesale dealer continuously issues illeg-

ible cigarette tax meter imprints, it shall be considered sufficient cause for revocation of such dealer's permit to use a cigarette tax meter.

A licensed wholesale dealer may, for the purpose of sale in another state, transport cigarettes not bearing Kansas indicia of tax payment through the state of Kansas provided such cigarettes are contained in sealed and original cartons.

Sec. 32. K.S.A. 2014 Supp. 79-3312 is hereby amended to read as follows: 79-3312. The director shall redeem any unused stamps or meter imprints that any wholesale dealer presents for redemption within six months after the purchase thereof, at the face value less ~~90% on and after July 1, 2002, and before January 1, 2003, and .80% thereafter~~ 0.55% thereof if such stamps or meter imprints have been purchased from the director. The director shall prepare a voucher showing the net amount of such refund due, and the director of accounts and reports shall draw a warrant on the state treasurer for the same. Wholesale dealers shall be entitled to a refund of the tax paid on cigarettes which have become unfit for sale upon proof thereof less ~~90% on and after July 1, 2002, and before January 1, 2003, and .80% thereafter~~ 0.55% of such tax.

Sec. 33. K.S.A. 2014 Supp. 79-3606 is hereby amended to read as follows: 79-3606. The following shall be exempt from the tax imposed by this act:

(a) All sales of motor-vehicle fuel or other articles upon which a sales or excise tax has been paid, not subject to refund, under the laws of this state except cigarettes *and electronic cigarettes* as defined by K.S.A. 79-3301, and amendments thereto, *including consumable material for such electronic cigarettes*, cereal malt beverages and malt products as defined by K.S.A. 79-3817, and amendments thereto, including wort, liquid malt, malt syrup and malt extract, which is not subject to taxation under the provisions of K.S.A. 79-41a02, and amendments thereto, motor vehicles taxed pursuant to K.S.A. 79-5117, and amendments thereto, tires taxed pursuant to K.S.A. 65-3424d, and amendments thereto, drycleaning and laundry services taxed pursuant to K.S.A. 65-34,150, and amendments thereto, and gross receipts from regulated sports contests taxed pursuant to the Kansas professional regulated sports act, and amendments thereto;

(b) all sales of tangible personal property or service, including the renting and leasing of tangible personal property, purchased directly by the state of Kansas, a political subdivision thereof, other than a school or educational institution, or purchased by a public or private nonprofit hospital or public hospital authority or nonprofit blood, tissue or organ bank and used exclusively for state, political subdivision, hospital or public hospital authority or nonprofit blood, tissue or organ bank purposes, except when: (1) Such state, hospital or public hospital authority is engaged or proposes to engage in any business specifically taxable under the provisions of this act and such items of tangible personal property or service

are used or proposed to be used in such business; or (2) such political subdivision is engaged or proposes to engage in the business of furnishing gas, electricity or heat to others and such items of personal property or service are used or proposed to be used in such business;

(c) all sales of tangible personal property or services, including the renting and leasing of tangible personal property, purchased directly by a public or private elementary or secondary school or public or private nonprofit educational institution and used primarily by such school or institution for nonsectarian programs and activities provided or sponsored by such school or institution or in the erection, repair or enlargement of buildings to be used for such purposes. The exemption herein provided shall not apply to erection, construction, repair, enlargement or equipment of buildings used primarily for human habitation;

(d) all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any public or private nonprofit hospital or public hospital authority, public or private elementary or secondary school, a public or private nonprofit educational institution, state correctional institution including a privately constructed correctional institution contracted for state use and ownership, which would be exempt from taxation under the provisions of this act if purchased directly by such hospital or public hospital authority, school, educational institution or a state correctional institution; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any political subdivision of the state or district described in subsection (s), the total cost of which is paid from funds of such political subdivision or district and which would be exempt from taxation under the provisions of this act if purchased directly by such political subdivision or district. Nothing in this subsection or in the provisions of K.S.A. 12-3418, and amendments thereto, shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any political subdivision of the state or any such district. As used in this subsection, K.S.A. 12-3418 and 79-3640, and amendments thereto, "funds of a political subdivision" shall mean general tax revenues, the proceeds of any bonds and gifts or grants-in-aid. Gifts shall not mean funds used for the purpose of constructing, equipping, reconstructing, repairing, enlarging, furnishing or remodeling facilities which are to be leased to the donor. When any political subdivision of the state, district described in subsection (s), public or private nonprofit hospital or public hospital authority, public or private elementary or secondary school, public or private nonprofit educational institution, state correctional institution including a privately constructed correctional institution contracted



for state use and ownership shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the political subdivision, district described in subsection (s), hospital or public hospital authority, school, educational institution or department of corrections concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. As an alternative to the foregoing procedure, any such contracting entity may apply to the secretary of revenue for agent status for the sole purpose of issuing and furnishing project exemption certificates to contractors pursuant to rules and regulations adopted by the secretary establishing conditions and standards for the granting and maintaining of such status. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, the political subdivision, district described in subsection (s), hospital or public hospital authority, school, educational institution or the contractor contracting with the department of corrections for a correctional institution concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in ~~subsection (g) of~~ K.S.A. 79-3615(h), and amendments thereto;

(e) all sales of tangible personal property or services purchased by a contractor for the erection, repair or enlargement of buildings or other projects for the government of the United States, its agencies or instrumentalities, which would be exempt from taxation if purchased directly

by the government of the United States, its agencies or instrumentalities. When the government of the United States, its agencies or instrumentalities shall contract for the erection, repair, or enlargement of any building or other project, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the government of the United States, its agencies or instrumentalities concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. As an alternative to the foregoing procedure, any such contracting entity may apply to the secretary of revenue for agent status for the sole purpose of issuing and furnishing project exemption certificates to contractors pursuant to rules and regulations adopted by the secretary establishing conditions and standards for the granting and maintaining of such status. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in ~~subsection (g)~~ *subsection (h)* of K.S.A. 79-3615, and amendments thereto;

(f) tangible personal property purchased by a railroad or public utility for consumption or movement directly and immediately in interstate commerce;

(g) sales of aircraft including remanufactured and modified aircraft sold to persons using directly or through an authorized agent such aircraft as certified or licensed carriers of persons or property in interstate or foreign commerce under authority of the laws of the United States or any foreign government or sold to any foreign government or agency or instrumentality of such foreign government and all sales of aircraft for use outside of the United States and sales of aircraft repair, modification and replacement parts and sales of services employed in the remanufacture, modification and repair of aircraft;

(h) all rentals of nonsectarian textbooks by public or private elementary or secondary schools;

(i) the lease or rental of all films, records, tapes, or any type of sound or picture transcriptions used by motion picture exhibitors;

(j) meals served without charge or food used in the preparation of such meals to employees of any restaurant, eating house, dining car, hotel,

drugstore or other place where meals or drinks are regularly sold to the public if such employees' duties are related to the furnishing or sale of such meals or drinks;

(k) any motor vehicle, semitrailer or pole trailer, as such terms are defined by K.S.A. 8-126, and amendments thereto, or aircraft sold and delivered in this state to a bona fide resident of another state, which motor vehicle, semitrailer, pole trailer or aircraft is not to be registered or based in this state and which vehicle, semitrailer, pole trailer or aircraft will not remain in this state more than 10 days;

(l) all isolated or occasional sales of tangible personal property, services, substances or things, except isolated or occasional sale of motor vehicles specifically taxed under the provisions of ~~subsection (o)~~ of K.S.A. 79-3603(o), and amendments thereto;

(m) all sales of tangible personal property which become an ingredient or component part of tangible personal property or services produced, manufactured or compounded for ultimate sale at retail within or without the state of Kansas; and any such producer, manufacturer or compounder may obtain from the director of taxation and furnish to the supplier an exemption certificate number for tangible personal property for use as an ingredient or component part of the property or services produced, manufactured or compounded;

(n) all sales of tangible personal property which is consumed in the production, manufacture, processing, mining, drilling, refining or compounding of tangible personal property, the treating of by-products or wastes derived from any such production process, the providing of services or the irrigation of crops for ultimate sale at retail within or without the state of Kansas; and any purchaser of such property may obtain from the director of taxation and furnish to the supplier an exemption certificate number for tangible personal property for consumption in such production, manufacture, processing, mining, drilling, refining, compounding, treating, irrigation and in providing such services;

(o) all sales of animals, fowl and aquatic plants and animals, the primary purpose of which is use in agriculture or aquaculture, as defined in K.S.A. 47-1901, and amendments thereto, the production of food for human consumption, the production of animal, dairy, poultry or aquatic plant and animal products, fiber or fur, or the production of offspring for use for any such purpose or purposes;

(p) all sales of drugs dispensed pursuant to a prescription order by a licensed practitioner or a mid-level practitioner as defined by K.S.A. 65-1626, and amendments thereto. As used in this subsection, "drug" means a compound, substance or preparation and any component of a compound, substance or preparation, other than food and food ingredients, dietary supplements or alcoholic beverages, recognized in the official United States pharmacopoeia, official homeopathic pharmacopoeia of the United States or official national formulary, and supplement to any of

them, intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease or intended to affect the structure or any function of the body, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of drugs used in the performance or induction of an abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(q) all sales of insulin dispensed by a person licensed by the state board of pharmacy to a person for treatment of diabetes at the direction of a person licensed to practice medicine by the board of healing arts;

(r) all sales of oxygen delivery equipment, kidney dialysis equipment, enteral feeding systems, prosthetic devices and mobility enhancing equipment prescribed in writing by a person licensed to practice the healing arts, dentistry or optometry, and in addition to such sales, all sales of hearing aids, as defined by ~~subsection (e) of~~ K.S.A. 74-5807(c), and amendments thereto, and repair and replacement parts therefor, including batteries, by a person licensed in the practice of dispensing and fitting hearing aids pursuant to the provisions of K.S.A. 74-5808, and amendments thereto. For the purposes of this subsection: (1) "Mobility enhancing equipment" means equipment including repair and replacement parts to same, but does not include durable medical equipment, which is primarily and customarily used to provide or increase the ability to move from one place to another and which is appropriate for use either in a home or a motor vehicle; is not generally used by persons with normal mobility; and does not include any motor vehicle or equipment on a motor vehicle normally provided by a motor vehicle manufacturer; and (2) "prosthetic device" means a replacement, corrective or supportive device including repair and replacement parts for same worn on or in the body to artificially replace a missing portion of the body, prevent or correct physical deformity or malfunction or support a weak or deformed portion of the body;

(s) except as provided in K.S.A. 2014 Supp. 82a-2101, and amendments thereto, all sales of tangible personal property or services purchased directly or indirectly by a groundwater management district organized or operating under the authority of K.S.A. 82a-1020 et seq., and amendments thereto, by a rural water district organized or operating under the authority of K.S.A. 82a-612, and amendments thereto, or by a water supply district organized or operating under the authority of K.S.A. 19-3501 et seq., 19-3522 et seq., or 19-3545, and amendments thereto, which property or services are used in the construction activities, operation or maintenance of the district;

(t) all sales of farm machinery and equipment or aquaculture machinery and equipment, repair and replacement parts therefor and services performed in the repair and maintenance of such machinery and equipment. For the purposes of this subsection the term "farm machinery and equipment or aquaculture machinery and equipment" shall include

a work-site utility vehicle, as defined in K.S.A. 8-126, and amendments thereto, and is equipped with a bed or cargo box for hauling materials, and shall also include machinery and equipment used in the operation of Christmas tree farming but shall not include any passenger vehicle, truck, truck tractor, trailer, semitrailer or pole trailer, other than a farm trailer, as such terms are defined by K.S.A. 8-126, and amendments thereto. "Farm machinery and equipment" includes precision farming equipment that is portable or is installed or purchased to be installed on farm machinery and equipment. "Precision farming equipment" includes the following items used only in computer-assisted farming, ranching or aquaculture production operations: Soil testing sensors, yield monitors, computers, monitors, software, global positioning and mapping systems, guiding systems, modems, data communications equipment and any necessary mounting hardware, wiring and antennas. Each purchaser of farm machinery and equipment or aquaculture machinery and equipment exempted herein must certify in writing on the copy of the invoice or sales ticket to be retained by the seller that the farm machinery and equipment or aquaculture machinery and equipment purchased will be used only in farming, ranching or aquaculture production. Farming or ranching shall include the operation of a feedlot and farm and ranch work for hire and the operation of a nursery;

(u) all leases or rentals of tangible personal property used as a dwelling if such tangible personal property is leased or rented for a period of more than 28 consecutive days;

(v) all sales of tangible personal property to any contractor for use in preparing meals for delivery to homebound elderly persons over 60 years of age and to homebound disabled persons or to be served at a group-sitting at a location outside of the home to otherwise homebound elderly persons over 60 years of age and to otherwise homebound disabled persons, as all or part of any food service project funded in whole or in part by government or as part of a private nonprofit food service project available to all such elderly or disabled persons residing within an area of service designated by the private nonprofit organization, and all sales of tangible personal property for use in preparing meals for consumption by indigent or homeless individuals whether or not such meals are consumed at a place designated for such purpose, and all sales of food products by or on behalf of any such contractor or organization for any such purpose;

(w) all sales of natural gas, electricity, heat and water delivered through mains, lines or pipes: (1) To residential premises for noncommercial use by the occupant of such premises; (2) for agricultural use and also, for such use, all sales of propane gas; (3) for use in the severing of oil; and (4) to any property which is exempt from property taxation pursuant to K.S.A. 79-201b, *Second* through *Sixth*. As used in this paragraph, "severing" shall have the meaning ascribed thereto by ~~subsection (k) of~~ K.S.A. 79-4216(k), and amendments thereto. For all sales of natural gas,

electricity and heat delivered through mains, lines or pipes pursuant to the provisions of subsection (w)(1) and (w)(2), the provisions of this subsection shall expire on December 31, 2005;

(x) all sales of propane gas, LP-gas, coal, wood and other fuel sources for the production of heat or lighting for noncommercial use of an occupant of residential premises occurring prior to January 1, 2006;

(y) all sales of materials and services used in the repairing, servicing, altering, maintaining, manufacturing, remanufacturing, or modification of railroad rolling stock for use in interstate or foreign commerce under authority of the laws of the United States;

(z) all sales of tangible personal property and services purchased directly by a port authority or by a contractor therefor as provided by the provisions of K.S.A. 12-3418, and amendments thereto;

(aa) all sales of materials and services applied to equipment which is transported into the state from without the state for repair, service, alteration, maintenance, remanufacture or modification and which is subsequently transported outside the state for use in the transmission of liquids or natural gas by means of pipeline in interstate or foreign commerce under authority of the laws of the United States;

(bb) all sales of used mobile homes or manufactured homes. As used in this subsection: (1) "Mobile homes" and "manufactured homes" shall have the meanings ascribed thereto by K.S.A. 58-4202, and amendments thereto; and (2) "sales of used mobile homes or manufactured homes" means sales other than the original retail sale thereof;

(cc) all sales of tangible personal property or services purchased prior to January 1, 2012, except as otherwise provided, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business or retail business which meets the requirements established in K.S.A. 74-50,115, and amendments thereto, and the sale and installation of machinery and equipment purchased for installation at any such business or retail business, and all sales of tangible personal property or services purchased on or after January 1, 2012, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business which meets the requirements established in K.S.A. 74-50,115(e), and amendments thereto, and the sale and installation of machinery and equipment purchased for installation at any such business. When a person shall contract for the construction, reconstruction, enlargement or remodeling of any such business or retail business, such person shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the

owner of the business or retail business a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in ~~subsection (g) of K.S.A. 79-3615(h)~~, and amendments thereto. As used in this subsection, “business” and “retail business” have the meanings respectively ascribed thereto by K.S.A. 74-50,114, and amendments thereto. Project exemption certificates that have been previously issued under this subsection by the department of revenue pursuant to K.S.A. 74-50,115, and amendments thereto, but not including K.S.A. 74-50,115(e), and amendments thereto, prior to January 1, 2012, and have not expired will be effective for the term of the project or two years from the effective date of the certificate, whichever occurs earlier. Project exemption certificates that are submitted to the department of revenue prior to January 1, 2012, and are found to qualify will be issued a project exemption certificate that will be effective for a two-year period or for the term of the project, whichever occurs earlier;

(dd) all sales of tangible personal property purchased with food stamps issued by the United States department of agriculture;

(ee) all sales of lottery tickets and shares made as part of a lottery operated by the state of Kansas;

(ff) on and after July 1, 1988, all sales of new mobile homes or manufactured homes to the extent of 40% of the gross receipts, determined without regard to any trade-in allowance, received from such sale. As used in this subsection, “mobile homes” and “manufactured homes” shall have the meanings ascribed thereto by K.S.A. 58-4202, and amendments thereto;

(gg) all sales of tangible personal property purchased in accordance with vouchers issued pursuant to the federal special supplemental food program for women, infants and children;

(hh) all sales of medical supplies and equipment, including durable medical equipment, purchased directly by a nonprofit skilled nursing home or nonprofit intermediate nursing care home, as defined by K.S.A. 39-923, and amendments thereto, for the purpose of providing medical services to residents thereof. This exemption shall not apply to tangible personal property customarily used for human habitation purposes. As used in this subsection, “durable medical equipment” means equipment including repair and replacement parts for such equipment, which can

withstand repeated use, is primarily and customarily used to serve a medical purpose, generally is not useful to a person in the absence of illness or injury and is not worn in or on the body, but does not include mobility enhancing equipment as defined in subsection (r), oxygen delivery equipment, kidney dialysis equipment or enteral feeding systems;

(ii) all sales of tangible personal property purchased directly by a non-profit organization for nonsectarian comprehensive multidiscipline youth development programs and activities provided or sponsored by such organization, and all sales of tangible personal property by or on behalf of any such organization. This exemption shall not apply to tangible personal property customarily used for human habitation purposes;

(jj) all sales of tangible personal property or services, including the renting and leasing of tangible personal property, purchased directly on behalf of a community-based facility for people with intellectual disability or mental health center organized pursuant to K.S.A. 19-4001 et seq., and amendments thereto, and licensed in accordance with the provisions of K.S.A. 75-3307b, and amendments thereto, and all sales of tangible personal property or services purchased by contractors during the time period from July, 2003, through June, 2006, for the purpose of constructing, equipping, maintaining or furnishing a new facility for a community-based facility for people with intellectual disability or mental health center located in Riverton, Cherokee County, Kansas, which would have been eligible for sales tax exemption pursuant to this subsection if purchased directly by such facility or center. This exemption shall not apply to tangible personal property customarily used for human habitation purposes;

(kk) (1) (A) all sales of machinery and equipment which are used in this state as an integral or essential part of an integrated production operation by a manufacturing or processing plant or facility;

(B) all sales of installation, repair and maintenance services performed on such machinery and equipment; and

(C) all sales of repair and replacement parts and accessories purchased for such machinery and equipment.

(2) For purposes of this subsection:

(A) "Integrated production operation" means an integrated series of operations engaged in at a manufacturing or processing plant or facility to process, transform or convert tangible personal property by physical, chemical or other means into a different form, composition or character from that in which it originally existed. Integrated production operations shall include: (i) Production line operations, including packaging operations; (ii) preproduction operations to handle, store and treat raw materials; (iii) post production handling, storage, warehousing and distribution operations; and (iv) waste, pollution and environmental control operations, if any;

(B) "production line" means the assemblage of machinery and equip-



ment at a manufacturing or processing plant or facility where the actual transformation or processing of tangible personal property occurs;

(C) “manufacturing or processing plant or facility” means a single, fixed location owned or controlled by a manufacturing or processing business that consists of one or more structures or buildings in a contiguous area where integrated production operations are conducted to manufacture or process tangible personal property to be ultimately sold at retail. Such term shall not include any facility primarily operated for the purpose of conveying or assisting in the conveyance of natural gas, electricity, oil or water. A business may operate one or more manufacturing or processing plants or facilities at different locations to manufacture or process a single product of tangible personal property to be ultimately sold at retail;

(D) “manufacturing or processing business” means a business that utilizes an integrated production operation to manufacture, process, fabricate, finish, or assemble items for wholesale and retail distribution as part of what is commonly regarded by the general public as an industrial manufacturing or processing operation or an agricultural commodity processing operation. (i) Industrial manufacturing or processing operations include, by way of illustration but not of limitation, the fabrication of automobiles, airplanes, machinery or transportation equipment, the fabrication of metal, plastic, wood, or paper products, electricity power generation, water treatment, petroleum refining, chemical production, wholesale bottling, newspaper printing, ready mixed concrete production, and the remanufacturing of used parts for wholesale or retail sale. Such processing operations shall include operations at an oil well, gas well, mine or other excavation site where the oil, gas, minerals, coal, clay, stone, sand or gravel that has been extracted from the earth is cleaned, separated, crushed, ground, milled, screened, washed, or otherwise treated or prepared before its transmission to a refinery or before any other wholesale or retail distribution. (ii) Agricultural commodity processing operations include, by way of illustration but not of limitation, meat packing, poultry slaughtering and dressing, processing and packaging farm and dairy products in sealed containers for wholesale and retail distribution, feed grinding, grain milling, frozen food processing, and grain handling, cleaning, blending, fumigation, drying and aeration operations engaged in by grain elevators or other grain storage facilities. (iii) Manufacturing or processing businesses do not include, by way of illustration but not of limitation, nonindustrial businesses whose operations are primarily retail and that produce or process tangible personal property as an incidental part of conducting the retail business, such as retailers who bake, cook or prepare food products in the regular course of their retail trade, grocery stores, meat lockers and meat markets that butcher or dress livestock or poultry in the regular course of their retail trade, contractors who alter, service,

repair or improve real property, and retail businesses that clean, service or refurbish and repair tangible personal property for its owner;

(E) “repair and replacement parts and accessories” means all parts and accessories for exempt machinery and equipment, including, but not limited to, dies, jigs, molds, patterns and safety devices that are attached to exempt machinery or that are otherwise used in production, and parts and accessories that require periodic replacement such as belts, drill bits, grinding wheels, grinding balls, cutting bars, saws, refractory brick and other refractory items for exempt kiln equipment used in production operations;

(F) “primary” or “primarily” mean more than 50% of the time.

(3) For purposes of this subsection, machinery and equipment shall be deemed to be used as an integral or essential part of an integrated production operation when used:

(A) To receive, transport, convey, handle, treat or store raw materials in preparation of its placement on the production line;

(B) to transport, convey, handle or store the property undergoing manufacturing or processing at any point from the beginning of the production line through any warehousing or distribution operation of the final product that occurs at the plant or facility;

(C) to act upon, effect, promote or otherwise facilitate a physical change to the property undergoing manufacturing or processing;

(D) to guide, control or direct the movement of property undergoing manufacturing or processing;

(E) to test or measure raw materials, the property undergoing manufacturing or processing or the finished product, as a necessary part of the manufacturer’s integrated production operations;

(F) to plan, manage, control or record the receipt and flow of inventories of raw materials, consumables and component parts, the flow of the property undergoing manufacturing or processing and the management of inventories of the finished product;

(G) to produce energy for, lubricate, control the operating of or otherwise enable the functioning of other production machinery and equipment and the continuation of production operations;

(H) to package the property being manufactured or processed in a container or wrapping in which such property is normally sold or transported;

(I) to transmit or transport electricity, coke, gas, water, steam or similar substances used in production operations from the point of generation, if produced by the manufacturer or processor at the plant site, to that manufacturer’s production operation; or, if purchased or delivered from off-site, from the point where the substance enters the site of the plant or facility to that manufacturer’s production operations;

(J) to cool, heat, filter, refine or otherwise treat water, steam, acid, oil, solvents or other substances that are used in production operations;

(K) to provide and control an environment required to maintain certain levels of air quality, humidity or temperature in special and limited areas of the plant or facility, where such regulation of temperature or humidity is part of and essential to the production process;

(L) to treat, transport or store waste or other byproducts of production operations at the plant or facility; or

(M) to control pollution at the plant or facility where the pollution is produced by the manufacturing or processing operation.

(4) The following machinery, equipment and materials shall be deemed to be exempt even though it may not otherwise qualify as machinery and equipment used as an integral or essential part of an integrated production operation: (A) Computers and related peripheral equipment that are utilized by a manufacturing or processing business for engineering of the finished product or for research and development or product design; (B) machinery and equipment that is utilized by a manufacturing or processing business to manufacture or rebuild tangible personal property that is used in manufacturing or processing operations, including tools, dies, molds, forms and other parts of qualifying machinery and equipment; (C) portable plants for aggregate concrete, bulk cement and asphalt including cement mixing drums to be attached to a motor vehicle; (D) industrial fixtures, devices, support facilities and special foundations necessary for manufacturing and production operations, and materials and other tangible personal property sold for the purpose of fabricating such fixtures, devices, facilities and foundations. An exemption certificate for such purchases shall be signed by the manufacturer or processor. If the fabricator purchases such material, the fabricator shall also sign the exemption certificate; (E) a manufacturing or processing business' laboratory equipment that is not located at the plant or facility, but that would otherwise qualify for exemption under subsection (3)(E); (F) all machinery and equipment used in surface mining activities as described in K.S.A. 49-601 et seq., and amendments thereto, beginning from the time a reclamation plan is filed to the acceptance of the completed final site reclamation.

(5) "Machinery and equipment used as an integral or essential part of an integrated production operation" shall not include:

(A) Machinery and equipment used for nonproduction purposes, including, but not limited to, machinery and equipment used for plant security, fire prevention, first aid, accounting, administration, record keeping, advertising, marketing, sales or other related activities, plant cleaning, plant communications, and employee work scheduling;

(B) machinery, equipment and tools used primarily in maintaining and repairing any type of machinery and equipment or the building and plant;

(C) transportation, transmission and distribution equipment not primarily used in a production, warehousing or material handling operation

at the plant or facility, including the means of conveyance of natural gas, electricity, oil or water, and equipment related thereto, located outside the plant or facility;

(D) office machines and equipment including computers and related peripheral equipment not used directly and primarily to control or measure the manufacturing process;

(E) furniture and other furnishings;

(F) buildings, other than exempt machinery and equipment that is permanently affixed to or becomes a physical part of the building, and any other part of real estate that is not otherwise exempt;

(G) building fixtures that are not integral to the manufacturing operation, such as utility systems for heating, ventilation, air conditioning, communications, plumbing or electrical;

(H) machinery and equipment used for general plant heating, cooling and lighting;

(I) motor vehicles that are registered for operation on public highways; or

(J) employee apparel, except safety and protective apparel that is purchased by an employer and furnished gratuitously to employees who are involved in production or research activities.

(6) Subsections (3) and (5) shall not be construed as exclusive listings of the machinery and equipment that qualify or do not qualify as an integral or essential part of an integrated production operation. When machinery or equipment is used as an integral or essential part of production operations part of the time and for nonproduction purposes at other times, the primary use of the machinery or equipment shall determine whether or not such machinery or equipment qualifies for exemption.

(7) The secretary of revenue shall adopt rules and regulations necessary to administer the provisions of this subsection;

(ll) all sales of educational materials purchased for distribution to the public at no charge by a nonprofit corporation organized for the purpose of encouraging, fostering and conducting programs for the improvement of public health, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such materials purchased by a nonprofit corporation which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(mm) all sales of seeds and tree seedlings; fertilizers, insecticides, herbicides, germicides, pesticides and fungicides; and services, purchased and used for the purpose of producing plants in order to prevent soil erosion on land devoted to agricultural use;

(nn) except as otherwise provided in this act, all sales of services rendered by an advertising agency or licensed broadcast station or any member, agent or employee thereof;

(oo) all sales of tangible personal property purchased by a community

action group or agency for the exclusive purpose of repairing or weatherizing housing occupied by low income individuals;

(pp) all sales of drill bits and explosives actually utilized in the exploration and production of oil or gas;

(qq) all sales of tangible personal property and services purchased by a nonprofit museum or historical society or any combination thereof, including a nonprofit organization which is organized for the purpose of stimulating public interest in the exploration of space by providing educational information, exhibits and experiences, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986;

(rr) all sales of tangible personal property which will admit the purchaser thereof to any annual event sponsored by a nonprofit organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such tangible personal property purchased by a nonprofit organization which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(ss) all sales of tangible personal property and services purchased by a public broadcasting station licensed by the federal communications commission as a noncommercial educational television or radio station;

(tt) all sales of tangible personal property and services purchased by or on behalf of a not-for-profit corporation which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the sole purpose of constructing a Kansas Korean War memorial;

(uu) all sales of tangible personal property and services purchased by or on behalf of any rural volunteer fire-fighting organization for use exclusively in the performance of its duties and functions;

(vv) all sales of tangible personal property purchased by any of the following organizations which are exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the following purposes, and all sales of any such property by or on behalf of any such organization for any such purpose:

(1) The American heart association, Kansas affiliate, inc. for the purposes of providing education, training, certification in emergency cardiac care, research and other related services to reduce disability and death from cardiovascular diseases and stroke;

(2) the Kansas alliance for the mentally ill, inc. for the purpose of advocacy for persons with mental illness and to education, research and support for their families;

(3) the Kansas mental illness awareness council for the purposes of advocacy for persons who are mentally ill and for education, research and support for them and their families;

(4) the American diabetes association Kansas affiliate, inc. for the purpose of eliminating diabetes through medical research, public education focusing on disease prevention and education, patient education including information on coping with diabetes, and professional education and training;

(5) the American lung association of Kansas, inc. for the purpose of eliminating all lung diseases through medical research, public education including information on coping with lung diseases, professional education and training related to lung disease and other related services to reduce the incidence of disability and death due to lung disease;

(6) the Kansas chapters of the Alzheimer's disease and related disorders association, inc. for the purpose of providing assistance and support to persons in Kansas with Alzheimer's disease, and their families and caregivers;

(7) the Kansas chapters of the Parkinson's disease association for the purpose of eliminating Parkinson's disease through medical research and public and professional education related to such disease;

(8) the national kidney foundation of Kansas and western Missouri for the purpose of eliminating kidney disease through medical research and public and private education related to such disease;

(9) the heartstrings community foundation for the purpose of providing training, employment and activities for adults with developmental disabilities;

(10) the cystic fibrosis foundation, heart of America chapter, for the purposes of assuring the development of the means to cure and control cystic fibrosis and improving the quality of life for those with the disease;

(11) the spina bifida association of Kansas for the purpose of providing financial, educational and practical aid to families and individuals with spina bifida. Such aid includes, but is not limited to, funding for medical devices, counseling and medical educational opportunities;

(12) the CHWC, Inc., for the purpose of rebuilding urban core neighborhoods through the construction of new homes, acquiring and renovating existing homes and other related activities, and promoting economic development in such neighborhoods;

(13) the cross-lines cooperative council for the purpose of providing social services to low income individuals and families;

(14) the dreams work, inc., for the purpose of providing young adult day services to individuals with developmental disabilities and assisting families in avoiding institutional or nursing home care for a developmentally disabled member of their family;

(15) the KSDS, Inc., for the purpose of promoting the independence and inclusion of people with disabilities as fully participating and contributing members of their communities and society through the training and providing of guide and service dogs to people with disabilities, and providing disability education and awareness to the general public;

(16) the lyme association of greater Kansas City, Inc., for the purpose of providing support to persons with lyme disease and public education relating to the prevention, treatment and cure of lyme disease;

(17) the dream factory, inc., for the purpose of granting the dreams of children with critical and chronic illnesses;

(18) the Ottawa Suzuki strings, inc., for the purpose of providing students and families with education and resources necessary to enable each child to develop fine character and musical ability to the fullest potential;

(19) the international association of lions clubs for the purpose of creating and fostering a spirit of understanding among all people for humanitarian needs by providing voluntary services through community involvement and international cooperation;

(20) the Johnson county young matrons, inc., for the purpose of promoting a positive future for members of the community through volunteerism, financial support and education through the efforts of an all volunteer organization;

(21) the American cancer society, inc., for the purpose of eliminating cancer as a major health problem by preventing cancer, saving lives and diminishing suffering from cancer, through research, education, advocacy and service;

(22) the community services of Shawnee, inc., for the purpose of providing food and clothing to those in need;

(23) the angel babies association, for the purpose of providing assistance, support and items of necessity to teenage mothers and their babies; and

(24) the Kansas fairgrounds foundation for the purpose of the preservation, renovation and beautification of the Kansas state fairgrounds;

(ww) all sales of tangible personal property purchased by the habitat for humanity for the exclusive use of being incorporated within a housing project constructed by such organization;

(xx) all sales of tangible personal property and services purchased by a nonprofit zoo which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, or on behalf of such zoo by an entity itself exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986 contracted with to operate such zoo and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any nonprofit zoo which would be exempt from taxation under the provisions of this section if purchased directly by such nonprofit zoo or the entity operating such zoo. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any nonprofit zoo. When any nonprofit zoo shall

contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the nonprofit zoo concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, the nonprofit zoo concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in ~~subsection (g)~~ of K.S.A. 79-3615(h), and amendments thereto;

(yy) all sales of tangible personal property and services purchased by a parent-teacher association or organization, and all sales of tangible personal property by or on behalf of such association or organization;

(zz) all sales of machinery and equipment purchased by over-the-air, free access radio or television station which is used directly and primarily for the purpose of producing a broadcast signal or is such that the failure of the machinery or equipment to operate would cause broadcasting to cease. For purposes of this subsection, machinery and equipment shall include, but not be limited to, that required by rules and regulations of the federal communications commission, and all sales of electricity which are essential or necessary for the purpose of producing a broadcast signal or is such that the failure of the electricity would cause broadcasting to cease;

(aaa) all sales of tangible personal property and services purchased by a religious organization which is exempt from federal income taxation



pursuant to section 501(c)(3) of the federal internal revenue code, and used exclusively for religious purposes, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization which would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in ~~subsection (g)~~ of K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after July 1, 1998, but prior to the effective date of this act upon the gross receipts received from any sale exempted by the amendatory provisions of this subsection shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms

furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(bbb) all sales of food for human consumption by an organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, pursuant to a food distribution program which offers such food at a price below cost in exchange for the performance of community service by the purchaser thereof;

(ccc) on and after July 1, 1999, all sales of tangible personal property and services purchased by a primary care clinic or health center the primary purpose of which is to provide services to medically underserved individuals and families, and which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such clinic or center which would be exempt from taxation under the provisions of this section if purchased directly by such clinic or center, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such tangible personal property and services purchased by a primary care clinic or health center which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such clinic or center. When any such clinic or center shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such clinic or center concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been

returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such clinic or center concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in ~~subsection (g)~~ of K.S.A. 79-3615(h), and amendments thereto;

(ddd) on and after January 1, 1999, and before January 1, 2000, all sales of materials and services purchased by any class II or III railroad as classified by the federal surface transportation board for the construction, renovation, repair or replacement of class II or III railroad track and facilities used directly in interstate commerce. In the event any such track or facility for which materials and services were purchased sales tax exempt is not operational for five years succeeding the allowance of such exemption, the total amount of sales tax which would have been payable except for the operation of this subsection shall be recouped in accordance with rules and regulations adopted for such purpose by the secretary of revenue;

(eee) on and after January 1, 1999, and before January 1, 2001, all sales of materials and services purchased for the original construction, reconstruction, repair or replacement of grain storage facilities, including railroad sidings providing access thereto;

(fff) all sales of material handling equipment, racking systems and other related machinery and equipment that is used for the handling, movement or storage of tangible personal property in a warehouse or distribution facility in this state; all sales of installation, repair and maintenance services performed on such machinery and equipment; and all sales of repair and replacement parts for such machinery and equipment. For purposes of this subsection, a warehouse or distribution facility means a single, fixed location that consists of buildings or structures in a contiguous area where storage or distribution operations are conducted that are separate and apart from the business' retail operations, if any, and which do not otherwise qualify for exemption as occurring at a manufacturing or processing plant or facility. Material handling and storage equipment shall include aeration, dust control, cleaning, handling and other such equipment that is used in a public grain warehouse or other commercial

grain storage facility, whether used for grain handling, grain storage, grain refining or processing, or other grain treatment operation;

(ggg) all sales of tangible personal property and services purchased by or on behalf of the Kansas academy of science which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and used solely by such academy for the preparation, publication and dissemination of education materials;

(hhh) all sales of tangible personal property and services purchased by or on behalf of all domestic violence shelters that are member agencies of the Kansas coalition against sexual and domestic violence;

(iii) all sales of personal property and services purchased by an organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such personal property and services are used by any such organization in the collection, storage and distribution of food products to nonprofit organizations which distribute such food products to persons pursuant to a food distribution program on a charitable basis without fee or charge, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities used for the collection and storage of such food products for any such organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, which would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in such facilities reported

and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in ~~subsection (g)~~ of K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after July 1, 2005, but prior to the effective date of this act upon the gross receipts received from any sale exempted by the amendatory provisions of this subsection shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(jjj) all sales of dietary supplements dispensed pursuant to a prescription order by a licensed practitioner or a mid-level practitioner as defined by K.S.A. 65-1626, and amendments thereto. As used in this subsection, "dietary supplement" means any product, other than tobacco, intended to supplement the diet that: (1) Contains one or more of the following dietary ingredients: A vitamin, a mineral, an herb or other botanical, an amino acid, a dietary substance for use by humans to supplement the diet by increasing the total dietary intake or a concentrate, metabolite, constituent, extract or combination of any such ingredient; (2) is intended for ingestion in tablet, capsule, powder, softgel, gelcap or liquid form, or if not intended for ingestion, in such a form, is not represented as conventional food and is not represented for use as a sole item of a meal or of the diet; and (3) is required to be labeled as a dietary supplement, identifiable by the supplemental facts box found on the label and as required pursuant to 21 C.F.R. § 101.36;

(lll) all sales of tangible personal property and services purchased by special olympics Kansas, inc. for the purpose of providing year-round sports training and athletic competition in a variety of olympic-type sports for individuals with intellectual disabilities by giving them continuing opportunities to develop physical fitness, demonstrate courage, experience joy and participate in a sharing of gifts, skills and friendship with their

families, other special olympics athletes and the community, and activities provided or sponsored by such organization, and all sales of tangible personal property by or on behalf of any such organization;

(mmm) all sales of tangible personal property purchased by or on behalf of the Marillac center, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing psycho-social-biological and special education services to children, and all sales of any such property by or on behalf of such organization for such purpose;

(nnn) all sales of tangible personal property and services purchased by the west Sedgwick county-sunrise rotary club and sunrise charitable fund for the purpose of constructing a boundless playground which is an integrated, barrier free and developmentally advantageous play environment for children of all abilities and disabilities;

(ooo) all sales of tangible personal property by or on behalf of a public library serving the general public and supported in whole or in part with tax money or a not-for-profit organization whose purpose is to raise funds for or provide services or other benefits to any such public library;

(ppp) all sales of tangible personal property and services purchased by or on behalf of a homeless shelter which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal income tax code of 1986, and used by any such homeless shelter to provide emergency and transitional housing for individuals and families experiencing homelessness, and all sales of any such property by or on behalf of any such homeless shelter for any such purpose;

(qqq) all sales of tangible personal property and services purchased by TLC for children and families, inc., hereinafter referred to as TLC, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing emergency shelter and treatment for abused and neglected children as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of TLC for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for TLC for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by TLC. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for TLC. When TLC contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for in-

corporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to TLC a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, TLC shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in ~~subsection (g)~~ of K.S.A. 79-3615(h), and amendments thereto;

(rrr) all sales of tangible personal property and services purchased by any county law library maintained pursuant to law and sales of tangible personal property and services purchased by an organization which would have been exempt from taxation under the provisions of this subsection if purchased directly by the county law library for the purpose of providing legal resources to attorneys, judges, students and the general public, and all sales of any such property by or on behalf of any such county law library;

(sss) all sales of tangible personal property and services purchased by catholic charities or youthville, hereinafter referred to as charitable family providers, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing emergency shelter and treatment for abused and neglected children as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of charitable family providers for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the op-

eration of services for charitable family providers for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by charitable family providers. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for charitable family providers. When charitable family providers contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to charitable family providers a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, charitable family providers shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in ~~subsection (g) of K.S.A. 79-3615(h)~~, and amendments thereto;

(tt) all sales of tangible personal property or services purchased by a contractor for a project for the purpose of restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility owned by a nonprofit museum which has been granted an exemption pursuant to subsection (qq), which such home or facility is located in a city which has been designated as a qualified hometown pursuant to the provisions of K.S.A. 75-5071 et seq., and amendments thereto, and which such project is related to the purposes



of K.S.A. 75-5071 et seq., and amendments thereto, and which would be exempt from taxation under the provisions of this section if purchased directly by such nonprofit museum. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility for any such nonprofit museum. When any such nonprofit museum shall contract for the purpose of restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to such nonprofit museum a sworn statement on a form to be provided by the director of taxation that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in a home or facility or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such nonprofit museum shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in ~~subsection (g)~~ of K.S.A. 79-3615(h), and amendments thereto;

(uuu) all sales of tangible personal property and services purchased by Kansas children's service league, hereinafter referred to as KCSL, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing for the prevention and treatment of child abuse and maltreatment as well as meeting additional critical needs for children, juveniles and family, and all sales of

any such property by or on behalf of KCSL for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for KCSL for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by KCSL. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for KCSL. When KCSL contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to KCSL a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, KCSL shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in ~~subsection (g)~~ of K.S.A. 79-3615(h), and amendments thereto;

(vvv) all sales of tangible personal property or services, including the renting and leasing of tangible personal property or services, purchased by jazz in the woods, inc., a Kansas corporation which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing jazz in the woods, an event benefiting children-in-need and other nonprofit charities assisting

such children, and all sales of any such property by or on behalf of such organization for such purpose;

(www) all sales of tangible personal property purchased by or on behalf of the Frontenac education foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing education support for students, and all sales of any such property by or on behalf of such organization for such purpose;

(xxx) all sales of personal property and services purchased by the booth theatre foundation, inc., an organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such personal property and services are used by any such organization in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling of the booth theatre, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling the booth theatre for such organization, which would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it

may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in ~~subsection (g)~~ of K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after January 1, 2007, but prior to the effective date of this act upon the gross receipts received from any sale which would have been exempted by the provisions of this subsection had such sale occurred after the effective date of this act shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(yyy) all sales of tangible personal property and services purchased by TLC charities foundation, inc., hereinafter referred to as TLC charities, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of encouraging private philanthropy to further the vision, values, and goals of TLC for children and families, inc.; and all sales of such property and services by or on behalf of TLC charities for any such purpose and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for TLC charities for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by TLC charities. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for TLC charities. When TLC charities contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to TLC charities a sworn statement, on a form to be

provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be incorporated into the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, TLC charities shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in ~~subsection (g)~~ ~~of K.S.A. 79-3615(h)~~, and amendments thereto;

(zzz) all sales of tangible personal property purchased by the rotary club of shawnee foundation which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, as amended, used for the purpose of providing contributions to community service organizations and scholarships;

(aaaa) all sales of personal property and services purchased by or on behalf of victory in the valley, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing a cancer support group and services for persons with cancer, and all sales of any such property by or on behalf of any such organization for any such purpose;

(bbbb) all sales of entry or participation fees, charges or tickets by Guadalupe health foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for such organization's annual fundraising event which purpose is to provide health care services for uninsured workers;

(cccc) all sales of tangible personal property or services purchased by or on behalf of wayside waifs, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing such organization's annual fundraiser, an event whose purpose is to support the care of homeless and abandoned animals, animal adoption efforts, education programs for children and efforts to reduce animal over-population and animal welfare services, and

all sales of any such property, including entry or participation fees or charges, by or on behalf of such organization for such purpose;

(dddd) all sales of tangible personal property or services purchased by or on behalf of goodwill industries or Easter seals of Kansas, inc., both of which are exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing education, training and employment opportunities for people with disabilities and other barriers to employment;

(eeee) all sales of tangible personal property or services purchased by or on behalf of All American beef battalion, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of educating, promoting and participating as a contact group through the beef cattle industry in order to carry out such projects that provide support and morale to members of the United States armed forces and military services;

(ffff) all sales of tangible personal property and services purchased by sheltered living, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing residential and day services for people with developmental disabilities or intellectual disability, or both, and all sales of any such property by or on behalf of sheltered living, inc., for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of rehabilitating, constructing, maintaining, repairing, enlarging, furnishing or remodeling homes and facilities for sheltered living, inc., for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by sheltered living, inc. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such homes and facilities for sheltered living, inc. When sheltered living, inc., contracts for the purpose of rehabilitating, constructing, maintaining, repairing, enlarging, furnishing or remodeling such homes and facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to sheltered living, inc., a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other

project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, sheltered living, inc., shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in ~~subsection (g)~~ of K.S.A. 79-3615(h), and amendments thereto;

(gggg) all sales of game birds for which the primary purpose is use in hunting;

(hhhh) all sales of tangible personal property or services purchased on or after July 1, 2014, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business identified under the North American industry classification system (NAICS) subsectors 1123, 1124, 112112, 112120 or 112210, and the sale and installation of machinery and equipment purchased for installation at any such business. The exemption provided in this subsection shall not apply to projects that have actual total costs less than \$50,000. When a person contracts for the construction, reconstruction, enlargement or remodeling of any such business, such person shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to the owner of the business a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor of the contractor, who shall use or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor,

shall be subject to the penalties provided for in ~~subsection (g)~~ of K.S.A. 79-3615(h), and amendments thereto;

(iii) all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for Wichita children's home for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by Wichita children's home. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for Wichita children's home. When Wichita children's home contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to Wichita children's home a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, Wichita children's home shall be liable for the tax on all materials purchased for the project, and upon payment, it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction, shall be subject to the penalties provided for in ~~subsection (h)~~ of K.S.A. 79-3615(h), and amendments thereto;

(jjjj) all sales of tangible personal property or services purchased by or on behalf of the beacon, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue



code, for the purpose of providing those desiring help with food, shelter, clothing and other necessities of life during times of special need; ~~and~~

(kkkk) all sales of tangible personal property and services purchased by or on behalf of reaching out from within, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of sponsoring self-help programs for incarcerated persons that will enable such incarcerated persons to become role models for non-violence while in correctional facilities and productive family members and citizens upon return to the community; *and*

(llll) *except for subsections (f), (g), (i), (j), (m), (n), (o), (p), (q), (r), (t), (y), (cc), (hh), (jj), (kk), (ll), (nn), (pp), (zz), (aaa), (ccc), (fff) or (jjj) or as otherwise provided, the provisions of this section shall not apply after December 31, 2019.*

Sec. 34. K.S.A. 2014 Supp. 79-3695 is hereby amended to read as follows: 79-3695. If any contractor has entered into a written binding contract prior to May 1, ~~2010~~ 2015, for the original construction, reconstruction, restoration, remodeling, renovation, repair or replacement of a building, facility or residential structure, or for the construction, reconstruction, restoration, replacement or repair of a bridge or highway, the state sales tax applicable to such contracts shall be remitted at the rate in effect prior to the state sales tax increase scheduled to take effect on July 1, ~~2010~~ 2015, if the contractor gives notice and proof of such contract to the director of taxation on or before July 10, ~~2010~~ 2015, which notice and proof shall be in such form and of such sufficiency as the director shall prescribe.

Sec. 35. K.S.A. 19-26,111, 19-3610 and 79-5108 and K.S.A. 2014 Supp. 12-187, 12-189, 12-192, 12-3915, 12-5909, 72-99a02, as amended by section 67 of 2015 House Substitute for Senate Bill No. 7, 72-99a03, 72-99a04, 74-50,208, 74-50,223, 79-2925b, 79-32,110, 79-32,117, 79-32,120, 79-32,265, 79-32,267, 79-32,269, 79-32,270, 79-3310, 79-3310c, 79-3311, 79-3312, 79-3602, 79-3603, as amended by section 20 of 2015 Senate Substitute for House Bill No. 2155, 79-3606, 79-3620, 79-3695, 79-3703 and 79-3710 are hereby repealed.

Sec. 36. This act shall take effect and be in force from and after its publication in the statute book.

Approved June 16, 2015.

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## CHAPTER 100

Senate Substitute for HOUSE BILL No. 2094  
(Amends Chapters 1, 12, 33, 39, 42 and 48)

AN ACT reconciling amendments to certain statutes; amending K.S.A. 2014 Supp. 8-126, as amended by section 2 of 2015 House Bill No. 2044, 12-1744a, 12-4516, 12-4516a, 17-7673, 17-7674, 17-7677, 38-2310, 65-2895, 74-4911f, 74-4914d, as amended by section 2 of 2015 Senate Bill No. 228, 74-4920, as amended by section 3 of 2015 Senate Bill No. 228, 75-37,121, 76-1936, 79-1609 and 79-1703 and repealing the existing sections; also repealing K.S.A. 2013 Supp. 38-2310, as amended by section 2 of chapter 131 of the 2014 Session Laws of Kansas and 65-2895, as amended by section 36 of chapter 131 of the 2014 Session Laws of Kansas and K.S.A. 2014 Supp. 8-126, as amended by section 1 of 2015 Senate Bill No. 73, 9-1111, as amended by section 8 of 2015 House Bill No. 2216, 9-1215, as amended by section 1 of 2015 Senate Substitute for House Bill No. 2258, 9-1216, as amended by section 2 of 2015 Senate Substitute for House Bill No. 2258, 12-1744f, 12-4516b, 12-4516c, 17-7673a, 17-7674a, 17-7677a, 20-380a, 74-4911j, 74-4914d, as amended by section 55 of 2015 House Substitute for Senate Bill No. 4, 74-4920, as amended by section 56 of 2015 House Substitute for Senate Bill No. 4, 74-99b34a, 75-37,121b, 76-1936a, 79-1609a and 79-1703a.

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

Section 1. K.S.A. 2014 Supp. 8-126, as amended by section 2 of 2015 House Bill No. 2044, is hereby amended to read as follows: 8-126. The following words and phrases when used in this act shall have the meanings respectively ascribed to them herein:

(a) “All-terrain vehicle” means any motorized nonhighway vehicle 50 inches or less in width, having a dry weight of 1,500 pounds or less, traveling on three or more nonhighway tires, ~~having a seat designed to be straddled by the operator. As used in this subsection, nonhighway tire means any pneumatic tire six inches or more in width, designed for use on wheels with rim diameter of 14 inches or less.~~

(b) “Autocycle” means a three-wheel motorcycle that has a steering wheel and seating that does not require the operator to straddle or sit astride it.

(c) “Commission” or “state highway commission” means the director of vehicles of the department of revenue.

(d) “Contractor” means a person, partnership, corporation, local government, county government, county treasurer or other state agency that has contracted with the department to provide services associated with vehicle functions.

(e) “Department” or “motor vehicle department” or “vehicle department” means the division of vehicles of the department of revenue, acting directly or through its duly authorized officers and agents. When acting on behalf of the department of revenue pursuant to this act, a county treasurer shall be deemed to be an agent of the state of Kansas.

(f) “Division” means the division of vehicles of the department of revenue.

(g) “Electric personal assistive mobility device” means a self-balanc-

ing two nontandem wheeled device, designed to transport only one person, with an electric propulsion system that limits the maximum speed of the device to 15 miles per hour or less.

(h) “Electric vehicle” means a vehicle that is powered by an electric motor drawing current from rechargeable storage batteries or other portable electrical energy storage devices, provided the recharge energy must be drawn from a source off the vehicle, such as, but not limited to:

(1) Residential electric service;

(2) an electric vehicle charging station, also called an EV charging station, an electric recharging point, a charging point, EVSE (Electric Vehicle Supply Equipment) or a public charging station.

(i) “Electronic certificate of title” means any electronic record of ownership, including any lien or liens that may be recorded, retained by the division in accordance with K.S.A. 2014 Supp. 8-135d, and amendments thereto.

(j) “Electronic notice of security interest” means the division’s online internet program which enables a dealer or secured party to submit a notice of security interest as defined in this section, and to cancel the notice or release the security interest using the program. This program is also known as the Kansas elien or KSelien.

(k) “Farm tractor” means every motor vehicle designed and used as a farm implement power unit operated with or without other attached farm implements in any manner consistent with the structural design of such power unit.

(l) “Farm trailer” means every trailer and semitrailer as those terms are defined in this section, designed and used primarily as a farm vehicle.

(m) “Foreign vehicle” means every motor vehicle, trailer, or semitrailer which shall be brought into this state otherwise than in ordinary course of business by or through a manufacturer or dealer and which has not been registered in this state.

(n) “Golf cart” means a motor vehicle that has not less than three wheels in contact with the ground, an unladen weight of not more than 1,800 pounds, is designed to be and is operated at not more than 25 miles per hour and is designed to carry not more than four persons including the driver.

(o) “Highway” means every way or place of whatever nature open to the use of the public as a matter of right for the purpose of vehicular travel. The term “highway” shall not be deemed to include a roadway or driveway upon grounds owned by private owners, colleges, universities or other institutions.

(p) “Implement of husbandry” means every vehicle designed or adapted and used exclusively for agricultural operations, including feed-lots, and only incidentally moved or operated upon the highways. Such term shall include, but not be limited to:

(1) A farm tractor;

- (2) a self-propelled farm implement;
- (3) a fertilizer spreader, nurse tank or truck permanently mounted with a spreader used exclusively for dispensing or spreading water, dust or liquid fertilizers or agricultural chemicals, as defined in K.S.A. 2-2202, and amendments thereto, regardless of ownership;
- (4) a truck mounted with a fertilizer spreader used or manufactured principally to spread animal dung;
- (5) a mixer-feed truck owned and used by a feedlot, as defined in K.S.A. 47-1501, and amendments thereto, and specially designed and used exclusively for dispensing food to livestock in such feedlot.
- (q) “Lien” means a security interest as defined in this section.
- (r) “Lightweight roadable vehicle” means a multipurpose motor vehicle that is allowed to be driven on public roadways and is required to be registered with, and flown under the direction of, the federal aviation administration.
- (s) “Manufacturer” means every person engaged in the business of manufacturing motor vehicles, trailers or semitrailers.
- (t) “Micro utility truck” means any motor vehicle which is not less than 48 inches in width, has an overall length, including the bumper, of not more than 160 inches, has an unladen weight, including fuel and fluids, of more than 1,500 pounds, can exceed 40 miles per hour as originally manufactured and is manufactured with a metal cab. “Micro utility truck” does not include a work-site utility vehicle or recreational off-highway vehicle.
- (u) “Motor vehicle” means every vehicle, other than a motorized bicycle or a motorized wheelchair, which is self-propelled.
- (v) “Motorcycle” means every motor vehicle, including autocycles, designed to travel on not more than three wheels in contact with the ground, except any such vehicle as may be included within the term “tractor” as defined in this section.
- (w) “Motorized bicycle” means every device having two tandem wheels or three wheels, which may be propelled by either human power or helper motor, or by both, and which has:
  - (1) A motor which produces not more than 3.5 brake horsepower;
  - (2) a cylinder capacity of not more than 130 cubic centimeters;
  - (3) an automatic transmission; and
  - (4) the capability of a maximum design speed of no more than 30 miles per hour.
- (x) “Motorized wheelchair” means any self-propelled vehicle designed specifically for use by a physically disabled person and such vehicle is incapable of a speed in excess of 15 miles per hour.
- (y) “New vehicle dealer” means every person actively engaged in the business of buying, selling or exchanging new motor vehicles, travel trailers, trailers or vehicles and who holds a dealer’s contract therefor from a

manufacturer or distributor and who has an established place of business in this state.

(z) “Nonresident” means every person who is not a resident of this state.

(aa) “Notice of security interest” means a notification to the division from a dealer or secured party of a purchase money security interest as provided in article 9 of chapter 84 of the Kansas Statutes Annotated, and amendments thereto, upon a vehicle which has been sold and delivered to the purchaser describing the vehicle and showing the name, address and acknowledgment of the secured party as well as the name and address of the debtor or debtors and other information the division requires.

(bb) “Oil well servicing, oil well clean-out or oil well drilling machinery or equipment” means a vehicle constructed as a machine used exclusively for servicing, cleaning-out or drilling an oil well and consisting in general of a mast, an engine for power, a draw works and a chassis permanently constructed or assembled for one or more of those purposes. The passenger capacity of the cab of a vehicle shall not be considered in determining whether such vehicle is oil well servicing, oil well clean-out or oil well drilling machinery or equipment.

(cc) “Owner” means a person who holds the legal title of a vehicle, or in the event a vehicle is the subject of an agreement for the conditional sale thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or in the event a vehicle is subject to a lease of 30 days or more with an immediate right of possession vested in the lessee; or in the event a party having a security interest in a vehicle is entitled to possession, then such conditional vendee or lessee or secured party shall be deemed the owner for the purpose of this act.

(dd) “Passenger vehicle” means every motor vehicle, as defined in this section, which is designed primarily to carry 10 or fewer passengers, and which is not used as a truck.

(ee) “Person” means every natural person, firm, partnership, association or corporation.

(ff) “Pole trailer” means any two-wheel vehicle used as a trailer with bolsters that support the load, and do not have a rack or body extending to the tractor drawing the load.

(gg) “Recreational off-highway vehicle” means any motor vehicle *more than 50 but not greater than 64 inches or less* in width, having a dry weight of 2,000 pounds or less, traveling on four or more nonhighway tires, ~~having a nonstraddle seat and steering wheel for steering control.~~

(hh) “Road tractor” means every motor vehicle designed and used for drawing other vehicles, and not so constructed as to carry any load thereon independently, or any part of the weight of a vehicle or load so drawn.

(ii) “Self-propelled farm implement” means every farm implement

designed for specific use applications with its motive power unit permanently incorporated in its structural design.

(ji) “Semitrailer” means every vehicle of the trailer type so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests upon or is carried by another vehicle.

(kk) “Specially constructed vehicle” means any vehicle which shall not have been originally constructed under a distinctive name, make, model or type, or which, if originally otherwise constructed shall have been materially altered by the removal of essential parts, or by the addition or substitution of essential parts, new or used, derived from other vehicles or makes of vehicles.

(ll) “Trailer” means every vehicle without motive power designed to carry property or passengers wholly on its own structure and to be drawn by a motor vehicle.

(mm) “Travel trailer” means every vehicle without motive power designed to be towed by a motor vehicle constructed primarily for recreational purposes.

(nn) “Truck” means a motor vehicle which is used for the transportation or delivery of freight and merchandise or more than 10 passengers.

(oo) “Truck tractor” means every motor vehicle designed and used primarily for drawing other vehicles, and not so constructed as to carry a load other than a part of the weight of the vehicle or load so drawn.

(pp) “Used vehicle dealer” means every person actively engaged in the business of buying, selling or exchanging used vehicles, and having an established place of business in this state and who does not hold a dealer’s contract for the sale of new motor vehicles, travel trailers or vehicles.

(qq) “Vehicle” means every device in, upon or by which any person or property is or may be transported or drawn upon a public highway, excepting electric personal assistive mobility devices or devices moved by human power or used exclusively upon stationary rails or tracks.

(rr) “Vehicle functions” means services relating to the application, processing, auditing or distribution of original or renewal vehicle registrations, certificates of title, driver’s licenses and division-issued identification cards associated with services and functions set out in articles 1, 2 and 13 of chapter 8 of the Kansas Statutes Annotated, and amendments thereto. “Vehicle functions” may also include personal property taxation duties set out in article 51 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, and other vehicle-related events described in article 1 of chapter 8 of the Kansas Statutes Annotated, and amendments thereto.

(ss) “Work-site utility vehicle” means any motor vehicle which is not less than 48 inches in width, ~~has an overall length, including the bumper, of not more than 135 inches,~~ has an unladen weight, including fuel and fluids, of more than 800 pounds and is equipped with four or more ~~low~~

~~pressure~~ *nonhighway* tires, a steering wheel and bench or bucket-type seating allowing at least two people to sit side-by-side, and may be equipped with a bed or cargo box for hauling materials. "Work-site utility vehicle" does not include a micro utility truck or recreational off-highway vehicle.

Sec. 2. K.S.A. 2014 Supp. 12-1744a is hereby amended to read as follows: 12-1744a. (a) At least seven days prior to the issuance of any revenue bonds, the city or county shall file a statement with the state ~~court~~ *board* of tax appeals of such proposed issuance containing the following information:

(1) The name of the city or county proposing to issue the revenue bonds, the lessee, the guarantor, if any, the paying or fiscal agent, the underwriter, if any, and all attorneys retained to render an opinion on the issue;

(2) a legal description of any property to be exempted from ad valorem taxes, including the city or county in which the facility will be located;

(3) the appraised valuation of the property to be exempted from ad valorem taxes as shown on the records of the county as of the next preceding January 1. Any listing of property shall not constitute a classification of the property. Classification of any property acquired during the tax exemption period shall be determined at the end of the exemption period in accordance with K.S.A. 2014 Supp. 79-262, and amendments thereto;

(4) the estimated total cost of the facility showing a division of such total cost between real and personal property;

(5) if the facility to be financed is an addition to or further improvement of an existing facility the cost of which was financed by revenue bonds issued under the provisions of this act, the date of issuance of such revenue bonds, and if such facility or any portion thereof is presently exempt from property taxation, the period for which the same is exempt;

(6) the principal amount of the revenue bonds to be issued;

(7) the amount of any payment to be made in lieu of taxes;

(8) an itemized list of service fees or charges to be paid by the lessee together with a detailed description of the services to be rendered therefor;

(9) a reasonably detailed description of the use of bond proceeds, including whether they will be used to purchase, acquire, construct, reconstruct, improve, equip, furnish, enlarge or remodel the facility in question; *and*

(10) the proposed date of issuance of such revenue bonds.

(b) Any change in the information or documents required to be filed pursuant to subsection (a) which does not materially adversely affect the security for the revenue bond issue may be made within the fifteen-day

period prior to issuance of the revenue bonds by filing the amended information or document with the state ~~court~~ *board* of tax appeals.

(c) Any notice required to be filed pursuant to the provisions of subsection (a) shall be accompanied by a filing fee, which shall be fixed by rules and regulations of the state ~~court~~ *board* of tax appeals, in an amount sufficient to defray the cost of reviewing the information and documents required to be contained in the notice.

(d) Information required to be filed by subsection (a) of this section shall be in addition to any filing required by K.S.A. 79-210, and amendments thereto.

(e) The state ~~court~~ *board* of tax appeals may require any information listed under subsection (a) deemed necessary, to be filed by a city or county concerning agreements entered into prior to the effective date of this act.

(f) The state ~~court~~ *board* of tax appeals shall prepare and compile annually a report containing the information required to be filed pursuant to subsection (a) for each issuance of revenue bonds made pursuant to K.S.A. 12-1740 et seq., and amendments thereto. Such report shall be published in convenient form for the use and information of the legislature, taxpayers, public officers and other interested parties, and shall be available on January 10 of each year.

Sec. 3. K.S.A. 2014 Supp. 12-4516 is hereby amended to read as follows: 12-4516. (a) (1) Except as provided in subsections (b), (c), (d), (e) and (f), any person who has been convicted of a violation of a city ordinance of this state may petition the convicting court for the expungement of such conviction and related arrest records if three or more years have elapsed since the person:

(A) Satisfied the sentence imposed; or

(B) was discharged from probation, parole or a suspended sentence.

(2) Except as provided in subsections (b), (c), (d), (e) and (f), any person who has fulfilled the terms of a diversion agreement based on a violation of a city ordinance of this state may petition the court for the expungement of such diversion agreement and related arrest records if three or more years have elapsed since the terms of the diversion agreement were fulfilled.

(b) Any person convicted of a violation of any ordinance that is prohibited by either ~~subsection (a) or (b)~~ of K.S.A. 2014 Supp. 12-16,134(a) or (b), and amendments thereto, and which was adopted prior to July 1, 2014, or who entered into a diversion agreement in lieu of further criminal proceedings for such violation, may petition the convicting court for the expungement of such conviction or diversion agreement and related arrest records.

(c) Any person convicted of the violation of a city ordinance which would also constitute a violation of K.S.A. 21-3512, prior to its repeal, or



a violation of K.S.A. 2014 Supp. 21-6419, and amendments thereto, or who entered into a diversion agreement in lieu of further criminal proceedings for such violation, may petition the convicting court for the expungement of such conviction or diversion agreement and related arrest records if:

(1) One or more years have elapsed since the person satisfied the sentence imposed or the terms of a diversion agreement or was discharged from probation, parole, conditional release or a suspended sentence; and

(2) such person can prove they were acting under coercion caused by the act of another. For purposes of this subsection, “coercion” means: Threats of harm or physical restraint against any person; a scheme, plan or pattern intended to cause a person to believe that failure to perform an act would result in bodily harm or physical restraint against any person; or the abuse or threatened abuse of the legal process.

(d) No person may petition for expungement until five or more years have elapsed since the person satisfied the sentence imposed or the terms of a diversion agreement or was discharged from probation, parole, conditional release or a suspended sentence, if such person was convicted of the violation of a city ordinance which would also constitute:

(1) Vehicular homicide, as defined by K.S.A. 21-3405, prior to its repeal, or K.S.A. 2014 Supp. 21-5406, and amendments thereto;

(2) driving while the privilege to operate a motor vehicle on the public highways of this state has been canceled, suspended or revoked, as prohibited by K.S.A. 8-262, and amendments thereto;

(3) perjury resulting from a violation of K.S.A. 8-261a, and amendments thereto;

(4) a violation of the provisions of the fifth clause of K.S.A. 8-142, and amendments thereto, relating to fraudulent applications;

(5) any crime punishable as a felony wherein a motor vehicle was used in the perpetration of such crime;

(6) failing to stop at the scene of an accident and perform the duties required by K.S.A. 8-1602, 8-1603, prior to its repeal, or 8-1604, and amendments thereto;

(7) a violation of the provisions of K.S.A. 40-3104, and amendments thereto, relating to motor vehicle liability insurance coverage; or

(8) a violation of K.S.A. 21-3405b, prior to its repeal.

(e) No person may petition for expungement until 10 or more years have elapsed since the person satisfied the sentence imposed or the terms of a diversion agreement or was discharged from probation, parole, conditional release or a suspended sentence, if such person was convicted of the violation of a city ordinance which would also constitute a violation of K.S.A. 8-1567, and amendments thereto.

(f) There shall be no expungement of convictions or diversions for a

violation of a city ordinance which would also constitute a violation of K.S.A. 8-2,144, and amendments thereto.

(g) (1) When a petition for expungement is filed, the court shall set a date for a hearing of such petition and shall cause notice of such hearing to be given to the prosecuting attorney and the arresting law enforcement agency. The petition shall state the:

- (A) Defendant's full name;
- (B) full name of the defendant at the time of arrest, conviction or diversion, if different than the defendant's current name;
- (C) defendant's sex, race and date of birth;
- (D) crime for which the defendant was arrested, convicted or diverted;
- (E) date of the defendant's arrest, conviction or diversion; and
- (F) identity of the convicting court, arresting law enforcement agency or diverting authority.

(2) A municipal court may prescribe a fee to be charged as costs for a person petitioning for an order of expungement pursuant to this section.

(3) Any person who may have relevant information about the petitioner may testify at the hearing. The court may inquire into the background of the petitioner and shall have access to any reports or records relating to the petitioner that are on file with the secretary of corrections or the prisoner review board.

(h) At the hearing on the petition, the court shall order the petitioner's arrest record, conviction or diversion expunged if the court finds that:

- (1) The petitioner has not been convicted of a felony in the past two years and no proceeding involving any such crime is presently pending or being instituted against the petitioner;
- (2) the circumstances and behavior of the petitioner warrant the expungement; and
- (3) the expungement is consistent with the public welfare.

(i) When the court has ordered an arrest record, conviction or diversion expunged, the order of expungement shall state the information required to be contained in the petition. The clerk of the court shall send a certified copy of the order of expungement to the Kansas bureau of investigation which shall notify the federal bureau of investigation, the secretary of corrections and any other criminal justice agency which may have a record of the arrest, conviction or diversion. After the order of expungement is entered, the petitioner shall be treated as not having been arrested, convicted or diverted of the crime, except that:

(1) Upon conviction for any subsequent crime, the conviction that was expunged may be considered as a prior conviction in determining the sentence to be imposed;

(2) the petitioner shall disclose that the arrest, conviction or diversion occurred if asked about previous arrests, convictions or diversions:

(A) In any application for employment as a detective with a private detective agency, as defined by K.S.A. 75-7b01, and amendments thereto; as security personnel with a private patrol operator, as defined by K.S.A. 75-7b01, and amendments thereto; or with an institution, as defined in K.S.A. 76-12a01, and amendments thereto, of the ~~department for children and families~~ *Kansas department for aging and disability services*;

(B) in any application for admission, or for an order of reinstatement, to the practice of law in this state;

(C) to aid in determining the petitioner's qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;

(D) to aid in determining the petitioner's qualifications for executive director of the Kansas racing and gaming commission, for employment with the commission or for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission, or to aid in determining qualifications for licensure or renewal of licensure by the commission;

(E) to aid in determining the petitioner's qualifications for the following under the Kansas expanded lottery act: (i) Lottery gaming facility manager or prospective manager, racetrack gaming facility manager or prospective manager, licensee or certificate holder; or (ii) an officer, director, employee, owner, agent or contractor thereof;

(F) upon application for a commercial driver's license under K.S.A. 8-2,125 through 8-2,142, and amendments thereto;

(G) to aid in determining the petitioner's qualifications to be an employee of the state gaming agency;

(H) to aid in determining the petitioner's qualifications to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-state gaming compact;

(I) in any application for registration as a broker-dealer, agent, investment adviser or investment adviser representative all as defined in K.S.A. 17-12a102, and amendments thereto;

(J) in any application for employment as a law enforcement officer, as defined in K.S.A. 22-2202 or 74-5602, and amendments thereto; or

(K) for applications received on and after July 1, 2006, to aid in determining the petitioner's qualifications for a license to carry a concealed weapon pursuant to the personal and family protection act, K.S.A. 2014 Supp. 75-7c01 et seq., and amendments thereto;

(3) the court, in the order of expungement, may specify other circumstances under which the arrest, conviction or diversion is to be disclosed; and

(4) the conviction may be disclosed in a subsequent prosecution for an offense which requires as an element of such offense a prior conviction of the type expunged.

(j) Whenever a person is convicted of an ordinance violation, pleads guilty and pays a fine for such a violation, is placed on parole or probation or is granted a suspended sentence for such a violation, the person shall be informed of the ability to expunge the arrest records or conviction. Whenever a person enters into a diversion agreement, the person shall be informed of the ability to expunge the diversion.

(k) Subject to the disclosures required pursuant to subsection (i), in any application for employment, license or other civil right or privilege, or any appearance as a witness, a person whose arrest records, conviction or diversion of an offense has been expunged under this statute may state that such person has never been arrested, convicted or diverted of such offense.

(l) Whenever the record of any arrest, conviction or diversion has been expunged under the provisions of this section or under the provisions of any other existing or former statute, the custodian of the records of arrest, conviction, diversion and incarceration relating to that crime shall not disclose the existence of such records, except when requested by:

- (1) The person whose record was expunged;
- (2) a private detective agency or a private patrol operator, and the request is accompanied by a statement that the request is being made in conjunction with an application for employment with such agency or operator by the person whose record has been expunged;
- (3) a court, upon a showing of a subsequent conviction of the person whose record has been expunged;
- (4) the secretary of the department for ~~children and families~~ *aging and disability services*, or a designee of the secretary, for the purpose of obtaining information relating to employment in an institution, as defined in K.S.A. 76-12a01, and amendments thereto, of the ~~department for children and families~~ *Kansas department for aging and disability services* of any person whose record has been expunged;
- (5) a person entitled to such information pursuant to the terms of the expungement order;
- (6) a prosecuting attorney, and such request is accompanied by a statement that the request is being made in conjunction with a prosecution of an offense that requires a prior conviction as one of the elements of such offense;
- (7) the supreme court, the clerk or disciplinary administrator thereof, the state board for admission of attorneys or the state board for discipline of attorneys, and the request is accompanied by a statement that the request is being made in conjunction with an application for admission, or for an order of reinstatement, to the practice of law in this state by the person whose record has been expunged;
- (8) the Kansas lottery, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for

employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;

(9) the governor or the Kansas racing and gaming commission, or a designee of the commission, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for executive director of the commission, for employment with the commission, for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission or for licensure, renewal of licensure or continued licensure by the commission;

(10) the Kansas racing and gaming commission, or a designee of the commission, and the request is accompanied by a statement that the request is being made to aid in determining qualifications of the following under the Kansas expanded lottery act: (A) Lottery gaming facility managers and prospective managers, racetrack gaming facility managers and prospective managers, licensees and certificate holders; and (B) their officers, directors, employees, owners, agents and contractors;

(11) the state gaming agency, and the request is accompanied by a statement that the request is being made to aid in determining qualifications: (A) To be an employee of the state gaming agency; or (B) to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-state gaming compact;

(12) the Kansas securities commissioner, or a designee of the commissioner, and the request is accompanied by a statement that the request is being made in conjunction with an application for registration as a broker-dealer, agent, investment adviser or investment adviser representative by such agency and the application was submitted by the person whose record has been expunged;

(13) the attorney general, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for a license to carry a concealed weapon pursuant to the personal and family protection act;

(14) the Kansas sentencing commission;

(15) the Kansas commission on peace officers' standards and training and the request is accompanied by a statement that the request is being made to aid in determining certification eligibility as a law enforcement officer pursuant to K.S.A. 74-5601 et seq., and amendments thereto; or

(16) a law enforcement agency and the request is accompanied by a statement that the request is being made to aid in determining eligibility for employment as a law enforcement officer as defined by K.S.A. 22-2202, and amendments thereto.

Sec. 4. K.S.A. 2014 Supp. 12-4516a is hereby amended to read as follows: 12-4516a. (a) Any person who has been arrested on a violation

of a city ordinance of this state may petition the court for the expungement of such arrest record.

(b) When a petition for expungement is filed, the court shall set a date for hearing on such petition and shall cause notice of such hearing to be given to the prosecuting attorney and the arresting law enforcement agency. When a petition for expungement is filed, the official court file shall be separated from the other records of the court, and shall be disclosed only to a judge of the court and members of the staff of the court designated by a judge of the district court, the prosecuting attorney, the arresting law enforcement agency, or any other person when authorized by a court order, subject to any conditions imposed by the order. The petition shall state:

- (1) The petitioner's full name;
- (2) the full name of the petitioner at the time of arrest, if different than the petitioner's current name;
- (3) the petitioner's sex, race and date of birth;
- (4) the crime for which the petitioner was arrested;
- (5) the date of the petitioner's arrest; and
- (6) the identity of the arresting law enforcement agency.

A municipal court may prescribe a fee to be charged as costs for a person petitioning for an order of expungement pursuant to this section, except that no fee shall be charged to a person who was arrested as a result of being a victim of identity theft under K.S.A. 21-4018, prior to its repeal, or K.S.A. 2014 Supp. 21-6107, and amendments thereto. Any person who may have relevant information about the petitioner may testify at the hearing. The court may inquire into the background of the petitioner.

(c) At the hearing on a petition for expungement, the court shall order the arrest record and subsequent court proceedings, if any, expunged upon finding:

- (1) The arrest occurred because of mistaken identity;
- (2) a court has found that there was no probable cause for the arrest;
- (3) the petitioner was found not guilty in court proceedings;
- (4) the arrest was for a violation of any ordinance that is prohibited by either ~~subsection (a) or (b)~~ of K.S.A. 2014 Supp. 12-16,134(a) or (b), and amendments thereto, and which was adopted prior to July 1, 2014; or
- (5) the expungement would be in the best interests of justice and:  
(A) Charges have been dismissed; or (B) no charges have been or are likely to be filed.

(d) When the court has ordered expungement of an arrest record and subsequent court proceedings, if any, the order shall state the information required to be stated in the petition and shall state the grounds for expungement under subsection (c). The clerk of the court shall send a certified copy of the order to the Kansas bureau of investigation which

shall notify the federal bureau of investigation, the secretary of corrections and any other criminal justice agency which may have a record of the arrest. If an order of expungement is entered, the petitioner shall be treated as not having been arrested.

(e) If the ground for expungement is as provided in subsection (c)(5), the court shall determine whether, in the interest of public welfare, the records should be available for any of the following purposes:

(1) In any application for employment as a detective with a private detective agency, as defined by K.S.A. 75-7b01, and amendments thereto; as security personnel with a private patrol operator, as defined by K.S.A. 75-7b01, and amendments thereto; or with an institution, as defined in K.S.A. 76-12a01, and amendments thereto, of the ~~department of social and rehabilitation~~ *Kansas department for aging and disability services*;

(2) in any application for admission, or for an order of reinstatement, to the practice of law in this state;

(3) to aid in determining the petitioner's qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;

(4) to aid in determining the petitioner's qualifications for executive director of the Kansas racing commission, for employment with the commission or for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission, or to aid in determining qualifications for licensure or renewal of licensure by the commission;

(5) in any application for a commercial driver's license under K.S.A. 8-2,125 through 8-2,142, and amendments thereto;

(6) to aid in determining the petitioner's qualifications to be an employee of the state gaming agency;

(7) to aid in determining the petitioner's qualifications to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-state gaming compact; or

(8) in any other circumstances which the court deems appropriate.

(f) The court shall make all expunged records and related information in such court's possession, created prior to, on and after July 1, 2011, available to the Kansas bureau of investigation for the purposes of:

(1) Completing a person's criminal history record information within the central repository in accordance with K.S.A. 22-4701 et seq., and amendments thereto; or

(2) providing information or documentation to the federal bureau of investigation, in connection with the national instant criminal background check system, to determine a person's qualification to possess a firearm.

(g) Subject to any disclosures required under subsection (e), in any application for employment, license or other civil right or privilege, or any appearance as a witness, a person whose arrest records have been

expunged as provided in this section may state that such person has never been arrested.

(h) Whenever a petitioner's arrest records have been expunged as provided in this section, the custodian of the records of arrest, incarceration due to arrest or court proceedings related to the arrest, shall not disclose the arrest or any information related to the arrest, except as directed by the order of expungement or when requested by the person whose arrest record was expunged.

Sec. 5. K.S.A. 2014 Supp. 17-7673 is hereby amended to read as follows: 17-7673. (a) In order to form a limited liability company, one or more authorized persons must execute articles of organization. The articles of organization shall be filed with the secretary of state and set forth:

- (1) The name of the limited liability company;
- (2) the address of the registered office and the name and address of the resident agent for service of process required to be maintained by K.S.A. ~~17-7666~~ 2014 Supp. 17-7924 and 17-7925, and amendments thereto;
- (3) any other matters the members determine to include therein;
- (4) if the limited liability company is organized to exercise the powers of a professional association or professional corporation, each such profession shall be stated; and
- (5) if the limited liability company will have series, the matters required by K.S.A. 17-76,143, and amendments thereto.

(b) ~~A limited liability company is formed at the time of the filing of the initial articles of organization with the secretary of state or at any later date or time specified in the articles of organization which is not later than 90 days after the date of filing, if, in either case, there has been substantial compliance with the requirements of this section. A limited liability company formed under this act shall be a separate legal entity, the existence of which as a separate legal entity shall continue until cancellation of the limited liability company's articles of organization.~~

(c) An operating agreement shall be entered into or otherwise existing either before, after or at the time of the filing of the articles of organization and, whether entered into or otherwise existing before, after or at the time of such filing, may be made effective as of the effective time of such filing or at such other time or date as provided in or reflected by the operating agreement.

(d) *The articles of organization shall be amended as provided in a certificate of amendment or judicial decree of amendment upon the filing of the certificate of amendment or judicial decree of amendment with the secretary of state or upon the future effective date specified in the certificate of amendment.*

(e) *Upon filing the articles of organization of a limited liability company organized to exercise powers of a professional association or profes-*



*sional corporation, the limited liability company shall file with the secretary of state a certificate by the licensing body, as defined in K.S.A. 74-146, and amendments thereto, of the profession involved that each of the members is duly licensed to practice that profession, and that the proposed company name has been approved.*

Sec. 6. K.S.A. 2014 Supp. 17-7674 is hereby amended to read as follows: 17-7674. (a) Articles of organization are amended by filing a certificate of amendment thereto with the secretary of state. The certificate of amendment shall set forth:

- (1) The name of the limited liability company; and
- (2) the amendment to the articles of organization.

(b) A manager or, if there is no manager, then any member who becomes aware that any statement in the articles of organization was false in any material respect when made, or that any matter described has changed making the articles of organization false in any material respect, shall promptly amend the articles of organization.

(c) Articles of organization may be amended at any time for any other proper purpose.

~~(d) Unless otherwise provided in this act or unless a later effective date or time, which shall be a date or time certain within 90 days of the date of filing, is provided for in the certificate of amendment, a certificate of amendment shall be effective at the time of its filing with the secretary of state.~~

Sec. 7. K.S.A. 2014 Supp. 17-7677 is hereby amended to read as follows: 17-7677. ~~(a) If a person required to execute articles of organization or a certificate required by K.S.A. 17-7673 through 17-7683, and amendments thereto, fails or refuses to do so, any other person who is adversely affected by the failure or refusal may petition the district court to direct the execution of the articles of organization or certificate. If the court finds that the execution of the articles of organization or certificate is proper and that any person so designated has failed or refused to execute the articles of organization or certificate, it shall order the secretary of state to record appropriate articles of organization or a certificate.~~

~~(b)~~ If a person required to execute an operating agreement or amendment thereof fails or refuses to do so, any other person who is adversely affected by the failure or refusal may petition the district court to direct the execution of the operating agreement or amendment thereof. If the court finds that the operating agreement or amendment thereof should be executed and that any person required to execute the operating agreement or amendment thereof has failed or refused to do so, it shall enter an order granting appropriate relief.

Sec. 8. K.S.A. 2014 Supp. 38-2310 is hereby amended to read as follows: 38-2310. (a) All records of law enforcement officers and agencies and municipal courts concerning an offense committed or alleged to have

been committed by a juvenile under 14 years of age shall be kept readily distinguishable from criminal and other records and shall not be disclosed to anyone except:

(1) The judge of the district court and members of the staff of the court designated by the judge;

(2) parties to the proceedings and their attorneys;

(3) the Kansas department for children and families;

(4) the juvenile's court appointed special advocate, any officer of a public or private agency or institution or any individual having custody of a juvenile under court order or providing educational, medical or mental health services to a juvenile;

(5) any educational institution, to the extent necessary to enable the educational institution to provide the safest possible environment for its pupils and employees;

(6) any educator, to the extent necessary to enable the educator to protect the personal safety of the educator and the educator's pupils;

(7) law enforcement officers or county or district attorneys, or their staff, when necessary for the discharge of their official duties;

(8) the central repository, as defined by K.S.A. 22-4701, and amendments thereto, for use only as a part of the juvenile offender information system established under K.S.A. 2014 Supp. 38-2326, and amendments thereto;

(9) juvenile intake and assessment workers;

(10) ~~the juvenile justice authority~~ *department of corrections*;

(11) juvenile community corrections officers;

(12) any other person when authorized by a court order, subject to any conditions imposed by the order; and

(13) as provided in subsection (c).

(b) The provisions of this section shall not apply to records concerning:

(1) A violation, by a person 14 or more years of age, of any provision of chapter 8 of the Kansas Statutes Annotated, and amendments thereto, or of any city ordinance or county resolution which relates to the regulation of traffic on the roads, highways or streets or the operation of self-propelled or nonself-propelled vehicles of any kind;

(2) a violation, by a person 16 or more years of age, of any provision of chapter 32 of the Kansas Statutes Annotated, and amendments thereto; or

(3) an offense for which the juvenile is prosecuted as an adult.

(c) All records of law enforcement officers and agencies and municipal courts concerning an offense committed or alleged to have been committed by a juvenile 14 or more years of age shall be subject to the same disclosure restrictions as the records of adults. Information identifying victims and alleged victims of sex offenses, as defined in article 35 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or

article 55 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2014 Supp. 21-6419 through 21-6421, and amendments thereto, shall not be disclosed or open to public inspection under any circumstances. Nothing in this section shall prohibit the victim or any alleged victim of any sex offense from voluntarily disclosing such victim's identity.

(d) Relevant information, reports and records, shall be made available to the department of corrections upon request and a showing that the former juvenile has been convicted of a crime and placed in the custody of the secretary of corrections.

(e) All records, reports and information obtained as a part of the juvenile intake and assessment process for juveniles shall be confidential, and shall not be disclosed except as provided by statutory law and rules and regulations promulgated by the commissioner thereunder.

(1) Any court of record may order the disclosure of such records, reports and other information to any person or entity.

(2) The head of any juvenile intake and assessment program, certified by the commissioner of juvenile justice, may authorize disclosure of such records, reports and other information to:

(A) A person licensed to practice the healing arts who has before that person a juvenile whom the person reasonably suspects may be abused or neglected;

(B) a court-appointed special advocate for a juvenile or an agency having the legal responsibility or authorization to care for, treat or supervise a juvenile;

(C) a parent or other person responsible for the welfare of a juvenile, or such person's legal representative, with protection for the identity of persons reporting and other appropriate persons;

(D) the juvenile, the attorney and a guardian ad litem, if any, for such juvenile;

(E) the police or other law enforcement agency;

(F) an agency charged with the responsibility of preventing or treating physical, mental or emotional abuse or neglect or sexual abuse of children, if the agency requesting the information has standards of confidentiality as strict or stricter than the requirements of the Kansas code for care of children or the revised Kansas juvenile justice code, whichever is applicable;

(G) members of a multidisciplinary team under this code;

(H) an agency authorized by a properly constituted authority to diagnose, care for, treat or supervise a child who is the subject of a report or record of child abuse or neglect;

(I) any individual, or public or private agency authorized by a properly constituted authority to diagnose, care for, treat or supervise a juvenile who is the subject of a report or record of child abuse or neglect, specifically including the following: Physicians, psychiatrists, nurses, nurse practitioners, psychologists, licensed social workers, child development spe-

cialists, ~~physicians~~ *physician* assistants, community mental health workers, alcohol and drug abuse counselors and licensed or registered child care providers;

(J) a citizen review board pursuant to K.S.A. 2014 Supp. 38-2207, and amendments thereto;

(K) an educational institution to the extent necessary to enable such institution to provide the safest possible environment for pupils and employees of the institution;

(L) any educator to the extent necessary for the protection of the educator and pupils; and

(M) any juvenile intake and assessment worker of another certified juvenile intake and assessment program.

Sec. 9. K.S.A. 2014 Supp. 65-2895 is hereby amended to read as follows: 65-2895. (a) There is hereby created an institutional license which may be issued by the board to a person who:

(1) Is a graduate of an accredited school of medicine or osteopathic medicine or a school which ~~has been in operation for not less than 15 years and the graduates of which~~ have been licensed in another state or states which have standards similar to Kansas;

(2) has completed at least two years in a postgraduate training program in the United States approved by the board; and

(3) who is employed as provided in this section.

(b) Subject to the restrictions of this section, the institutional license shall confer upon the holder the right and privilege to practice medicine and surgery and shall obligate the holder to comply with all requirements of such license.

(c) The practice privileges of institutional license holders are restricted and shall be valid only during the period in which:

(1) The holder is employed by any institution within the ~~department of social and rehabilitation~~ *Kansas department for aging and disability* services, employed by any institution within the department of corrections or employed pursuant to a contract entered into by the ~~department of social and rehabilitation~~ *Kansas department for aging and disability* services or the department of corrections with a third party, and only within the institution to which the holder is assigned; *and*

(2) the holder has been employed for at least three years as described in subsection (c)(1) and is employed to provide mental health services *in Kansas* in the employ of a Kansas licensed community mental health center, or one of its contracted affiliates, or a federal, state, county or municipal agency, or other political subdivision, or a contractor of a federal, state, county or municipal agency, or other political subdivision, or a duly chartered educational institution, or a medical care facility licensed under K.S.A. 65-425 et seq., and amendments thereto, in a psychiatric hospital licensed under K.S.A. 75-3307b, and amendments thereto, or a

contractor of such educational institution, medical care facility or psychiatric hospital, and whose practice, in any such employment, is limited to providing mental health services, is a part of the duties of such licensee's paid position and is performed solely on behalf of the employer; or

~~(3) the holder has been employed for at least three years as described in subsection (c)(1) and is providing mental health services pursuant to a written protocol with a person who holds a license to practice medicine and surgery other than an institutional license.~~

(d) *An institutional license shall expire on the date established by rules and regulations of the board which may provide for renewal throughout the year on a continuing basis. In each case in which an institutional license is renewed for a period of time of more or less than 12 months, the board may prorate the amount of the fee established under K.S.A. 65-2852, and amendments thereto. The request for renewal shall be on a form provided by the board and shall be accompanied by the prescribed fee, which shall be paid not later than the expiration date of the license.* An institutional license shall be valid for a period of two years after the date of issuance and may be renewed for an additional two-year periods ~~one-year period~~ if the applicant for renewal meets the requirements under subsection (c) ~~of this section~~, has submitted an application for renewal on a form provided by the board, has paid the renewal fee established by rules and regulations of the board of not to exceed \$500 and has submitted evidence of satisfactory completion of a program of continuing education required by the board. In addition, an applicant for renewal who is employed as described in subsection (c)(1) shall submit with the application for renewal a recommendation that the institutional license be renewed signed by the superintendent of the institution to which the institutional license holder is assigned.

(e) Nothing in this section shall prohibit any person who was issued an institutional license prior to the effective date of this ~~act~~ section from having the institutional license reinstated by the board if the person meets the requirements for an institutional license described in subsection (a).

(f) This section shall be a part of and supplemental to the Kansas healing arts act.

Sec. 10. K.S.A. 2014 Supp. 74-4911f is hereby amended to read as follows: 74-4911f. (a) Subject to procedures or limitations prescribed by the governor, any person who is not an employee and who becomes a state officer may elect to not become a member of the system. The election to not become a member of the system must be filed within 90 days of assuming the position of state officer. Such election shall be irrevocable. If such election is not filed by such state officer, such state officer shall be a member of the system.

(b) Any such state officer who is a member of the Kansas public employees retirement system, on or after the effective date of this act,

may elect to not be a member by filing an election with the office of the retirement system. The election to not become a member of the system must be filed within 90 days of assuming the position of state officer. If such election is not filed by such state officer, such state officer shall be a member of the system.

(c) Subject to limitations prescribed by the board, the state agency employing any employee who has filed an election as provided under subsection (a) or (b) and who has entered into an employee participation agreement, as provided in K.S.A. 2014 Supp. 74-49b10, and amendments thereto, for deferred compensation pursuant to the Kansas public employees deferred compensation plan shall contribute to such plan on such employee's behalf an amount equal to 8% of the employee's salary, as such salary has been approved pursuant to K.S.A. 75-2935b, and amendments thereto, or as otherwise prescribed by law. With regard to a state officer who is a member of the legislature who has retired pursuant to the Kansas public employees retirement system and who files an election as provided in this section, employee's salary means per diem compensation as provided by law as a member of the legislature.

(d) As used in this section and K.S.A. 74-4927k, and amendments thereto, "state officer" means the secretary of administration, secretary ~~on aging for aging and disability services~~, secretary of commerce, secretary of corrections, secretary of health and environment, secretary of labor, secretary of revenue, secretary ~~of social and rehabilitation services for children and families~~, secretary of transportation, secretary of wildlife, parks and tourism, superintendent of the Kansas highway patrol, secretary of agriculture, executive director of the Kansas lottery, executive director of the Kansas racing commission, president of the Kansas development finance authority, state fire marshal, state librarian, securities commissioner, adjutant general, members and chief hearing officer of the state board of tax appeals, members of the state corporation commission, any unclassified employee on the staff of officers of both houses of the legislature, any unclassified employee appointed to the governor's or lieutenant governor's staff, any person employed by the legislative branch of the state of Kansas, other than any such person receiving service credited under the Kansas public employees retirement system or any other retirement system of the state of Kansas therefor, who elected to be covered by the provisions of this section as provided in ~~subsection (e) of~~ K.S.A. 46-1302(e), and amendments thereto, or who is first employed on or after July 1, 1996, by the legislative branch of the state of Kansas and any member of the legislature who has retired pursuant to the Kansas public employees retirement system.

(e) The provisions of this section shall not apply to any state officer who has elected to remain eligible for assistance by the state board of regents as provided in ~~subsection (a) of~~ K.S.A. 74-4925(a), and amendments thereto.

Sec. 11. K.S.A. 2014 Supp. 74-4914d, as amended by section 2 of 2015 Senate Bill No. 228, is hereby amended to read as follows: 74-4914d. (1) Any additional cost resulting from the normal retirement date and retirement before such normal retirement date for security officers as provided in K.S.A. 74-4914c, and amendments thereto, and disability benefits as provided in K.S.A. 74-4914e, and amendments thereto, shall be added to the employer rate of contribution for the department of corrections as otherwise determined under K.S.A. 74-4920, and amendments thereto, except that the employer rate of contribution for the department of corrections including any such additional cost added to such employer rate of contribution pursuant to this section shall in no event exceed the employer rate of contribution for the department of corrections for the immediately preceding fiscal year by more than the following amounts expressed as a percentage of compensation upon which security officers contribute during the period: (a) For the fiscal year commencing in calendar years 2010 through 2012, an amount not to exceed more than 0.6% of the amount of the immediately preceding fiscal year; (b) for the fiscal year commencing in calendar year 2013, an amount not to exceed more than 0.9% of the amount of the immediately preceding fiscal year; (c) for the fiscal year commencing in calendar year 2014, an amount not to exceed more than 1% of the amount of the immediately preceding fiscal year; (d) for the fiscal year commencing in calendar year 2015, the employer rate of contribution shall be 10.91%, except that if bonds issued pursuant to section 1 of 2015 Senate Bill No. 228, and amendments thereto, have debt service payments that are fully or partially financed through the use of capitalized interest, or have capitalized interest-only debt service payments, the employer rate of contribution shall be an amount not to exceed more than 1.1% of the amount of the immediately preceding fiscal year; (e) for the fiscal year commencing in calendar year 2016, the employer rate of contribution shall be 10.81%, except that if bonds issued pursuant to section 1 of 2015 Senate Bill No. 228, and amendments thereto, have debt service payments that are fully or partially financed through the use of capitalized interest, or have capitalized interest-only debt service payments, the employer rate of contribution shall be an amount not to exceed more than 1.2% of the amount of the immediately preceding fiscal year; and (f) in each subsequent calendar year, an amount not to exceed more than 1.2% of the amount of the immediately preceding fiscal year, *without regard to the employer rate of contribution in subsection (2)*. As used in this section, “capitalized interest” means interest payments on the bonds that are pre-funded or financed from bond proceeds as part of the issue for a specified period of time in order to offset one or more initial debt service payments.

(2) *On and after the effective date of this act, notwithstanding the employer rate of contribution determined under K.S.A. 74-4920(1)(a), and amendments thereto, and subsection (1), the employer rate of contribution*

*for employees covered by this section shall be 8.65% expressed as a percentage of compensation for payroll periods chargeable to the last six months of the fiscal year ending June 30, 2015.*

Sec. 12. K.S.A. 2014 Supp. 74-4920, as amended by section 3 of 2015 Senate Bill No. 228, is hereby amended to read as follows: 74-4920. (1) (a) Upon the basis of each annual actuarial valuation and appraisal as provided for in K.S.A. 74-4908(3)(a), and amendments thereto, the board shall certify, on or before July 15 of each year, to the division of the budget in the case of the state and to the agent for each other participating employer an actuarially determined estimate of the rate of contribution which will be required, together with all accumulated contributions and other assets of the system, to be paid by each such participating employer to pay all liabilities which shall exist or accrue under the system, including amortization of the actuarial accrued liability as determined by the board. The board shall determine the actuarial cost method to be used in annual actuarial valuations, to determine the employer contribution rates that shall be certified by the board. Such certified rate of contribution, amortization methods and periods and actuarial cost method shall be based on the standards set forth in K.S.A. 74-4908(3)(a), and amendments thereto, and shall not be based on any other purpose outside of the needs of the system.

(b) (i) For employers affiliating on and after January 1, 1999, upon the basis of an annual actuarial valuation and appraisal of the system conducted in the manner provided for in K.S.A. 74-4908, and amendments thereto, the board shall certify, on or before July 15 of each year to each such employer an actuarially determined estimate of the rate of contribution which shall be required to be paid by each such employer to pay all of the liabilities which shall accrue under the system from and after the entry date as determined by the board, upon recommendation of the actuary. Such rate shall be termed the employer's participating service contribution and shall be uniform for all participating employers. Such additional liability shall be amortized as determined by the board. For all participating employers described in this section, the board shall determine the actuarial cost method to be used in annual actuarial valuations to determine the employer contribution rates that shall be certified by the board.

(ii) The board shall determine for each such employer separately an amount sufficient to amortize all liabilities for prior service costs which shall have accrued at the time of entry into the system. On the basis of such determination the board shall annually certify to each such employer separately an actuarially determined estimate of the rate of contribution which shall be required to be paid by that employer to pay all of the liabilities for such prior service costs. Such rate shall be termed the employer's prior service contribution.



(2) The division of the budget and the governor shall include in the budget and in the budget request for appropriations for personal services the sum required to satisfy the state's obligation under this act as certified by the board and shall present the same to the legislature for allowance and appropriation.

(3) Each other participating employer shall appropriate and pay to the system a sum sufficient to satisfy the obligation under this act as certified by the board.

(4) Each participating employer is hereby authorized to pay the employer's contribution from the same fund that the compensation for which such contribution is made is paid from or from any other funds available to it for such purpose. Each political subdivision, other than an instrumentality of the state, which is by law authorized to levy taxes for other purposes, may levy annually at the time of its levy of taxes, a tax which may be in addition to all other taxes authorized by law for the purpose of making its contributions under this act and, in the case of cities and counties, to pay a portion of the principal and interest on bonds issued under the authority of K.S.A. 12-1774, and amendments thereto, by cities located in the county, which tax, together with any other fund available, shall be sufficient to enable it to make such contribution. In lieu of levying the tax authorized in this subsection, any taxing subdivision may pay such costs from any employee benefits contribution fund established pursuant to K.S.A. 12-16,102, and amendments thereto. Each participating employer which is not by law authorized to levy taxes as described above, but which prepares a budget for its expenses for the ensuing year and presents the same to a governing body which is authorized by law to levy taxes as described above, may include in its budget an amount sufficient to make its contributions under this act which may be in addition to all other taxes authorized by law. Such governing body to which the budget is submitted for approval, may levy a tax sufficient to allow the participating employer to make its contributions under this act, which tax, together with any other fund available, shall be sufficient to enable the participating employer to make the contributions required by this act.

(5) (a) The rate of contribution certified to a participating employer as provided in this section shall apply during the fiscal year of the participating employer which begins in the second calendar year following the year of the actuarial valuation.

(b) (i) Except as specifically provided in this section, for fiscal years commencing in calendar year 1996 and in each subsequent calendar year, the rate of contribution certified to the state of Kansas shall in no event exceed the state's contribution rate for the immediately preceding fiscal year by more than 0.2% of the amount of compensation upon which members contribute during the period.

(ii) Except as specifically provided in this subsection, for the fiscal years commencing in the following calendar years, the rate of contribution

certified to the state of Kansas and to the participating employers under K.S.A. 74-4931, and amendments thereto, shall in no event exceed the state's contribution rate for the immediately preceding fiscal year by more than the following amounts expressed as a percentage of compensation upon which members contribute during the period: (A) For the fiscal year commencing in calendar years 2010 through 2012, an amount not to exceed more than 0.6% of the amount of the immediately preceding fiscal year; (B) for the fiscal year commencing in calendar year 2013, an amount not to exceed more than 0.9% of the amount of the immediately preceding fiscal year; (C) for the fiscal year commencing in calendar year 2014, an amount not to exceed more than 1% of the amount of the immediately preceding fiscal year; (D) for the fiscal year commencing in calendar year 2015, the employer rate of contribution shall be 10.91%, except that if bonds issued pursuant to section 1 of 2015 Senate Bill No. 228, and amendments thereto, have debt service payments that are fully or partially financed through the use of capitalized interest, or have capitalized interest-only debt service payments, the employer rate of contribution shall be an amount not to exceed more than 1.1% of the amount of the immediately preceding fiscal year; (E) for the fiscal year commencing in calendar year 2016, the employer rate of contribution shall be 10.81%, except that if bonds issued pursuant to section 1 of 2015 Senate Bill No. 228, and amendments thereto, have debt service payments that are fully or partially financed through the use of capitalized interest, or have capitalized interest-only debt service payments, the employer rate of contribution shall be an amount not to exceed more than 1.2% of the amount of the immediately preceding fiscal year; and (F) in each subsequent calendar year, an amount not to exceed more than 1.2% of the amount of the immediately preceding fiscal year, *without regard to the rate of employer contribution in subsection (17)*. As used in this subsection, "capitalized interest" means interest payments on the bonds that are pre-funded or financed from bond proceeds as part of the issue for a specified period of time in order to offset one or more initial debt service payments.

(iii) Except as specifically provided in this section, for fiscal years commencing in calendar year 1997 and in each subsequent calendar year, the rate of contribution certified to participating employers other than the state of Kansas shall in no event exceed such participating employer's contribution rate for the immediately preceding fiscal year by more than 0.15% of the amount of compensation upon which members contribute during the period.

(iv) Except as specifically provided in this subsection, for the fiscal years commencing in the following calendar years, the rate of contribution certified to participating employers other than the state of Kansas shall in no event exceed the contribution rate for such employers for the immediately preceding fiscal year by more than the following amounts ex-

pressed as a percentage of compensation upon which members contribute during the period: (A) For the fiscal year commencing in calendar years 2010 through 2013, an amount not to exceed more than 0.6% of the amount of the immediately preceding fiscal year; (B) for the fiscal year commencing in calendar year 2014, an amount not to exceed more than 0.9% of the amount of the immediately preceding fiscal year; (C) for the fiscal year commencing in calendar year 2015, an amount not to exceed more than 1% of the amount of the immediately preceding fiscal year; (D) for the fiscal year commencing in calendar year 2016, an amount not to exceed more than 1.1% of the amount of the immediately preceding fiscal year; and (E) for the fiscal year commencing in calendar year 2017, and in each subsequent calendar year, an amount not to exceed more than 1.2% of the amount of the immediately preceding fiscal year.

(v) As part of the annual actuarial valuation, there shall be a separate employer rate of contribution calculated for the state of Kansas, a separate employer rate of contribution calculated for participating employers under K.S.A. 74-4931, and amendments thereto, a combined employer rate of contribution calculated for the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto, and a separate employer rate of contribution calculated for all other participating employers.

(vi) There shall be a combined employer rate of contribution certified to the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto. There shall be a separate employer rate of contribution certified to all other participating employers.

(vii) If the combined employer rate of contribution calculated for the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto, is greater than the separate employer rate of contribution for the state of Kansas, the difference in the two rates applied to the actual payroll of the state of Kansas for the applicable fiscal year shall be calculated. This amount shall be certified by the board for deposit as additional employer contributions to the retirement benefit accumulation reserve for the participating employers under K.S.A. 74-4931, and amendments thereto.

(6) The actuarial cost of any legislation enacted in the 1994 session of the Kansas legislature will be included in the June 30, 1994, actuarial valuation in determining contribution rates for participating employers.

(7) The actuarial cost of the provisions of K.S.A. 74-4950i, and amendments thereto, will be included in the June 30, 1998, actuarial valuation in determining contribution rates for participating employers. The actuarial accrued liability incurred for the provisions of K.S.A. 74-4950i, and amendments thereto, shall be amortized over 15 years.

(8) Except as otherwise provided by law, the actuarial cost of any legislation enacted by the Kansas legislature, except the actuarial cost of K.S.A. 74-49,114a, and amendments thereto, shall be in addition to the

employer contribution rates certified for the employer contribution rate in the fiscal year immediately following such enactment. Such actuarial cost shall be determined by the qualified actuary employed or retained by the system pursuant to K.S.A. 74-4908, and amendments thereto, and reported to the system and the joint committee on pensions, investments and benefits.

(9) Notwithstanding the provisions of subsection (8), the actuarial cost of the provisions of K.S.A. 74-49,109 et seq., and amendments thereto, shall be first reflected in employer contribution rates effective with the first day of the first payroll period for the fiscal year 2005. The actuarial accrued liability incurred for the provisions of K.S.A. 74-49,109 et seq., and amendments thereto, shall be amortized over 10 years.

(10) The cost of the postretirement benefit payment provided pursuant to the provisions of K.S.A. 2014 Supp. 74-49,114b, and amendments thereto, for retirants other than local retirants as described in subsection (11) or insured disability benefit recipients shall be paid in the fiscal year commencing on July 1, 2007.

(11) The actuarial accrued liability incurred for the provisions of K.S.A. 2014 Supp. 74-49,114b, and amendments thereto, for the KPERS local group and retirants who were employees of local employers which affiliated with the Kansas police and firemen's retirement system shall be amortized over 10 years.

(12) The cost of the postretirement benefit payment provided pursuant to the provisions of K.S.A. 2014 Supp. 74-49,114c, and amendments thereto, for retirants other than local retirants as described in subsection (13) or insured disability benefit recipients shall be paid in the fiscal year commencing on July 1, 2008.

(13) The actuarial accrued liability incurred for the provisions of K.S.A. 2014 Supp. 74-49,114c, and amendments thereto, for the KPERS local group and retirants who were employees of local employers which affiliated with the Kansas police and firemen's retirement system shall be amortized over 10 years.

(14) The board with the advice of the actuary may fix the contribution rates for participating employers joining the system after one year from the first entry date or for employers who exercise the option contained in K.S.A. 74-4912, and amendments thereto, at rates different from the rate fixed for employers joining within one year of the first entry date.

(15) Employer contributions shall in no way be limited by any other act which now or in the future establishes or limits the compensation of any member.

(16) Notwithstanding any provision of law to the contrary, each participating employer shall remit quarterly, or as the board may otherwise provide, all employee deductions and required employer contributions to the executive director for credit to the Kansas public employees retirement fund within three days after the end of the period covered by the

remittance by electronic funds transfer. Remittances of such deductions and contributions received after such date are delinquent. Delinquent payments due under this subsection shall be subject to interest at the rate established for interest on judgments under K.S.A. 16-204(a), and amendments thereto. At the request of the board, delinquent payments which are due or interest owed on such payments, or both, may be deducted from any other moneys payable to such employer by any department or agency of the state.

*(17) On and after the effective date of this act, notwithstanding the employer rate of contribution determined under subsection (1)(a), for the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto, the employer rate of contribution for the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto, shall be 8.65% expressed as a percentage of compensation for payroll periods chargeable to the last six months of the fiscal year ending June 30, 2015.*

Sec. 13. K.S.A. 2014 Supp. 75-37,121 is hereby amended to read as follows: 75-37,121. (a) There is created the office of administrative hearings within the department of administration, to be headed by a director appointed by the secretary of administration. The director shall be in the unclassified service under the Kansas civil service act.

(b) The office may employ or contract with presiding officers, court reporters and other support personnel as necessary to conduct proceedings required by the Kansas administrative procedure act for adjudicative proceedings of the state agencies, boards and commissions specified in subsection (h). The office shall conduct adjudicative proceedings of any state agency which is specified in subsection (h) when requested by such agency. Only a person admitted to practice law in this state or a person directly supervised by a person admitted to practice law in this state may be employed as a presiding officer. The office may employ regular part-time personnel. Persons employed by the office shall be under the classified civil service.

(c) If the office cannot furnish one of its presiding officers within 60 days in response to a requesting agency's request, the director shall designate in writing a full-time employee of an agency other than the requesting agency to serve as presiding officer for the proceeding, but only with the consent of the employing agency. The designee must possess the same qualifications required of presiding officers employed by the office.

(d) The director may furnish presiding officers on a contract basis to any governmental entity to conduct any proceeding other than a proceeding as provided in subsection (h).

(e) The secretary of administration may adopt rules and regulations:

(1) To establish procedures for agencies to request and for the director to assign presiding officers. An agency may neither select nor reject

any individual presiding officer for any proceeding except in accordance with the Kansas administrative procedure act;

(2) to establish procedures and adopt forms, consistent with the Kansas administrative procedure act, the model rules of procedure, and other provisions of law, to govern presiding officers; and

(3) to facilitate the performance of the responsibilities conferred upon the office by the Kansas administrative procedure act.

(f) The director may implement the provisions of this section and rules and regulations adopted under its authority.

(g) The secretary of administration may adopt rules and regulations to establish fees to charge a state agency for the cost of using a presiding officer.

(h) The following state agencies, boards and commissions shall utilize the office of administrative hearings for conducting adjudicative hearings under the Kansas administrative procedures act in which the presiding officer is not the agency head or one or more members of the agency head:

(1) On and after July 1, 2005: ~~Department of social and rehabilitation services~~ *Kansas department for children and families*, juvenile justice authority, ~~department on aging~~ *Kansas department for aging and disability services*, department of health and environment, Kansas public employees retirement system, Kansas water office, Kansas department of agriculture division of animal health and Kansas insurance department.

(2) On and after July 1, 2006: Emergency medical services board, emergency medical services council and Kansas human rights commission.

(3) On and after July 1, 2007: Kansas lottery, Kansas racing and gaming commission, state treasurer, pooled money investment board, Kansas department of wildlife, parks and tourism and state board of tax appeals.

(4) On and after July 1, 2008: Department of human resources, state corporation commission, Kansas department of agriculture division of conservation, agricultural labor relations board, department of administration, department of revenue, board of adult care home administrators, Kansas state grain inspection department, board of accountancy and Kansas wheat commission.

(5) On and after July 1, 2009, all other Kansas administrative procedure act hearings not mentioned in subsections (1), (2), (3) and (4).

(i) (1) Effective July 1, 2005, any presiding officer in agencies specified in subsection (h)(1) which conduct hearings pursuant to the Kansas administrative procedure act, except those exempted pursuant to K.S.A. 77-551, and amendments thereto, and support personnel for such presiding officers, shall be transferred to and shall become employees of the office of administrative hearings. Such personnel shall retain all rights under the state personnel system and retirement benefits under the laws of this state which had accrued to or vested in such personnel prior to

the effective date of this section. Such person's services shall be deemed to have been continuous. All transfers of personnel positions in the classified service under the Kansas civil service act shall be in accordance with civil service laws and any rules and regulations adopted thereunder. This section shall not affect any matter pending before an administrative hearing officer at the time of the effective date of the transfer, and such matter shall proceed as though no transfer of employment had occurred.

(2) Effective July 1, 2006, any presiding officer in agencies specified in subsection (h)(2) which conduct hearings pursuant to the Kansas administrative procedure act, except those exempted pursuant to K.S.A. 77-551, and amendments thereto, and support personnel for such presiding officers, shall be transferred to and shall become employees of the office of administrative hearings. Such personnel shall retain all rights under the state personnel system and retirement benefits under the laws of this state which had accrued to or vested in such personnel prior to the effective date of this section. Such person's services shall be deemed to have been continuous. All transfers of personnel positions in the classified service under the Kansas civil service act shall be in accordance with civil service laws and any rules and regulations adopted thereunder. This section shall not affect any matter pending before an administrative hearing officer at the time of the effective date of the transfer, and such matter shall proceed as though no transfer of employment had occurred.

(3) Effective July 1, 2007, any presiding officer in agencies specified in subsection (h)(3) which conduct hearings pursuant to the Kansas administrative procedure act, except those exempted pursuant to K.S.A. 77-551, and amendments thereto, and support personnel for such presiding officers, shall be transferred to and shall become employees of the office of administrative hearings. Such personnel shall retain all rights under the state personnel system and retirement benefits under the laws of this state which had accrued to or vested in such personnel prior to the effective date of this section. Such person's services shall be deemed to have been continuous. All transfers of personnel positions in the classified service under the Kansas civil service act shall be in accordance with civil service laws and any rules and regulations adopted thereunder. This section shall not affect any matter pending before an administrative hearing officer at the time of the effective date of the transfer, and such matter shall proceed as though no transfer of employment had occurred.

(4) Effective July 1, 2008, any full-time presiding officer in agencies specified in subsection (h)(4) which conduct hearings pursuant to the Kansas administrative procedure act, except those exempted pursuant to K.S.A. 77-551, and amendments thereto, and support personnel for such presiding officers, shall be transferred to and shall become employees of the office of administrative hearings. Such personnel shall retain all rights under the state personnel system and retirement benefits under the laws of this state which had accrued to or vested in such personnel prior to

the effective date of this section. Such person's services shall be deemed to have been continuous. All transfers of personnel positions in the classified service under the Kansas civil service act shall be in accordance with civil service laws and any rules and regulations adopted thereunder. This section shall not affect any matter pending before an administrative hearing officer at the time of the effective date of the transfer, and such matter shall proceed as though no transfer of employment had occurred.

(5) Effective July 1, 2009, any full-time presiding officer in agencies specified in subsection (h)(5) which conduct hearings pursuant to the Kansas administrative procedure act, except those exempted pursuant to K.S.A. 77-551, and amendments thereto, and support personnel for such presiding officers, shall be transferred to and shall become employees of the office of administrative hearings. Such personnel shall retain all rights under the state personnel system and retirement benefits under the laws of this state which had accrued to or vested in such personnel prior to the effective date of this section. Such person's services shall be deemed to have been continuous. All transfers of personnel positions in the classified service under the Kansas civil service act shall be in accordance with civil service laws and any rules and regulations adopted thereunder. This section shall not affect any matter pending before an administrative hearing officer at the time of the effective date of the transfer, and such matter shall proceed as though no transfer of employment occurred.

Sec. 14. K.S.A. 2014 Supp. 76-1936 is hereby amended to read as follows: 76-1936. (a) The commissioner of ~~mental health and developmental disabilities~~ *community services and programs* of the Kansas department for aging and disability services, with the approval of the secretary for aging and disability services and the director of the Kansas commission on veterans affairs office, may transfer patients in the state hospitals at ~~Topka, Osawatomie and Larned~~ and patients in the Rainbow mental health facility; *and* the Parsons state hospital and training center ~~and the Winfield state hospital and training center~~ who have served in the military or naval forces of the United States or whose husband, wife, father, son or daughter has served in the active military or naval service of the United States during any period of any war as defined in K.S.A. 76-1908, and amendments thereto, and who was discharged or relieved therefrom under conditions other than dishonorable, to the Kansas soldiers' home. No patient who is such a mentally ill person, in the opinion of the commissioner of mental health and developmental disabilities, that because of such patient's illness such patient is likely to injure themselves or others, shall be so transferred to such Kansas soldiers' home, and no such patient shall be so transferred if such transfer will deny admission to persons entitled to admission under K.S.A. 76-1908, and amendments thereto, and rules and regulations promulgated thereunder. Persons so



transferred shall not be considered as members of the Kansas soldiers' home but shall be considered as patients therein.

(b) All of the laws, rules and regulations relating to patients in the above-specified state hospitals and mental health facility shall be applicable to such patients so transferred insofar as the same can be made applicable. Any patient so transferred who is found to be or shall become such a mentally ill person, in the opinion of the commissioner of mental health and developmental disabilities, that because of such patient's illness such patient is likely to injure themselves or others or who is determined to need additional psychiatric treatment, shall be retransferred by the superintendent of the Kansas soldiers' home, with the approval of the commissioner of mental health and developmental disabilities and the director of the Kansas commission on veterans affairs office, to the institution from whence the patient was originally transferred.

Sec. 15. K.S.A. 2014 Supp. 79-1609 is hereby amended to read as follows: 79-1609. Any person aggrieved by any order of the hearing officer or panel, *or by the classification and appraisal of an independent appraiser, as provided in K.S.A. 2014 Supp. 79-5b03, and amendments thereto*, may appeal to the state board of tax appeals by filing a written notice of appeal, on forms approved by the state board of tax appeals and provided by the county clerk for such purpose, stating the grounds thereof and a description of any comparable property or properties and the appraisal thereof upon which they rely as evidence of inequality of the appraisal of their property, if that be a ground of the appeal, with the state board of tax appeals and by filing a copy thereof with the county clerk within 30 days after the date of the order from which the appeal is taken. The notice of appeal may be signed by the taxpayer, any person with an executed declaration of representative form from the property valuation division of the department of revenue or any person authorized to represent the taxpayer in ~~subsection (f) of~~ K.S.A. 74-2433f(f), and amendments thereto. A county or district appraiser may appeal to the state board of tax appeals from any order of the hearing officer or panel. With regard to any matter properly submitted to the board relating to the determination of valuation of residential property or real property used for commercial and industrial purposes for taxation purposes, it shall be the duty of the county appraiser to initiate the production of evidence to demonstrate, by a preponderance of the evidence, the validity and correctness of such determination. With regard to leased commercial and industrial property, the burden of proof shall be on the taxpayer unless, within 30 calendar days following the informal meeting required by K.S.A. 79-1448, and amendments thereto, the taxpayer furnished to the county or district appraiser a complete income and expense statement for the property for the three years next preceding the year of appeal. Such income and expense statement shall be in such format that is regularly maintained by

the taxpayer in the ordinary course of the taxpayer's business. If the taxpayer submits a single property appraisal with an effective date of January 1 of the year appealed, the burden of proof shall return to the county appraiser.

Sec. 16. K.S.A. 2014 Supp. 79-1703 is hereby amended to read as follows: 79-1703. (a) Except as provided in subsection (b) or as otherwise provided by law, no board of county commissioners or other officer of any county shall have power to release, discharge or remit any portion of the taxes assessed or levied against any person or property within their respective jurisdictions for any reason whatever. Any taxes so discharged, released or remitted may be recovered by civil action from the members of the board of county commissioners or such other officer and the sureties of their official bonds at the suit of the attorney general, the county attorney, or of any citizen of the county or the board of education of any school district a part of the territory of which is in such county, as the case may be, and when collected shall be paid into the county treasury to be properly apportioned and paid to the county, municipalities, school districts and other taxing subdivisions entitled thereto. Nothing in this subsection shall be construed to prohibit a board of county commissioners from entering into an agreement whereby the board agrees to pay the full amount of the taxes assessed or levied against any person or property on behalf of such person, as long as such amount is properly apportioned and paid to the county, municipalities, school districts and other taxing subdivisions entitled to a portion of such amount.

(b) In the event a person, partnership or corporation has failed to pay any portion of the taxes assessed or levied against its property located within any county and such person, partnership or corporation is a debtor in an action filed pursuant to the United States bankruptcy code, the county commissioners of any such county may compromise, assign, transfer or otherwise settle such tax claim in such fashion as the commissioners deem to be in the best interest of the state and all taxing subdivisions affected thereby, subject to approval by the state ~~court~~ board of tax appeals; except that, the state and each other taxing subdivision affected by any such settlement shall receive the same proportional share of its respective tax claim. The state ~~court~~ board of tax appeals shall respond to such settlement request within 30 days from the date of receiving such request or such request shall be deemed approved.

Sec. 17. K.S.A. 2013 Supp. 38-2310, as amended by section 2 of chapter 131 of the 2014 Session Laws of Kansas and 65-2895, as amended by section 36 of chapter 131 of the 2014 Session Laws of Kansas and K.S.A. 2014 Supp. 8-126, as amended by section 1 of 2015 Senate Bill No. 73, 8-126, as amended by section 2 of 2015 House Bill No. 2044, 9-1111, as amended by section 8 of 2015 House Bill No. 2216, 9-1215, as amended by section 1 of 2015 Senate Substitute for House Bill No. 2258, 9-1216,

as amended by section 2 of 2015 Senate Substitute for House Bill No. 2258, 12-1744a, 12-1744f, 12-4516, 12-4516a, 12-4516b, 12-4516c, 17-7673, 17-7673a, 17-7674, 17-7674a, 17-7677, 17-7677a, 20-380a, 38-2310, 65-2895, 74-4911f, 74-4911j, 74-4914d, as amended by section 2 of 2015 Senate Bill No. 228, 74-4914d, as amended by section 55 of 2015 House Substitute for Senate Bill No. 4, 74-4920, as amended by section 3 of 2015 Senate Bill No. 228, 74-4920, as amended by section 56 of 2015 House Substitute for Senate Bill No. 4, 74-99b34a, 75-37,121, 75-37,121b, 76-1936, 76-1936a, 79-1609, 79-1609a, 79-1703 and 79-1703a are hereby repealed.

Sec. 18. This act shall take effect and be in force from and after its publication in the statute book.

Approved June 16, 2015.

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## CHAPTER 101

### HOUSE BILL No. 2010

AN ACT concerning information technology; relating to the office of information technology services; providing for information technology audits; amending K.S.A. 46-1128 and repealing the existing section.

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

New Section 1. (a) The legislative division of post audit shall conduct information technology audits as directed by the legislative post audit committee. Audit work performed under this section may include:

(1) Assessment of security practices of information technology systems maintained or administered by any state agency or any entity subject to audit under the provisions of K.S.A. 46-1114(c), and amendments thereto; and

(2) continuous audits of ongoing information technology projects by any state agency or any entity subject to audit under the provisions of K.S.A. 46-1114(c), and amendments thereto, including systems development and implementation.

(b) Written reports on the results of such auditing shall be furnished to the governor, the entity which is being audited, the chief information technology officers of the executive, legislative and judicial branches, the legislative post audit committee, the joint committee on information technology and such other persons or agencies as may be required by law or by the specifications of the audit or as otherwise directed by the legislative post audit committee.

(c) The provisions of K.S.A. 46-1106(g), and amendments thereto, shall apply to any audit or audit work conducted pursuant to this section.

(d) This section shall be part of and supplemental to the legislative post audit act.

New Sec. 2. For the purpose of preparation of the governor's budget report and related legislative measure or measures for submission to the legislature, the office of information technology services, established in K.S.A. 75-4701, and amendments thereto, shall be considered a separate state agency and shall be titled for such purpose as the "office of information technology services." The budget estimates and requests of such office shall be presented as from a state agency separate from the department of administration, and such separation shall be maintained in the budget documents and reports prepared by the director of the budget and the governor, or either of them, including all related legislative reports and measures submitted to the legislature.

Sec. 3. K.S.A. 46-1128 is hereby amended to read as follows: 46-1128. (a) Except as provided by subsections (b) ~~and~~, (c) *and* (d) of this section and by ~~subsections (d), (e) and (g) of K.S.A. 46-1106(d), (e) and (g),~~ and amendments thereto, each audit report prepared by the division of post audit or by a firm under the legislative post audit act, and each finding, conclusion, opinion or recommendation contained in the audit report, shall be confidential and shall not be disclosed pursuant to the provisions of the open records act or under any other law until: (1) The time of the next scheduled meeting of the legislative post audit committee held after distribution of the report to members of such committee; or (2) the time of the next scheduled meeting of another legislative committee held after distribution of the report to the members of such committee as authorized by the legislative post audit committee.

(b) The legislative post audit committee may authorize a specific confidential distribution of any audit report, prior to any such presentation of the audit report, by motion adopted by the legislative post audit committee or by rule adopted by the committee, in accordance with such motion or rule. Each person who receives an audit report pursuant to any such motion or rule authorizing a specific confidential distribution of the audit report shall keep the audit report and each finding, conclusion, opinion or recommendation contained in the audit report confidential until the audit report is presented to the legislative post audit committee or another legislative committee at an open meeting of the committee.

(c) The post auditor, or the post auditor's designee may make a limited distribution of preliminary audit findings, conclusions or recommendations to any person affected by the audit as part of the process of conducting the audit. Such preliminary audit findings, conclusions, opinions or recommendations shall be confidential and shall not be subject to disclosure pursuant to the provisions of the open records act or any other law, except as provided in ~~subsections (d), (e) and (g) of K.S.A. 46-1106(d), (e) and (g),~~ and amendments thereto.

(d) *The legislative post auditor may report in writing outside of a regularly scheduled meeting to the legislative post audit committee, the joint committee on information technology, and the chief information technology officers of the executive, legislative and judicial branches, when, in the opinion of the post auditor, it appears that an information technology project being audited under section 1, and amendments thereto, is at risk due to a failure to meet key milestones, or failure to receive sufficient deliverables after a contract payment, significant cost overruns, or when the post auditor finds the project is not being efficiently and effectively implemented in accordance with its original stated purpose and goals.*

(e) As used in this section, “audit report” means the written report of any financial-compliance audit, performance audit, or any other audit or audit work conducted under the legislative post audit act by the division of post audit or by a firm under the legislative post audit act; and any other words and phrases used in this section shall have the meanings respectively ascribed thereto by K.S.A. 46-1112, and amendments thereto.

~~(e)~~(f) This section shall be ~~constructed as~~ part of *and supplemental to* the legislative post audit act.

Sec. 4. K.S.A. 46-1128 is hereby repealed.

Sec. 5. This act shall take effect and be in force from and after its publication in the statute book.

Approved June 16, 2015.

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## CHAPTER 102

House Substitute for SENATE BILL No. 270  
(Amends Chapter 99)  
(Amended by Chapter 105)

AN ACT concerning taxation; relating to income tax rates, low income exclusion, food sales tax credit; sales and compensating use tax, rates, distribution thereof; property tax, elections by cities; amending K.S.A. 2014 Supp. 79-2925b, as amended by section 5 of 2015 Senate Substitute for House Bill No. 2109, 79-32,110, as amended by section 25 of 2015 Senate Substitute for House Bill No. 2109, 79-32,269, as amended by section 28 of 2015 Senate Substitute for House Bill No. 2109, 79-3602, as amended by section 6 of 2015 Senate Substitute for House Bill No. 2109, 79-3603, as amended by section 7 of 2015 Senate Substitute for House Bill No. 2109, 79-3606, as amended by section 33 of 2015 Senate Substitute for House Bill No. 2109, 79-3620, as amended by section 8 of 2015 Senate Substitute for House Bill No. 2109, 79-3703, as amended by section 9 of 2015 Senate Substitute for House Bill No. 2109, and 79-3710, as amended by section 10 of 2015 Senate Substitute for House Bill No. 2109 and repealing the existing sections; also repealing Section 11 of 2015 Senate Substitute for House Bill No. 2109.

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

New Section 1. (a) For any taxable year commencing after December 31, 2014, a credit shall be allowed against the tax imposed by the Kansas income tax act on the Kansas taxable income of an individual income taxpayer who purchased food in this state, had federal adjusted gross income for the tax year that did not exceed \$30,615, and meets the qualifications in subsections (b) and (c).

(b) During the entire tax year a taxpayer filing single, head of household, or married filing separate, or the taxpayer and the taxpayer's spouse if married filing jointly, must be domiciled in this state. For purposes of this credit, "domicile" shall not include any correctional facility, or portion thereof, as defined in K.S.A. 75-5202, and amendments thereto, any juvenile correctional facility, or portion thereof, as defined in K.S.A. 38-2302, and amendments thereto, any correctional facility of the federal bureau of prisons located in the state of Kansas, or any city or county jail facility in the state of Kansas.

(c) During the entire tax year a taxpayer filing single, head of household, or married filing separate, or the taxpayer or the taxpayer's spouse if married filing jointly, must be either: (1) A person having a disability, regardless of age; (2) a person without a disability who is 55 years of age or older; or (3) a person without a disability who is younger than 55 years of age who claims an exemption for one or more dependent children under 18 years of age.

(d) The amount of the credit shall be \$125 for every exemption claimed on the taxpayer's federal income tax return, except that no exemption shall be counted for a dependent unless the dependent is a child under 18 years of age.

(e) The credit allowed under this provision shall be applied against the taxpayer's income tax liability after all other credits allowed under the income tax act. It shall not be refundable and may not be carried forward.

(f) (1) Every taxpayer claiming the credit shall supply the division in support of a claim, reasonable proof of domicile, age and disability.

(2) A claim alleging disability shall be supported by a report of the examining physician of the claimant with a statement or certificate that the applicant has a disability as defined in subsection (g).

(g) “Disability” means: (1) Inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or has lasted or can be expected to last for a continuous period of not less than 12 months, and an individual shall be determined to be under a disability only if the physical or mental impairment or impairments are of such severity that the individual is not only unable to do the individual’s previous work but cannot, considering age, education and work experience, engage in any other kind of substantial gainful work which exists in the national economy, regardless of whether such work exists in the immediate area in which the individual lives or whether a specific job vacancy exists for the individual, or whether the individual would be hired if application was made for work. For purposes of this paragraph, with respect to any individual, “work which exists in the national economy” means work which exists in significant numbers either in the region where the individual lives or in several regions of the country; and “physical or mental impairment” means an impairment that results from anatomical, physiological or psychological abnormalities which are demonstrable by medically acceptable clinical and laboratory diagnostic techniques; or

(2) blindness and inability by reason of blindness to engage in substantial gainful activity requiring skills or abilities comparable to those of any gainful activity in which the individual has previously engaged with some regularity and over a substantial period of time. For purposes of this paragraph, “blindness” means central visual acuity of  $\frac{20}{200}$  or less in the better eye with the use of a correcting lens. An eye which is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees shall be considered for the purpose of this paragraph as having a central visual acuity of  $\frac{20}{200}$  or less.

(h) The secretary of revenue is hereby authorized to adopt such rules and regulations as may be necessary for the administration of the provisions of this section.

Sec. 2. K.S.A. 2014 Supp. 79-2925b, as amended by section 5 of 2015 Senate Substitute for House Bill No. 2109, is hereby amended to read as follows: 79-2925b. (a) Without a majority vote so providing, the governing body of any municipality shall not approve any appropriation or budget, as the case requires, which may be funded by revenue produced from property taxes, and which provides for funding with such revenue in an amount exceeding that of the next preceding year, adjusted to reflect

changes in the consumer price index for all urban consumers as published by the United States department of labor for the preceding calendar year. If the total tangible property valuation in any municipality increases from the next preceding year due to increases in the assessed valuation of existing tangible property and such increase exceeds changes in the consumer price index, the governing body shall lower the amount of ad valorem tax to be levied to the amount of ad valorem tax levied in the next preceding year, adjusted to reflect changes in the consumer price index. This subsection shall not apply to ad valorem taxes levied under K.S.A. 76-6b01 and 76-6b04 and section 11 of 2015 House Substitute for Senate Bill No. 7, and amendments thereto, and any other ad valorem tax levy which was previously approved by the voters of such municipality. Except as provided in subsection (g), notwithstanding the requirements of this subsection, nothing herein shall prohibit a municipality from increasing the amount of ad valorem tax to be levied if the municipality approves the increase with a majority vote of the governing body by the adoption of a resolution and publishes such vote as provided in subsection (c).

(b) Revenue that, in the current year, is produced and attributable to the taxation of:

- (1) New improvements to real property;
- (2) increased personal property valuation, other than increased valuation of oil and gas leaseholds and mobile homes;
- (3) property located within added jurisdictional territory; or
- (4) property which has changed in use shall not be considered when determining whether revenue produced from property has increased from the next preceding year.

(c) In the event the governing body votes to approve any appropriation or budget, as the case requires, which may be funded by revenue produced from property taxes, and which provides for funding with such revenue in an amount exceeding that of the next preceding year as provided in subsection (a), notice of such vote shall be published in the official county newspaper of the county where such municipality is located.

(d) The provisions of this section shall be applicable to all fiscal and budget years commencing on and after the effective date of this act.

(e) The provisions of this section shall not apply to revenue received from property tax levied for the sole purpose of repayment of the principal of and interest upon bonded indebtedness, temporary notes and no-fund warrants.

(f) For purposes of this section, "municipality" means any political subdivision of the state which levies an ad valorem tax on property and includes, but is not limited to, any county, township, municipal university, school district, community college, drainage district or other taxing district. "Municipality" shall not include any such political subdivision or



taxing district which receives \$1,000 or less in revenue from property taxes in the current year.

(g) (1) In the case of cities and counties, ~~a any resolution authorizing the adoption of any appropriation or budget under subsection (a) by the governing body otherwise required by this section to adopt any appropriation or budget which provides for funding by property tax revenue in an amount exceeding that of the next preceding year as adjusted pursuant to subsection (a) to reflect changes in the consumer price index, shall not become effective unless such resolution has been submitted to and approved by a majority of the qualified electors of the city or county voting at an election called and held thereon, except as otherwise provided. The election shall be called and held at the next regularly scheduled election in the manner provided by K.S.A. 10-120, and amendments thereto, at the next regularly scheduled election to be held in August or November, or may be a mail ballot election, conducted in accordance with K.S.A. 25-431 et seq., and amendments thereto, or may be a special election called by the city or county.~~ Nothing in this subsection shall prevent any city or county from holding more than one election in any year.

(2) A resolution by the governing body of a city or county otherwise required by the provisions of this section shall not be required to be approved by an election required by subsection (g)(1) under the following circumstances:

(A) The increase in the amount of ad valorem tax to be levied that is greater than the change in the consumer price index is due to:

(i) Costs for new infrastructure or improvements to existing infrastructure to support new improvements to property exempt from property taxation pursuant to the provisions of K.S.A. 79-201 et seq., and amendments thereto, such as hospitals, schools and churches, or exempt additions to or improvements to property so exempt from property taxation;

(ii) bond and interest payments;

(iii) an increase in property subject to taxation as the result of the expiration of any abatement of property from property tax;

(iv) increases in road construction costs when such construction has been once approved by a resolution of the governing body of the city or county;

(v) special assessments;

(vi) judgments levied against the city or county or expenses for legal counsel and for defense of legal actions against the city or county or officers of the city or county;

(vii) new expenditures that are specifically mandated by federal or state law; or

(viii) an increase in property subject to taxation as the result of new construction;

(B) the assessed valuation has declined in one or more of the next preceding three calendar years and the increase in the amount of funding

for the budget or appropriation from revenue produced from property taxes does not exceed the average amount of funding from such revenue of the next preceding three calendar years, adjusted to reflect changes in the consumer price index for all urban consumers as published by the United States department of labor for the preceding calendar year; or

(C) the increase in the amount of ad valorem tax to be levied is less than the change in the consumer price index plus the loss of assessed property valuation that has occurred as the result of legislative action, judicial action or a ruling by the board of tax appeals.

Sec. 3. K.S.A. 2014 Supp. 79-32,110, as amended by section 25 of 2015 Senate Substitute for House Bill No. 2109, is hereby amended to read as follows: 79-32,110. (a) *Resident Individuals*. Except as otherwise provided by K.S.A. 79-3220(a), and amendments thereto, a tax is hereby imposed upon the Kansas taxable income of every resident individual, which tax shall be computed in accordance with the following tax schedules:

(1) *Married individuals filing joint returns.*

(A) For tax year 2012:

If the taxable income is:	The tax is:
Not over \$30,000.....	3.5% of Kansas taxable income
Over \$30,000 but not over \$60,000 .....	\$1,050 plus 6.25% of excess over \$30,000
Over \$60,000 .....	\$2,925 plus 6.45% of excess over \$60,000

(B) For tax year 2013:

If the taxable income is:	The tax is:
Not over \$30,000.....	3.0% of Kansas taxable income
Over \$30,000 .....	\$900 plus 4.9% of excess over \$30,000

(C) For tax year 2014:

If the taxable income is:	The tax is:
Not over \$30,000.....	2.7% of Kansas taxable income
Over \$30,000 .....	\$810 plus 4.8% of excess over \$30,000

(D) For tax years 2015, 2016 and 2017:

If the taxable income is:	The tax is:
Not over \$30,000.....	2.7% of Kansas taxable income
Over \$30,000 .....	\$810 plus 4.6% of excess over \$30,000

(E) For tax year 2018, and all tax years thereafter:

If the taxable income is:	The tax is:
Not over \$30,000.....	2.6% of Kansas taxable income
Over \$30,000.....	\$780 plus 4.6% of excess over \$30,000

(2) *All other individuals.*

(A) For tax year 2012:

If the taxable income is:	The tax is:
Not over \$15,000.....	3.5% of Kansas taxable income
Over \$15,000 but not over \$30,000 .....	\$525 plus 6.25% of excess over \$15,000
Over \$30,000 .....	\$1,462.50 plus 6.45% of excess over \$30,000

(B) For tax year 2013:

If the taxable income is:	The tax is:
Not over \$15,000.....	3.0% of Kansas taxable income
Over \$15,000.....	\$450 plus 4.9% of excess over \$15,000

(C) For tax year 2014:

If the taxable income is:	The tax is:
Not over \$15,000.....	2.7% of Kansas taxable income
Over \$15,000.....	\$405 plus 4.8% of excess over \$15,000

(D) For tax years 2015, 2016 and 2017:

If the taxable income is:	The tax is:
Not over \$15,000.....	2.7% of Kansas taxable income
Over \$15,000.....	\$405 plus 4.6% of excess over \$15,000

(E) For tax year 2018, and all tax years thereafter:

If the taxable income is:	The tax is:
Not over \$15,000.....	2.6% of Kansas taxable income
Over \$15,000.....	\$390 plus 4.6% of excess over \$15,000

(b) *Nonresident Individuals.* A tax is hereby imposed upon the Kansas taxable income of every nonresident individual, which tax shall be an amount equal to the tax computed under subsection (a) as if the nonresident were a resident multiplied by the ratio of modified Kansas source income to Kansas adjusted gross income.

(c) *Corporations.* A tax is hereby imposed upon the Kansas taxable income of every corporation doing business within this state or deriving

income from sources within this state. Such tax shall consist of a normal tax and a surtax and shall be computed as follows:

(1) The normal tax shall be in an amount equal to 4% of the Kansas taxable income of such corporation; and

(2) (A) for tax year 2008, the surtax shall be in an amount equal to 3.1% of the Kansas taxable income of such corporation in excess of \$50,000;

(B) for tax years 2009 and 2010, the surtax shall be in an amount equal to 3.05% of the Kansas taxable income of such corporation in excess of \$50,000; and

(C) for tax year 2011, and all tax years thereafter, the surtax shall be in an amount equal to 3% of the Kansas taxable income of such corporation in excess of \$50,000.

(d) *Fiduciaries.* A tax is hereby imposed upon the Kansas taxable income of estates and trusts at the rates provided in subsection (a)(2) hereof.

(e) Tax rates provided in this section shall be adjusted pursuant to the provisions of K.S.A. 2014 Supp. 79-32,269, and amendments thereto.

(f) *Notwithstanding the provisions of subsections (a) and (b), for tax year 2016, and all tax years thereafter, married individuals filing joint returns with taxable income of \$12,500 or less, and all other individuals with taxable income of \$5,000 or less, shall have a tax liability of zero.*

Sec. 4. K.S.A. 2014 Supp. 79-32,269, as amended by section 28 of 2015 Senate Substitute for House Bill No. 2109, is hereby amended to read as follows: 79-32,269. (a) (1) (A) Except as provided in subsection (a)(2), commencing with fiscal year 2020, in any fiscal year in which the amount of selected actual state general fund receipts less ~~(i)~~ increases in payments to the Kansas public employees retirement system required pursuant to K.S.A. 74-4914d, 74-4920, 74-4939 and 74-4967, and amendments thereto, or any other statute; and ~~(ii) increases in the costs of the Medicaid program~~ from such fiscal year exceeds the selected actual state general fund receipts for the immediately preceding fiscal year by more than ~~3%~~ 2.5%, the director of legislative research shall certify such excess amount, in dollars, to the secretary of revenue and the director of the budget. Upon receipt of such certified amount, the secretary shall compute the income tax rate reductions to go into effect for the next tax year that would reduce by such certified amount, in dollars, the tax rates during the next tax year according to the provisions of this section. The secretary shall compute any income tax rate reductions so that any excess amount is applied such that an equal number of dollars are used to lower all individual income tax rates in K.S.A. 79-32,110, and amendments thereto. In any such computation by the secretary pursuant to this subsection the resulting income tax rate shall be rounded down to the nearest 0.01%. Based on all such determinations, the secretary shall reduce individual

income tax rates prescribed by K.S.A. 79-32,110, and amendments thereto, as required by this section;

(B) upon all individual marginal income tax rates being reduced to 0% pursuant to the provisions of subsection (a)(1)(A), rate reduction next shall be applied for the surtax on corporations applicable to the current tax year by such excess amount. Based on such determination, the secretary shall reduce the surtax on corporations prescribed by K.S.A. 79-32,110, and amendments thereto, as required by this section; and

(C) upon the surtax on corporations being reduced to a rate which when combined with the normal tax rate on corporations is equal to or below the combined surtax and normal tax imposed on national banking associations and state banks or is equal to or below the combined surtax and normal tax imposed on trust companies and savings and loan associations, rate reductions shall be proportionately applied for the tax on corporations, the tax on national banking associations and state banks, and the tax on trust companies and savings and loan associations. Such rate reductions shall be first applied to the surtax until reduced to 0% and then applied to the normal tax for each such tax. Based on such determination, the secretary shall reduce the surtax and the normal tax on corporations prescribed by K.S.A. 79-32,110, and amendments thereto, the surtax and normal tax on national banking associations and state banks prescribed by K.S.A. 79-1107, and amendments thereto, and the surtax and normal tax on trust companies and savings and loan associations prescribed by K.S.A. 79-1108, and amendments thereto, as required by this section.

(2) In any fiscal year in which the amount of selected actual state general fund receipts less ~~(A) increases in payments to the Kansas public employees retirement system required pursuant to K.S.A. 74-4914d, 74-4920, 74-4939 and 74-4967, and amendments thereto, or any other statute, and (B) increases in the costs of the medicaid program~~ for such fiscal year are ~~103%~~ 102.5% or less than the selected actual state general fund receipts from the immediately preceding fiscal year, the director of legislative research shall certify such amount and fact to the secretary of revenue and the director of the budget. Upon receipt of such amount and fact, the secretary of revenue shall not make any adjustment to the income tax rates for that tax year.

(b) The secretary of revenue shall report any reduction in income tax rates prescribed by this section to the chairperson of the assessment and taxation committee of the senate, the chairperson of the taxation committee of the house of representatives and the governor, and shall cause notice of any such reduction to be published in the Kansas register prior to September 15 of the calendar year immediately preceding the tax year in which such reduction takes effect.

(c) As used in this section, "selected actual state general fund receipts" means receipts from the following taxes and fees: Individual and

corporation income taxes imposed under K.S.A. 79-32,110, and amendments thereto, financial institutions privilege taxes imposed under article 11 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, retail sales taxes imposed under K.S.A. 79-3601 et seq., and amendments thereto, compensating use taxes imposed under K.S.A. 79-3701 et seq., and amendments thereto, cigarette and tobacco product taxes imposed under K.S.A. 79-3301 et seq., and amendments thereto, cereal malt beverage and liquor gallonage taxes imposed under K.S.A. 41-501 et seq., and amendments thereto, liquor enforcement taxes imposed under K.S.A. 79-4101 et seq., and amendments thereto, liquor drink taxes imposed under K.S.A. 79-41a01 et seq., and amendments thereto, corporation franchise taxes imposed under K.S.A. 79-5401, and amendments thereto, annual franchise fees charged pursuant to law and mineral severance taxes imposed under K.S.A. 79-4216 et seq., and amendments thereto.

Sec. 5. K.S.A. 2014 Supp. 79-3602, as amended by section 6 of 2015 Senate Substitute for House Bill No. 2109, is hereby amended to read as follows: 79-3602. Except as otherwise provided, as used in the Kansas retailers' sales tax act:

(a) "Agent" means a person appointed by a seller to represent the seller before the member states.

(b) "Agreement" means the multistate agreement entitled the streamlined sales and use tax agreement approved by the streamlined sales tax implementing states at Chicago, Illinois on November 12, 2002.

(c) "Alcoholic beverages" means beverages that are suitable for human consumption and contain 0.05% or more of alcohol by volume.

(d) "Certified automated system (CAS)" means software certified under the agreement to calculate the tax imposed by each jurisdiction on a transaction, determine the amount of tax to remit to the appropriate state and maintain a record of the transaction.

(e) "Certified service provider (CSP)" means an agent certified under the agreement to perform all the seller's sales and use tax functions, other than the seller's obligation to remit tax on its own purchases.

(f) "Computer" means an electronic device that accepts information in digital or similar form and manipulates it for a result based on a sequence of instructions.

(g) "Computer software" means a set of coded instructions designed to cause a computer or automatic data processing equipment to perform a task.

(h) "Delivered electronically" means delivered to the purchaser by means other than tangible storage media.

(i) "Delivery charges" means charges by the seller of personal property or services for preparation and delivery to a location designated by the purchaser of personal property or services including, but not limited

to, transportation, shipping, postage, handling, crating and packing. Delivery charges shall not include charges for delivery of direct mail if the charges are separately stated on an invoice or similar billing document given to the purchaser.

(j) “Direct mail” means printed material delivered or distributed by United States mail or other delivery services to a mass audience or to addressees on a mailing list provided by the purchaser or at the direction of the purchaser when the cost of the items are not billed directly to the recipients. Direct mail includes tangible personal property supplied directly or indirectly by the purchaser to the direct mail seller for inclusion in the package containing the printed material. Direct mail does not include multiple items of printed material delivered to a single address.

(k) “Director” means the state director of taxation.

(l) “Educational institution” means any nonprofit school, college and university that offers education at a level above the 12<sup>th</sup> grade, and conducts regular classes and courses of study required for accreditation by, or membership in, the North Central Association of Colleges and Schools, the state board of education, or that otherwise qualify as an “educational institution,” as defined by K.S.A. 74-50,103, and amendments thereto. Such phrase shall include: (1) A group of educational institutions that operates exclusively for an educational purpose; (2) nonprofit endowment associations and foundations organized and operated exclusively to receive, hold, invest and administer moneys and property as a permanent fund for the support and sole benefit of an educational institution; (3) nonprofit trusts, foundations and other entities organized and operated principally to hold and own receipts from intercollegiate sporting events and to disburse such receipts, as well as grants and gifts, in the interest of collegiate and intercollegiate athletic programs for the support and sole benefit of an educational institution; and (4) nonprofit trusts, foundations and other entities organized and operated for the primary purpose of encouraging, fostering and conducting scholarly investigations and industrial and other types of research for the support and sole benefit of an educational institution.

(m) “Electronic” means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic or similar capabilities.

(n) “Food and food ingredients” means substances, whether in liquid, concentrated, solid, frozen, dried or dehydrated form, that are sold for ingestion or chewing by humans and are consumed for their taste or nutritional value. “Food and food ingredients” does not include alcoholic beverages, ~~candy, dietary supplements, food sold through vending machines, prepared food, soft drinks~~ or tobacco.

(o) “Gross receipts” means the total selling price or the amount received as defined in this act, in money, credits, property or other consideration valued in money from sales at retail within this state; and embraced within the provisions of this act. The taxpayer, may take credit in

the report of gross receipts for: (1) An amount equal to the selling price of property returned by the purchaser when the full sale price thereof, including the tax collected, is refunded in cash or by credit; and (2) an amount equal to the allowance given for the trade-in of property.

(p) “Ingredient or component part” means tangible personal property which is necessary or essential to, and which is actually used in and becomes an integral and material part of tangible personal property or services produced, manufactured or compounded for sale by the producer, manufacturer or compounder in its regular course of business. The following items of tangible personal property are hereby declared to be ingredients or component parts, but the listing of such property shall not be deemed to be exclusive nor shall such listing be construed to be a restriction upon, or an indication of, the type or types of property to be included within the definition of “ingredient or component part” as herein set forth:

(1) Containers, labels and shipping cases used in the distribution of property produced, manufactured or compounded for sale which are not to be returned to the producer, manufacturer or compounder for reuse.

(2) Containers, labels, shipping cases, paper bags, drinking straws, paper plates, paper cups, twine and wrapping paper used in the distribution and sale of property taxable under the provisions of this act by wholesalers and retailers and which is not to be returned to such wholesaler or retailer for reuse.

(3) Seeds and seedlings for the production of plants and plant products produced for resale.

(4) Paper and ink used in the publication of newspapers.

(5) Fertilizer used in the production of plants and plant products produced for resale.

(6) Feed for animals, fowl and aquatic plants and animals, the primary purpose of which is use in agriculture or aquaculture, as defined in K.S.A. 47-1901, and amendments thereto, the production of food for human consumption, the production of animal, dairy, poultry or aquatic plant and animal products, fiber, fur, or the production of offspring for use for any such purpose or purposes.

(q) “Isolated or occasional sale” means the nonrecurring sale of tangible personal property, or services taxable hereunder by a person not engaged at the time of such sale in the business of selling such property or services. Any religious organization which makes a nonrecurring sale of tangible personal property acquired for the purpose of resale shall be deemed to be not engaged at the time of such sale in the business of selling such property. Such term shall include: (1) Any sale by a bank, savings and loan institution, credit union or any finance company licensed under the provisions of the Kansas uniform consumer credit code of tangible personal property which has been repossessed by any such entity; and (2) any sale of tangible personal property made by an auctioneer or



agent on behalf of not more than two principals or households if such sale is nonrecurring and any such principal or household is not engaged at the time of such sale in the business of selling tangible personal property.

(r) “Lease or rental” means any transfer of possession or control of tangible personal property for a fixed or indeterminate term for consideration. A lease or rental may include future options to purchase or extend.

(1) Lease or rental does not include: (A) A transfer of possession or control of property under a security agreement or deferred payment plan that requires the transfer of title upon completion of the required payments;

(B) a transfer or possession or control of property under an agreement that requires the transfer of title upon completion of required payments and payment of an option price does not exceed the greater of \$100 or 1% of the total required payments; or

(C) providing tangible personal property along with an operator for a fixed or indeterminate period of time. A condition of this exclusion is that the operator is necessary for the equipment to perform as designed. For the purpose of this subsection, an operator must do more than maintain, inspect or set-up the tangible personal property.

(2) Lease or rental does include agreements covering motor vehicles and trailers where the amount of consideration may be increased or decreased by reference to the amount realized upon sale or disposition of the property as defined in 26 U.S.C. § 7701(h)(1).

(3) This definition shall be used for sales and use tax purposes regardless if a transaction is characterized as a lease or rental under generally accepted accounting principles, the internal revenue code, the uniform commercial code, K.S.A. 84-1-101 et seq., and amendments thereto, or other provisions of federal, state or local law.

(4) This definition will be applied only prospectively from the effective date of this act and will have no retroactive impact on existing leases or rentals.

(s) “Load and leave” means delivery to the purchaser by use of a tangible storage media where the tangible storage media is not physically transferred to the purchaser.

(t) “Member state” means a state that has entered in the agreement, pursuant to provisions of article VIII of the agreement.

(u) “Model 1 seller” means a seller that has selected a CSP as its agent to perform all the seller’s sales and use tax functions, other than the seller’s obligation to remit tax on its own purchases.

(v) “Model 2 seller” means a seller that has selected a CAS to perform part of its sales and use tax functions, but retains responsibility for remitting the tax.

(w) “Model 3 seller” means a seller that has sales in at least five

member states, has total annual sales revenue of at least \$500,000,000, has a proprietary system that calculates the amount of tax due each jurisdiction and has entered into a performance agreement with the member states that establishes a tax performance standard for the seller. As used in this subsection a seller includes an affiliated group of sellers using the same proprietary system.

(x) “Municipal corporation” means any city incorporated under the laws of Kansas.

(y) “Nonprofit blood bank” means any nonprofit place, organization, institution or establishment that is operated wholly or in part for the purpose of obtaining, storing, processing, preparing for transfusing, furnishing, donating or distributing human blood or parts or fractions of single blood units or products derived from single blood units, whether or not any remuneration is paid therefor, or whether such procedures are done for direct therapeutic use or for storage for future use of such products.

(z) “Persons” means any individual, firm, copartnership, joint adventure, association, corporation, estate or trust, receiver or trustee, or any group or combination acting as a unit, and the plural as well as the singular number; and shall specifically mean any city or other political subdivision of the state of Kansas engaging in a business or providing a service specifically taxable under the provisions of this act.

(aa) “Political subdivision” means any municipality, agency or subdivision of the state which is, or shall hereafter be, authorized to levy taxes upon tangible property within the state or which certifies a levy to a municipality, agency or subdivision of the state which is, or shall hereafter be, authorized to levy taxes upon tangible property within the state. Such term also shall include any public building commission, housing, airport, port, metropolitan transit or similar authority established pursuant to law and the horsethief reservoir benefit district established pursuant to K.S.A. 82a-2201, and amendments thereto.

(bb) “Prescription” means an order, formula or recipe issued in any form of oral, written, electronic or other means of transmission by a duly licensed practitioner authorized by the laws of this state.

(cc) “Prewritten computer software” means computer software, including prewritten upgrades, which is not designed and developed by the author or other creator to the specifications of a specific purchaser. The combining of two or more prewritten computer software programs or prewritten portions thereof does not cause the combination to be other than prewritten computer software. Prewritten computer software includes software designed and developed by the author or other creator to the specifications of a specific purchaser when it is sold to a person other than the purchaser. Where a person modifies or enhances computer software of which the person is not the author or creator, the person shall be deemed to be the author or creator only of such person’s modifications

or enhancements. Prewritten computer software or a prewritten portion thereof that is modified or enhanced to any degree, where such modification or enhancement is designed and developed to the specifications of a specific purchaser, remains prewritten computer software, except that where there is a reasonable, separately stated charge or an invoice or other statement of the price given to the purchaser for such modification or enhancement, such modification or enhancement shall not constitute prewritten computer software.

(dd) “Property which is consumed” means tangible personal property which is essential or necessary to and which is used in the actual process of and consumed, depleted or dissipated within one year in: (1) The production, manufacture, processing, mining, drilling, refining or compounding of tangible personal property; (2) the providing of services; (3) the irrigation of crops, for sale in the regular course of business; or (4) the storage or processing of grain by a public grain warehouse or other grain storage facility, and which is not reusable for such purpose. The following is a listing of tangible personal property, included by way of illustration but not of limitation, which qualifies as property which is consumed:

(A) Insecticides, herbicides, germicides, pesticides, fungicides, fumigants, antibiotics, biologicals, pharmaceuticals, vitamins and chemicals for use in commercial or agricultural production, processing or storage of fruit, vegetables, feeds, seeds, grains, animals or animal products whether fed, injected, applied, combined with or otherwise used;

(B) electricity, gas and water; and

(C) petroleum products, lubricants, chemicals, solvents, reagents and catalysts.

(ee) “Purchase price” applies to the measure subject to use tax and has the same meaning as sales price.

(ff) “Purchaser” means a person to whom a sale of personal property is made or to whom a service is furnished.

(gg) “Quasi-municipal corporation” means any county, township, school district, drainage district or any other governmental subdivision in the state of Kansas having authority to receive or hold moneys or funds.

(hh) “Registered under this agreement” means registration by a seller with the member states under the central registration system provided in article IV of the agreement.

(ii) “Retailer” means a seller regularly engaged in the business of selling, leasing or renting tangible personal property at retail or furnishing electrical energy, gas, water, services or entertainment, and selling only to the user or consumer and not for resale.

(jj) “Retail sale” or “sale at retail” means any sale, lease or rental for any purpose other than for resale, sublease or subrent.

(kk) “Sale” or “sales” means the exchange of tangible personal property, as well as the sale thereof for money, and every transaction, conditional or otherwise, for a consideration, constituting a sale, including the

sale or furnishing of electrical energy, gas, water, services or entertainment taxable under the terms of this act and including, except as provided in the following provision, the sale of the use of tangible personal property by way of a lease, license to use or the rental thereof regardless of the method by which the title, possession or right to use the tangible personal property is transferred. The term “sale” or “sales” shall not mean the sale of the use of any tangible personal property used as a dwelling by way of a lease or rental thereof for a term of more than 28 consecutive days.

(l) (1) “Sales or selling price” applies to the measure subject to sales tax and means the total amount of consideration, including cash, credit, property and services, for which personal property or services are sold, leased or rented, valued in money, whether received in money or otherwise, without any deduction for the following:

(A) The seller’s cost of the property sold;

(B) the cost of materials used, labor or service cost, interest, losses, all costs of transportation to the seller, all taxes imposed on the seller and any other expense of the seller;

(C) charges by the seller for any services necessary to complete the sale, other than delivery and installation charges;

(D) delivery charges; and

(E) installation charges.

(2) “Sales or selling price” includes consideration received by the seller from third parties if:

(A) The seller actually receives consideration from a party other than the purchaser and the consideration is directly related to a price reduction or discount on the sale;

(B) the seller has an obligation to pass the price reduction or discount through to the purchaser;

(C) the amount of the consideration attributable to the sale is fixed and determinable by the seller at the time of the sale of the item to the purchaser; and

(D) one of the following criteria is met:

(i) The purchaser presents a coupon, certificate or other documentation to the seller to claim a price reduction or discount where the coupon, certificate or documentation is authorized, distributed or granted by a third party with the understanding that the third party will reimburse any seller to whom the coupon, certificate or documentation is presented;

(ii) the purchaser identifies to the seller that the purchaser is a member of a group or organization entitled to a price reduction or discount. A preferred customer card that is available to any patron does not constitute membership in such a group; or

(iii) the price reduction or discount is identified as a third party price reduction or discount on the invoice received by the purchaser or on a coupon, certificate or other documentation presented by the purchaser.

(3) “Sales or selling price” shall not include:

(A) Discounts, including cash, term or coupons that are not reimbursed by a third party that are allowed by a seller and taken by a purchaser on a sale;

(B) interest, financing and carrying charges from credit extended on the sale of personal property or services, if the amount is separately stated on the invoice, bill of sale or similar document given to the purchaser;

(C) any taxes legally imposed directly on the consumer that are separately stated on the invoice, bill of sale or similar document given to the purchaser;

(D) the amount equal to the allowance given for the trade-in of property, if separately stated on the invoice, billing or similar document given to the purchaser; and

(E) commencing on July 1, 2006, and ending on June 30, 2009, cash rebates granted by a manufacturer to a purchaser or lessee of a new motor vehicle if paid directly to the retailer as a result of the original sale.

(mm) “Seller” means a person making sales, leases or rentals of personal property or services.

(nn) “Service” means those services described in and taxed under the provisions of K.S.A. 79-3603, and amendments thereto.

(oo) “Sourcing rules” means the rules set forth in K.S.A. 2014 Supp. 79-3670 through 79-3673, K.S.A. 12-191 and 12-191a, and amendments thereto, which shall apply to identify and determine the state and local taxing jurisdiction sales or use taxes to pay, or collect and remit on a particular retail sale.

(pp) “Tangible personal property” means personal property that can be seen, weighed, measured, felt or touched, or that is in any other manner perceptible to the senses. Tangible personal property includes electricity, water, gas, steam and prewritten computer software.

(qq) “Taxpayer” means any person obligated to account to the director for taxes collected under the terms of this act.

(rr) “Tobacco” means cigarettes, cigars, chewing or pipe tobacco or any other item that contains tobacco.

(ss) “Entity-based exemption” means an exemption based on who purchases the product or who sells the product. An exemption that is available to all individuals shall not be considered an entity-based exemption.

(tt) “Over-the-counter” drug means a drug that contains a label that identifies the product as a drug as required by 21 C.F.R. § 201.66. The over-the-counter drug label includes: (1) A drug facts panel; or (2) a statement of the active ingredients with a list of those ingredients contained in the compound, substance or preparation. Over-the-counter drugs do not include grooming and hygiene products such as soaps, cleaning solutions, shampoo, toothpaste, antiperspirants and sun tan lotions and screens.

(uu) “Ancillary services” means services that are associated with or

incidental to the provision of telecommunications services, including, but not limited to, detailed telecommunications billing, directory assistance, vertical service and voice mail services.

(vv) “Conference bridging service” means an ancillary service that links two or more participants of an audio or video conference call and may include the provision of a telephone number. Conference bridging service does not include the telecommunications services used to reach the conference bridge.

(ww) “Detailed telecommunications billing service” means an ancillary service of separately stating information pertaining to individual calls on a customer’s billing statement.

(xx) “Directory assistance” means an ancillary service of providing telephone number information or address information, or both.

(yy) “Vertical service” means an ancillary service that is offered in connection with one or more telecommunications services, which offers advanced calling features that allow customers to identify callers and to manage multiple calls and call connections, including conference bridging services.

(zz) “Voice mail service” means an ancillary service that enables the customer to store, send or receive recorded messages. Voice mail service does not include any vertical services that the customer may be required to have in order to utilize the voice mail service.

(aaa) “Telecommunications service” means the electronic transmission, conveyance or routing of voice, data, audio, video or any other information or signals to a point, or between or among points. The term telecommunications service includes such transmission, conveyance or routing in which computer processing applications are used to act on the form, code or protocol of the content for purposes of transmissions, conveyance or routing without regard to whether such service is referred to as voice over internet protocol services or is classified by the federal communications commission as enhanced or value added. Telecommunications service does not include:

(1) Data processing and information services that allow data to be generated, acquired, stored, processed or retrieved and delivered by an electronic transmission to a purchaser where such purchaser’s primary purpose for the underlying transaction is the processed data or information;

(2) installation or maintenance of wiring or equipment on a customer’s premises;

(3) tangible personal property;

(4) advertising, including, but not limited to, directory advertising;

(5) billing and collection services provided to third parties;

(6) internet access service;

(7) radio and television audio and video programming services, regardless of the medium, including the furnishing of transmission, con-

veyance and routing of such services by the programming service provider. Radio and television audio and video programming services shall include, but not be limited to, cable service as defined in 47 U.S.C. § 522(6) and audio and video programming services delivered by commercial mobile radio service providers, as defined in 47 C.F.R. § 20.3;

(8) ancillary services; or

(9) digital products delivered electronically, including, but not limited to, software, music, video, reading materials or ring tones.

(bbb) “800 service” means a telecommunications service that allows a caller to dial a toll-free number without incurring a charge for the call. The service is typically marketed under the name 800, 855, 866, 877 and 888 toll-free calling, and any subsequent numbers designated by the federal communications commission.

(ccc) “900 service” means an inbound toll telecommunications service purchased by a subscriber that allows the subscriber’s customers to call in to the subscriber’s prerecorded announcement or live service. 900 service does not include the charge for collection services provided by the seller of the telecommunications services to the subscriber, or service or product sold by the subscriber to the subscriber’s customer. The service is typically marketed under the name 900 service, and any subsequent numbers designated by the federal communications commission.

(ddd) “Value-added non-voice data service” means a service that otherwise meets the definition of telecommunications services in which computer processing applications are used to act on the form, content, code or protocol of the information or data primarily for a purpose other than transmission, conveyance or routing.

(eee) “International” means a telecommunications service that originates or terminates in the United States and terminates or originates outside the United States, respectively. United States includes the District of Columbia or a U.S. territory or possession.

(fff) “Interstate” means a telecommunications service that originates in one United States state, or a United States territory or possession, and terminates in a different United States state or a United States territory or possession.

(ggg) “Intrastate” means a telecommunications service that originates in one United States state or a United States territory or possession, and terminates in the same United States state or a United States territory or possession.

~~(hhh) “Candy” means a preparation of sugar, honey or other natural or artificial sweeteners in combination with chocolate, fruits, nuts or other ingredients or flavorings in the form of bars, drops or pieces. Candy shall not include any preparation containing flour and shall require no refrigeration.~~

~~(iii) “Food sold through vending machines” means food dispensed from a machine or other mechanical device that accepts payment.~~

- (~~jjj~~)(1) — “Prepared food” means any of the following:
- (A) — ~~Food sold in a heated state or heated by the seller;~~
  - (B) — ~~two or more food ingredients mixed or combined by the seller for sale as a single item; or~~
  - (C) — ~~food sold with eating utensils provided by the seller, including plates, knives, forks, spoons, glasses, cups, napkins or straws. A plate does not include a container or packaging used to transport the food.~~
- (2) — “Prepared food” does not include:
- (A) — ~~Food that is only cut, repackaged or pasteurized by the seller;~~
  - (B) — ~~eggs, fish, meat, poultry and foods containing these raw animal foods requiring cooking by the consumer as recommended by the United States food and drug administration, in chapter 3, part 401.11 of its food code, so as to prevent foodborne illnesses;~~
  - (C) — ~~if sold without eating utensils provided by the seller, bakery items, including breads, rolls, buns, biscuits, bagels, croissants, pastries, donuts, danish, cakes, tortes, pies, tarts, muffins, bars, cookies and tortillas; or~~
  - (D) — ~~food sold by a seller whose primary North American industry classification system, United States, 2002 edition, classification is manufacturing in sector 311, except subsector 3118.~~
- (~~lll~~) — “Soft drinks” means nonalcoholic beverages that contain natural or artificial sweeteners. “Soft drinks” does not include beverages that contain milk or milk products; soy, rice or similar milk substitutes; or greater than 50% of vegetable or fruit juice by volume.
- (~~mmm~~) — “Dietary supplement” shall have the same meaning ascribed to it as in K.S.A. 79-3606(~~jjj~~), and amendments thereto.

Sec. 6. K.S.A. 2014 Supp. 79-3603, as amended by section 7 of 2015 Senate Substitute for House Bill No. 2109, is hereby amended to read as follows: 79-3603. For the privilege of engaging in the business of selling tangible personal property at retail in this state or rendering or furnishing any of the services taxable under this act, there is hereby levied and there shall be collected and paid a tax at the rate of 6.15%, and commencing July 1, 2015, at the rate of ~~6.55%~~ 6.5%. Within a redevelopment district established pursuant to K.S.A. 74-8921, and amendments thereto, there is hereby levied and there shall be collected and paid an additional tax at the rate of 2% until the earlier of the date the bonds issued to finance or refinance the redevelopment project have been paid in full or the final scheduled maturity of the first series of bonds issued to finance any part of the project upon:

- (a) The gross receipts received from the sale of tangible personal property at retail within this state;
- (b) the gross receipts from intrastate, interstate or international telecommunications services and any ancillary services sourced to this state in accordance with K.S.A. 2014 Supp. 79-3673, and amendments thereto, except that telecommunications service does not include ~~prior to January~~



~~1, 2020~~: (1) Any interstate or international 800 or 900 service; (2) any interstate or international private communications service as defined in K.S.A. 2014 Supp. 79-3673, and amendments thereto; (3) any value-added nonvoice data service; (4) any telecommunication service to a provider of telecommunication services which will be used to render telecommunications services, including carrier access services; or (5) any service or transaction defined in this section among entities classified as members of an affiliated group as provided by section 1504 of the federal internal revenue code of 1986, as in effect on January 1, 2001;

(c) the gross receipts from the sale or furnishing of gas, water, electricity and heat, which sale is not otherwise exempt from taxation under the provisions of this act, and whether furnished by municipally or privately owned utilities, except that, on and after January 1, 2006, for sales of gas, electricity and heat delivered through mains, lines or pipes to residential premises for noncommercial use by the occupant of such premises, and for agricultural use and also, for such use, all sales of propane gas, the state rate shall be 0%; and for all sales of propane gas, LP gas, coal, wood and other fuel sources for the production of heat or lighting for noncommercial use of an occupant of residential premises, the state rate shall be 0%, but such tax shall not be levied and collected upon the gross receipts from: (1) The sale of a rural water district benefit unit; (2) a water system impact fee, system enhancement fee or similar fee collected by a water supplier as a condition for establishing service; or (3) connection or reconnection fees collected by a water supplier;

(d) the gross receipts from the sale of meals or drinks furnished at any private club, drinking establishment, catered event, restaurant, eating house, dining car, hotel, drugstore or other place where meals or drinks are regularly sold to the public;

(e) the gross receipts from the sale of admissions to any place providing amusement, entertainment or recreation services including admissions to state, county, district and local fairs, but such tax shall not be levied and collected ~~prior to January 1, 2020~~, upon the gross receipts received from sales of admissions to any cultural and historical event which occurs triennially;

(f) the gross receipts from the operation of any coin-operated device dispensing or providing tangible personal property, amusement or other services except, ~~prior to January 1, 2020~~, laundry services, whether automatic or manually operated;

(g) the gross receipts from the service of renting of rooms by hotels, as defined by K.S.A. 36-501, and amendments thereto, or by accommodation brokers, as defined by K.S.A. 12-1692, and amendments thereto, but such tax shall not be levied and collected ~~prior to January 1, 2020~~, upon the gross receipts received from sales of such service to the federal government and any agency, officer or employee thereof in association with the performance of official government duties;

(h) the gross receipts from the service of renting or leasing of tangible personal property except such tax shall not apply to the renting or leasing of machinery, equipment or other personal property owned by a city and purchased from the proceeds of industrial revenue bonds issued prior to July 1, 1973, in accordance with the provisions of K.S.A. 12-1740 through 12-1749, and amendments thereto, and any city or lessee renting or leasing such machinery, equipment or other personal property purchased with the proceeds of such bonds who shall have paid a tax under the provisions of this section upon sales made prior to July 1, 1973, shall be entitled to a refund from the sales tax refund fund of all taxes paid thereon;

(i) the gross receipts from the rendering of dry cleaning, pressing, dyeing and laundry services except laundry services rendered through a coin-operated device whether automatic or manually operated;

(j) the gross receipts from the rendering of the services of washing and washing and waxing of vehicles;

(k) the gross receipts from cable, community antennae and other subscriber radio and television services;

(l) (1) except as otherwise provided by paragraph (2), the gross receipts received from the sales of tangible personal property to all contractors, subcontractors or repairmen for use by them in erecting structures, or building on, or otherwise improving, altering, or repairing real or personal property.

(2) Any such contractor, subcontractor or repairman who maintains an inventory of such property both for sale at retail and for use by them for the purposes described by paragraph (1) shall be deemed a retailer with respect to purchases for and sales from such inventory, except that the gross receipts received from any such sale, other than a sale at retail, shall be equal to the total purchase price paid for such property and the tax imposed thereon shall be paid by the deemed retailer;

(m) the gross receipts received from fees and charges by public and private clubs, drinking establishments, organizations and businesses for participation in sports, games and other recreational activities, but such tax shall not be levied and collected ~~prior to January 1, 2020~~, upon the gross receipts received from: (1) Fees and charges by any political subdivision, by any organization exempt from property taxation pursuant to K.S.A. 79-201 *Ninth*, and amendments thereto, or by any youth recreation organization exclusively providing services to persons 18 years of age or younger which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for participation in sports, games and other recreational activities; and (2) entry fees and charges for participation in a special event or tournament sanctioned by a national sporting association to which spectators are charged an admission which is taxable pursuant to subsection (e);

(n) the gross receipts received from dues charged by public and pri-

vate clubs, drinking establishments, organizations and businesses, payment of which entitles a member to the use of facilities for recreation or entertainment, but such tax shall not be levied and collected ~~prior to January 1, 2020~~, upon the gross receipts received from: (1) Dues charged by any organization exempt from property taxation pursuant to K.S.A. 79-201 *Eighth* and *Ninth*, and amendments thereto; and (2) sales of memberships in a nonprofit organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and whose purpose is to support the operation of a nonprofit zoo;

(o) the gross receipts received from the isolated or occasional sale of motor vehicles or trailers but not including: (1) The transfer of motor vehicles or trailers ~~prior to January 1, 2020~~, by a person to a corporation or limited liability company solely in exchange for stock securities or membership interest in such corporation or limited liability company; (2) the transfer of motor vehicles or trailers ~~prior to January 1, 2020~~, by one corporation or limited liability company to another when all of the assets of such corporation or limited liability company are transferred to such other corporation or limited liability company; or (3) the sale of motor vehicles or trailers ~~prior to January 1, 2020~~, which are subject to taxation pursuant to the provisions of K.S.A. 79-5101 et seq., and amendments thereto, by an immediate family member to another immediate family member. For the purposes of paragraph (3), immediate family member means lineal ascendants or descendants, and their spouses. Any amount of sales tax paid pursuant to the Kansas retailers sales tax act on the isolated or occasional sale of motor vehicles or trailers on and after July 1, 2004, which the base for computing the tax was the value pursuant to K.S.A. 79-5105(a), (b)(1) and (b)(2), and amendments thereto, when such amount was higher than the amount of sales tax which would have been paid under the law as it existed on June 30, 2004, shall be refunded to the taxpayer pursuant to the procedure prescribed by this section. Such refund shall be in an amount equal to the difference between the amount of sales tax paid by the taxpayer and the amount of sales tax which would have been paid by the taxpayer under the law as it existed on June 30, 2004. Each claim for a sales tax refund shall be verified and submitted not later than six months from the effective date of this act to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of tax paid as provided by this act. All such refunds shall be paid from the sales tax refund fund, upon warrants of the director of accounts and reports pursuant to vouchers approved by the director of taxation or the director's designee. No refund for an amount less than \$10 shall be paid pursuant to this act. In determining the base for computing the tax on such isolated or occa-

sional sale, the fair market value of any motor vehicle or trailer traded in by the purchaser to the seller may be deducted from the selling price;

(p) the gross receipts received for the service of installing or applying tangible personal property which when installed or applied is not being held for sale in the regular course of business, and whether or not such tangible personal property when installed or applied remains tangible personal property or becomes a part of real estate, except that no tax shall be imposed upon the service of installing or applying tangible personal property in connection with the original construction of a building or facility, the original construction, reconstruction, restoration, remodeling, renovation, repair or replacement of a residence or the construction, reconstruction, restoration, replacement or repair of a bridge or highway.

For the purposes of this subsection:

(1) "Original construction" shall mean the first or initial construction of a new building or facility. The term "original construction" shall include the addition of an entire room or floor to any existing building or facility, the completion of any unfinished portion of any existing building or facility and the restoration, reconstruction or replacement of a building, facility or utility structure damaged or destroyed by fire, flood, tornado, lightning, explosion, windstorm, ice loading and attendant winds, terrorism or earthquake, but such term, except with regard to a residence, shall not include replacement, remodeling, restoration, renovation or reconstruction under any other circumstances;

(2) "building" shall mean only those enclosures within which individuals customarily are employed, or which are customarily used to house machinery, equipment or other property, and including the land improvements immediately surrounding such building;

(3) "facility" shall mean a mill, plant, refinery, oil or gas well, water well, feedlot or any conveyance, transmission or distribution line of any cooperative, nonprofit, membership corporation organized under or subject to the provisions of K.S.A. 17-4601 et seq., and amendments thereto, or municipal or quasi-municipal corporation, including the land improvements immediately surrounding such facility;

(4) "residence" shall mean only those enclosures within which individuals customarily live;

(5) "utility structure" shall mean transmission and distribution lines owned by an independent transmission company or cooperative, the Kansas electric transmission authority or natural gas or electric public utility; and

(6) "windstorm" shall mean straight line winds of at least 80 miles per hour as determined by a recognized meteorological reporting agency or organization;

(q) the gross receipts received for the service of repairing, servicing, altering or maintaining tangible personal property which when such services are rendered is not being held for sale in the regular course of busi-

ness, and whether or not any tangible personal property is transferred in connection therewith. The tax imposed by this subsection shall be applicable to the services of repairing, servicing, altering or maintaining an item of tangible personal property which has been and is fastened to, connected with or built into real property;

(r) the gross receipts from fees or charges made under service or maintenance agreement contracts for services, charges for the providing of which are taxable under the provisions of subsection (p) or (q);

(s) on and after January 1, 2005, the gross receipts received from the sale of prewritten computer software and the sale of the services of modifying, altering, updating or maintaining prewritten computer software, whether the prewritten computer software is installed or delivered electronically by tangible storage media physically transferred to the purchaser or by load and leave;

(t) the gross receipts received for telephone answering services;

(u) the gross receipts received from the sale of prepaid calling service and prepaid wireless calling service as defined in K.S.A. 2014 Supp. 79-3673, and amendments thereto;

(v) all sales of bingo cards, bingo faces and instant bingo tickets by licensees under section 1 of 2015 Senate Substitute for House Bill No. 2155, et seq., and amendments thereto, shall be exempt from taxes imposed pursuant to this section ~~prior to January 1, 2020~~; and

(w) all sales of charitable raffle tickets in accordance with section 1 of 2015 Senate Substitute for House Bill No. 2155, et seq., and amendments thereto, shall be exempt from taxes imposed pursuant to this section ~~prior to January 1, 2020~~; and

~~(x) commencing July 1, 2016, and thereafter, the gross receipts from the sale of food and food ingredients shall be taxed at the rate of 4.95%.~~

Sec. 7. K.S.A. 2014 Supp. 79-3606, as amended by section 33 of 2015 Senate Substitute for House Bill No. 2109, is hereby amended to read as follows: 79-3606. The following shall be exempt from the tax imposed by this act:

(a) All sales of motor-vehicle fuel or other articles upon which a sales or excise tax has been paid, not subject to refund, under the laws of this state except cigarettes and electronic cigarettes as defined by K.S.A. 79-3301, and amendments thereto, including consumable material for such electronic cigarettes, cereal malt beverages and malt products as defined by K.S.A. 79-3817, and amendments thereto, including wort, liquid malt, malt syrup and malt extract, which is not subject to taxation under the provisions of K.S.A. 79-41a02, and amendments thereto, motor vehicles taxed pursuant to K.S.A. 79-5117, and amendments thereto, tires taxed pursuant to K.S.A. 65-3424d, and amendments thereto, drycleaning and laundry services taxed pursuant to K.S.A. 65-34,150, and amendments

thereto, and gross receipts from regulated sports contests taxed pursuant to the Kansas professional regulated sports act, and amendments thereto;

(b) all sales of tangible personal property or service, including the renting and leasing of tangible personal property, purchased directly by the state of Kansas, a political subdivision thereof, other than a school or educational institution, or purchased by a public or private nonprofit hospital or public hospital authority or nonprofit blood, tissue or organ bank and used exclusively for state, political subdivision, hospital or public hospital authority or nonprofit blood, tissue or organ bank purposes, except when: (1) Such state, hospital or public hospital authority is engaged or proposes to engage in any business specifically taxable under the provisions of this act and such items of tangible personal property or service are used or proposed to be used in such business; or (2) such political subdivision is engaged or proposes to engage in the business of furnishing gas, electricity or heat to others and such items of personal property or service are used or proposed to be used in such business;

(c) all sales of tangible personal property or services, including the renting and leasing of tangible personal property, purchased directly by a public or private elementary or secondary school or public or private nonprofit educational institution and used primarily by such school or institution for nonsectarian programs and activities provided or sponsored by such school or institution or in the erection, repair or enlargement of buildings to be used for such purposes. The exemption herein provided shall not apply to erection, construction, repair, enlargement or equipment of buildings used primarily for human habitation;

(d) all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any public or private nonprofit hospital or public hospital authority, public or private elementary or secondary school, a public or private nonprofit educational institution, state correctional institution including a privately constructed correctional institution contracted for state use and ownership, which would be exempt from taxation under the provisions of this act if purchased directly by such hospital or public hospital authority, school, educational institution or a state correctional institution; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any political subdivision of the state or district described in subsection (s), the total cost of which is paid from funds of such political subdivision or district and which would be exempt from taxation under the provisions of this act if purchased directly by such political subdivision or district. Nothing in this subsection or in the provisions of K.S.A. 12-3418, and amendments thereto, shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, re-

constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any political subdivision of the state or any such district. As used in this subsection, K.S.A. 12-3418 and 79-3640, and amendments thereto, "funds of a political subdivision" shall mean general tax revenues, the proceeds of any bonds and gifts or grants-in-aid. Gifts shall not mean funds used for the purpose of constructing, equipping, reconstructing, repairing, enlarging, furnishing or remodeling facilities which are to be leased to the donor. When any political subdivision of the state, district described in subsection (s), public or private nonprofit hospital or public hospital authority, public or private elementary or secondary school, public or private nonprofit educational institution, state correctional institution including a privately constructed correctional institution contracted for state use and ownership shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the political subdivision, district described in subsection (s), hospital or public hospital authority, school, educational institution or department of corrections concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. As an alternative to the foregoing procedure, any such contracting entity may apply to the secretary of revenue for agent status for the sole purpose of issuing and furnishing project exemption certificates to contractors pursuant to rules and regulations adopted by the secretary establishing conditions and standards for the granting and maintaining of such status. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, the political subdivision, district described in subsection (s), hospital or public hospital authority, school, educational institution or the contractor contracting with the department of corrections for a correctional institution concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor

together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(e) all sales of tangible personal property or services purchased by a contractor for the erection, repair or enlargement of buildings or other projects for the government of the United States, its agencies or instrumentalities, which would be exempt from taxation if purchased directly by the government of the United States, its agencies or instrumentalities. When the government of the United States, its agencies or instrumentalities shall contract for the erection, repair, or enlargement of any building or other project, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the government of the United States, its agencies or instrumentalities concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. As an alternative to the foregoing procedure, any such contracting entity may apply to the secretary of revenue for agent status for the sole purpose of issuing and furnishing project exemption certificates to contractors pursuant to rules and regulations adopted by the secretary establishing conditions and standards for the granting and maintaining of such status. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(f) tangible personal property purchased by a railroad or public utility for consumption or movement directly and immediately in interstate commerce;

(g) sales of aircraft including remanufactured and modified aircraft sold to persons using directly or through an authorized agent such aircraft as certified or licensed carriers of persons or property in interstate or



foreign commerce under authority of the laws of the United States or any foreign government or sold to any foreign government or agency or instrumentality of such foreign government and all sales of aircraft for use outside of the United States and sales of aircraft repair, modification and replacement parts and sales of services employed in the remanufacture, modification and repair of aircraft;

(h) all rentals of nonsectarian textbooks by public or private elementary or secondary schools;

(i) the lease or rental of all films, records, tapes, or any type of sound or picture transcriptions used by motion picture exhibitors;

(j) meals served without charge or food used in the preparation of such meals to employees of any restaurant, eating house, dining car, hotel, drugstore or other place where meals or drinks are regularly sold to the public if such employees' duties are related to the furnishing or sale of such meals or drinks;

(k) any motor vehicle, semitrailer or pole trailer, as such terms are defined by K.S.A. 8-126, and amendments thereto, or aircraft sold and delivered in this state to a bona fide resident of another state, which motor vehicle, semitrailer, pole trailer or aircraft is not to be registered or based in this state and which vehicle, semitrailer, pole trailer or aircraft will not remain in this state more than 10 days;

(l) all isolated or occasional sales of tangible personal property, services, substances or things, except isolated or occasional sale of motor vehicles specifically taxed under the provisions of K.S.A. 79-3603(o), and amendments thereto;

(m) all sales of tangible personal property which become an ingredient or component part of tangible personal property or services produced, manufactured or compounded for ultimate sale at retail within or without the state of Kansas; and any such producer, manufacturer or compounder may obtain from the director of taxation and furnish to the supplier an exemption certificate number for tangible personal property for use as an ingredient or component part of the property or services produced, manufactured or compounded;

(n) all sales of tangible personal property which is consumed in the production, manufacture, processing, mining, drilling, refining or compounding of tangible personal property, the treating of by-products or wastes derived from any such production process, the providing of services or the irrigation of crops for ultimate sale at retail within or without the state of Kansas; and any purchaser of such property may obtain from the director of taxation and furnish to the supplier an exemption certificate number for tangible personal property for consumption in such production, manufacture, processing, mining, drilling, refining, compounding, treating, irrigation and in providing such services;

(o) all sales of animals, fowl and aquatic plants and animals, the primary purpose of which is use in agriculture or aquaculture, as defined in

K.S.A. 47-1901, and amendments thereto, the production of food for human consumption, the production of animal, dairy, poultry or aquatic plant and animal products, fiber or fur, or the production of offspring for use for any such purpose or purposes;

(p) all sales of drugs dispensed pursuant to a prescription order by a licensed practitioner or a mid-level practitioner as defined by K.S.A. 65-1626, and amendments thereto. As used in this subsection, “drug” means a compound, substance or preparation and any component of a compound, substance or preparation, other than food and food ingredients, dietary supplements or alcoholic beverages, recognized in the official United States pharmacopoeia, official homeopathic pharmacopoeia of the United States or official national formulary, and supplement to any of them, intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease or intended to affect the structure or any function of the body, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of drugs used in the performance or induction of an abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(q) all sales of insulin dispensed by a person licensed by the state board of pharmacy to a person for treatment of diabetes at the direction of a person licensed to practice medicine by the board of healing arts;

(r) all sales of oxygen delivery equipment, kidney dialysis equipment, enteral feeding systems, prosthetic devices and mobility enhancing equipment prescribed in writing by a person licensed to practice the healing arts, dentistry or optometry, and in addition to such sales, all sales of hearing aids, as defined by K.S.A. 74-5807(c), and amendments thereto, and repair and replacement parts therefor, including batteries, by a person licensed in the practice of dispensing and fitting hearing aids pursuant to the provisions of K.S.A. 74-5808, and amendments thereto. For the purposes of this subsection: (1) “Mobility enhancing equipment” means equipment including repair and replacement parts to same, but does not include durable medical equipment, which is primarily and customarily used to provide or increase the ability to move from one place to another and which is appropriate for use either in a home or a motor vehicle; is not generally used by persons with normal mobility; and does not include any motor vehicle or equipment on a motor vehicle normally provided by a motor vehicle manufacturer; and (2) “prosthetic device” means a replacement, corrective or supportive device including repair and replacement parts for same worn on or in the body to artificially replace a missing portion of the body, prevent or correct physical deformity or malfunction or support a weak or deformed portion of the body;

(s) except as provided in K.S.A. 2014 Supp. 82a-2101, and amendments thereto, all sales of tangible personal property or services purchased directly or indirectly by a groundwater management district organized or operating under the authority of K.S.A. 82a-1020 et seq., and

amendments thereto, by a rural water district organized or operating under the authority of K.S.A. 82a-612, and amendments thereto, or by a water supply district organized or operating under the authority of K.S.A. 19-3501 et seq., 19-3522 et seq., or 19-3545, and amendments thereto, which property or services are used in the construction activities, operation or maintenance of the district;

(t) all sales of farm machinery and equipment or aquaculture machinery and equipment, repair and replacement parts therefor and services performed in the repair and maintenance of such machinery and equipment. For the purposes of this subsection the term “farm machinery and equipment or aquaculture machinery and equipment” shall include a work-site utility vehicle, as defined in K.S.A. 8-126, and amendments thereto, and is equipped with a bed or cargo box for hauling materials, and shall also include machinery and equipment used in the operation of Christmas tree farming but shall not include any passenger vehicle, truck, truck tractor, trailer, semitrailer or pole trailer, other than a farm trailer, as such terms are defined by K.S.A. 8-126, and amendments thereto. “Farm machinery and equipment” includes precision farming equipment that is portable or is installed or purchased to be installed on farm machinery and equipment. “Precision farming equipment” includes the following items used only in computer-assisted farming, ranching or aquaculture production operations: Soil testing sensors, yield monitors, computers, monitors, software, global positioning and mapping systems, guiding systems, modems, data communications equipment and any necessary mounting hardware, wiring and antennas. Each purchaser of farm machinery and equipment or aquaculture machinery and equipment exempted herein must certify in writing on the copy of the invoice or sales ticket to be retained by the seller that the farm machinery and equipment or aquaculture machinery and equipment purchased will be used only in farming, ranching or aquaculture production. Farming or ranching shall include the operation of a feedlot and farm and ranch work for hire and the operation of a nursery;

(u) all leases or rentals of tangible personal property used as a dwelling if such tangible personal property is leased or rented for a period of more than 28 consecutive days;

(v) all sales of tangible personal property to any contractor for use in preparing meals for delivery to homebound elderly persons over 60 years of age and to homebound disabled persons or to be served at a group-sitting at a location outside of the home to otherwise homebound elderly persons over 60 years of age and to otherwise homebound disabled persons, as all or part of any food service project funded in whole or in part by government or as part of a private nonprofit food service project available to all such elderly or disabled persons residing within an area of service designated by the private nonprofit organization, and all sales of tangible personal property for use in preparing meals for consumption by

indigent or homeless individuals whether or not such meals are consumed at a place designated for such purpose, and all sales of food products by or on behalf of any such contractor or organization for any such purpose;

(w) all sales of natural gas, electricity, heat and water delivered through mains, lines or pipes: (1) To residential premises for noncommercial use by the occupant of such premises; (2) for agricultural use and also, for such use, all sales of propane gas; (3) for use in the severing of oil; and (4) to any property which is exempt from property taxation pursuant to K.S.A. 79-201b, *Second through Sixth*. As used in this paragraph, “severing” shall have the meaning ascribed thereto by K.S.A. 79-4216(k), and amendments thereto. For all sales of natural gas, electricity and heat delivered through mains, lines or pipes pursuant to the provisions of subsection (w)(1) and (w)(2), the provisions of this subsection shall expire on December 31, 2005;

(x) all sales of propane gas, LP-gas, coal, wood and other fuel sources for the production of heat or lighting for noncommercial use of an occupant of residential premises occurring prior to January 1, 2006;

(y) all sales of materials and services used in the repairing, servicing, altering, maintaining, manufacturing, remanufacturing, or modification of railroad rolling stock for use in interstate or foreign commerce under authority of the laws of the United States;

(z) all sales of tangible personal property and services purchased directly by a port authority or by a contractor therefor as provided by the provisions of K.S.A. 12-3418, and amendments thereto;

(aa) all sales of materials and services applied to equipment which is transported into the state from without the state for repair, service, alteration, maintenance, remanufacture or modification and which is subsequently transported outside the state for use in the transmission of liquids or natural gas by means of pipeline in interstate or foreign commerce under authority of the laws of the United States;

(bb) all sales of used mobile homes or manufactured homes. As used in this subsection: (1) “Mobile homes” and “manufactured homes” shall have the meanings ascribed thereto by K.S.A. 58-4202, and amendments thereto; and (2) “sales of used mobile homes or manufactured homes” means sales other than the original retail sale thereof;

(cc) all sales of tangible personal property or services purchased prior to January 1, 2012, except as otherwise provided, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business or retail business which meets the requirements established in K.S.A. 74-50,115, and amendments thereto, and the sale and installation of machinery and equipment purchased for installation at any such business or retail business, and all sales of tangible personal property or services purchased on or after January 1, 2012, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business which meets the requirements established in K.S.A. 74-

50,115(e), and amendments thereto, and the sale and installation of machinery and equipment purchased for installation at any such business. When a person shall contract for the construction, reconstruction, enlargement or remodeling of any such business or retail business, such person shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the owner of the business or retail business a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. As used in this subsection, "business" and "retail business" have the meanings respectively ascribed thereto by K.S.A. 74-50,114, and amendments thereto. Project exemption certificates that have been previously issued under this subsection by the department of revenue pursuant to K.S.A. 74-50,115, and amendments thereto, but not including K.S.A. 74-50,115(e), and amendments thereto, prior to January 1, 2012, and have not expired will be effective for the term of the project or two years from the effective date of the certificate, whichever occurs earlier. Project exemption certificates that are submitted to the department of revenue prior to January 1, 2012, and are found to qualify will be issued a project exemption certificate that will be effective for a two-year period or for the term of the project, whichever occurs earlier;

(dd) all sales of tangible personal property purchased with food stamps issued by the United States department of agriculture;

(ee) all sales of lottery tickets and shares made as part of a lottery operated by the state of Kansas;

(ff) on and after July 1, 1988, all sales of new mobile homes or manufactured homes to the extent of 40% of the gross receipts, determined without regard to any trade-in allowance, received from such sale. As used in this subsection, "mobile homes" and "manufactured homes" shall have the meanings ascribed thereto by K.S.A. 58-4202, and amendments thereto;

(gg) all sales of tangible personal property purchased in accordance

with vouchers issued pursuant to the federal special supplemental food program for women, infants and children;

(hh) all sales of medical supplies and equipment, including durable medical equipment, purchased directly by a nonprofit skilled nursing home or nonprofit intermediate nursing care home, as defined by K.S.A. 39-923, and amendments thereto, for the purpose of providing medical services to residents thereof. This exemption shall not apply to tangible personal property customarily used for human habitation purposes. As used in this subsection, “durable medical equipment” means equipment including repair and replacement parts for such equipment, which can withstand repeated use, is primarily and customarily used to serve a medical purpose, generally is not useful to a person in the absence of illness or injury and is not worn in or on the body, but does not include mobility enhancing equipment as defined in subsection (r), oxygen delivery equipment, kidney dialysis equipment or enteral feeding systems;

(ii) all sales of tangible personal property purchased directly by a nonprofit organization for nonsectarian comprehensive multidiscipline youth development programs and activities provided or sponsored by such organization, and all sales of tangible personal property by or on behalf of any such organization. This exemption shall not apply to tangible personal property customarily used for human habitation purposes;

(jj) all sales of tangible personal property or services, including the renting and leasing of tangible personal property, purchased directly on behalf of a community-based facility for people with intellectual disability or mental health center organized pursuant to K.S.A. 19-4001 et seq., and amendments thereto, and licensed in accordance with the provisions of K.S.A. 75-3307b, and amendments thereto, and all sales of tangible personal property or services purchased by contractors during the time period from July, 2003, through June, 2006, for the purpose of constructing, equipping, maintaining or furnishing a new facility for a community-based facility for people with intellectual disability or mental health center located in Riverton, Cherokee County, Kansas, which would have been eligible for sales tax exemption pursuant to this subsection if purchased directly by such facility or center. This exemption shall not apply to tangible personal property customarily used for human habitation purposes;

(kk) (1) (A) all sales of machinery and equipment which are used in this state as an integral or essential part of an integrated production operation by a manufacturing or processing plant or facility;

(B) all sales of installation, repair and maintenance services performed on such machinery and equipment; and

(C) all sales of repair and replacement parts and accessories purchased for such machinery and equipment.

(2) For purposes of this subsection:

(A) “Integrated production operation” means an integrated series of operations engaged in at a manufacturing or processing plant or facility

to process, transform or convert tangible personal property by physical, chemical or other means into a different form, composition or character from that in which it originally existed. Integrated production operations shall include: (i) Production line operations, including packaging operations; (ii) preproduction operations to handle, store and treat raw materials; (iii) post production handling, storage, warehousing and distribution operations; and (iv) waste, pollution and environmental control operations, if any;

(B) “production line” means the assemblage of machinery and equipment at a manufacturing or processing plant or facility where the actual transformation or processing of tangible personal property occurs;

(C) “manufacturing or processing plant or facility” means a single, fixed location owned or controlled by a manufacturing or processing business that consists of one or more structures or buildings in a contiguous area where integrated production operations are conducted to manufacture or process tangible personal property to be ultimately sold at retail. Such term shall not include any facility primarily operated for the purpose of conveying or assisting in the conveyance of natural gas, electricity, oil or water. A business may operate one or more manufacturing or processing plants or facilities at different locations to manufacture or process a single product of tangible personal property to be ultimately sold at retail;

(D) “manufacturing or processing business” means a business that utilizes an integrated production operation to manufacture, process, fabricate, finish, or assemble items for wholesale and retail distribution as part of what is commonly regarded by the general public as an industrial manufacturing or processing operation or an agricultural commodity processing operation. (i) Industrial manufacturing or processing operations include, by way of illustration but not of limitation, the fabrication of automobiles, airplanes, machinery or transportation equipment, the fabrication of metal, plastic, wood, or paper products, electricity power generation, water treatment, petroleum refining, chemical production, wholesale bottling, newspaper printing, ready mixed concrete production, and the remanufacturing of used parts for wholesale or retail sale. Such processing operations shall include operations at an oil well, gas well, mine or other excavation site where the oil, gas, minerals, coal, clay, stone, sand or gravel that has been extracted from the earth is cleaned, separated, crushed, ground, milled, screened, washed, or otherwise treated or prepared before its transmission to a refinery or before any other wholesale or retail distribution. (ii) Agricultural commodity processing operations include, by way of illustration but not of limitation, meat packing, poultry slaughtering and dressing, processing and packaging farm and dairy products in sealed containers for wholesale and retail distribution, feed grinding, grain milling, frozen food processing, and grain handling, cleaning, blending, fumigation, drying and aeration operations engaged in by grain

elevators or other grain storage facilities. (iii) Manufacturing or processing businesses do not include, by way of illustration but not of limitation, nonindustrial businesses whose operations are primarily retail and that produce or process tangible personal property as an incidental part of conducting the retail business, such as retailers who bake, cook or prepare food products in the regular course of their retail trade, grocery stores, meat lockers and meat markets that butcher or dress livestock or poultry in the regular course of their retail trade, contractors who alter, service, repair or improve real property, and retail businesses that clean, service or refurbish and repair tangible personal property for its owner;

(E) “repair and replacement parts and accessories” means all parts and accessories for exempt machinery and equipment, including, but not limited to, dies, jigs, molds, patterns and safety devices that are attached to exempt machinery or that are otherwise used in production, and parts and accessories that require periodic replacement such as belts, drill bits, grinding wheels, grinding balls, cutting bars, saws, refractory brick and other refractory items for exempt kiln equipment used in production operations;

(F) “primary” or “primarily” mean more than 50% of the time.

(3) For purposes of this subsection, machinery and equipment shall be deemed to be used as an integral or essential part of an integrated production operation when used:

(A) To receive, transport, convey, handle, treat or store raw materials in preparation of its placement on the production line;

(B) to transport, convey, handle or store the property undergoing manufacturing or processing at any point from the beginning of the production line through any warehousing or distribution operation of the final product that occurs at the plant or facility;

(C) to act upon, effect, promote or otherwise facilitate a physical change to the property undergoing manufacturing or processing;

(D) to guide, control or direct the movement of property undergoing manufacturing or processing;

(E) to test or measure raw materials, the property undergoing manufacturing or processing or the finished product, as a necessary part of the manufacturer’s integrated production operations;

(F) to plan, manage, control or record the receipt and flow of inventories of raw materials, consumables and component parts, the flow of the property undergoing manufacturing or processing and the management of inventories of the finished product;

(G) to produce energy for, lubricate, control the operating of or otherwise enable the functioning of other production machinery and equipment and the continuation of production operations;

(H) to package the property being manufactured or processed in a container or wrapping in which such property is normally sold or transported;



(I) to transmit or transport electricity, coke, gas, water, steam or similar substances used in production operations from the point of generation, if produced by the manufacturer or processor at the plant site, to that manufacturer's production operation; or, if purchased or delivered from off-site, from the point where the substance enters the site of the plant or facility to that manufacturer's production operations;

(J) to cool, heat, filter, refine or otherwise treat water, steam, acid, oil, solvents or other substances that are used in production operations;

(K) to provide and control an environment required to maintain certain levels of air quality, humidity or temperature in special and limited areas of the plant or facility, where such regulation of temperature or humidity is part of and essential to the production process;

(L) to treat, transport or store waste or other byproducts of production operations at the plant or facility; or

(M) to control pollution at the plant or facility where the pollution is produced by the manufacturing or processing operation.

(4) The following machinery, equipment and materials shall be deemed to be exempt even though it may not otherwise qualify as machinery and equipment used as an integral or essential part of an integrated production operation: (A) Computers and related peripheral equipment that are utilized by a manufacturing or processing business for engineering of the finished product or for research and development or product design; (B) machinery and equipment that is utilized by a manufacturing or processing business to manufacture or rebuild tangible personal property that is used in manufacturing or processing operations, including tools, dies, molds, forms and other parts of qualifying machinery and equipment; (C) portable plants for aggregate concrete, bulk cement and asphalt including cement mixing drums to be attached to a motor vehicle; (D) industrial fixtures, devices, support facilities and special foundations necessary for manufacturing and production operations, and materials and other tangible personal property sold for the purpose of fabricating such fixtures, devices, facilities and foundations. An exemption certificate for such purchases shall be signed by the manufacturer or processor. If the fabricator purchases such material, the fabricator shall also sign the exemption certificate; (E) a manufacturing or processing business' laboratory equipment that is not located at the plant or facility, but that would otherwise qualify for exemption under subsection (3)(E); (F) all machinery and equipment used in surface mining activities as described in K.S.A. 49-601 et seq., and amendments thereto, beginning from the time a reclamation plan is filed to the acceptance of the completed final site reclamation.

(5) "Machinery and equipment used as an integral or essential part of an integrated production operation" shall not include:

(A) Machinery and equipment used for nonproduction purposes, including, but not limited to, machinery and equipment used for plant se-

curity, fire prevention, first aid, accounting, administration, record keeping, advertising, marketing, sales or other related activities, plant cleaning, plant communications, and employee work scheduling;

(B) machinery, equipment and tools used primarily in maintaining and repairing any type of machinery and equipment or the building and plant;

(C) transportation, transmission and distribution equipment not primarily used in a production, warehousing or material handling operation at the plant or facility, including the means of conveyance of natural gas, electricity, oil or water, and equipment related thereto, located outside the plant or facility;

(D) office machines and equipment including computers and related peripheral equipment not used directly and primarily to control or measure the manufacturing process;

(E) furniture and other furnishings;

(F) buildings, other than exempt machinery and equipment that is permanently affixed to or becomes a physical part of the building, and any other part of real estate that is not otherwise exempt;

(G) building fixtures that are not integral to the manufacturing operation, such as utility systems for heating, ventilation, air conditioning, communications, plumbing or electrical;

(H) machinery and equipment used for general plant heating, cooling and lighting;

(I) motor vehicles that are registered for operation on public highways; or

(J) employee apparel, except safety and protective apparel that is purchased by an employer and furnished gratuitously to employees who are involved in production or research activities.

(6) Subsections (3) and (5) shall not be construed as exclusive listings of the machinery and equipment that qualify or do not qualify as an integral or essential part of an integrated production operation. When machinery or equipment is used as an integral or essential part of production operations part of the time and for nonproduction purposes at other times, the primary use of the machinery or equipment shall determine whether or not such machinery or equipment qualifies for exemption.

(7) The secretary of revenue shall adopt rules and regulations necessary to administer the provisions of this subsection;

(ll) all sales of educational materials purchased for distribution to the public at no charge by a nonprofit corporation organized for the purpose of encouraging, fostering and conducting programs for the improvement of public health, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such materials purchased by a nonprofit corporation which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(mm) all sales of seeds and tree seedlings; fertilizers, insecticides, herbicides, germicides, pesticides and fungicides; and services, purchased and used for the purpose of producing plants in order to prevent soil erosion on land devoted to agricultural use;

(nn) except as otherwise provided in this act, all sales of services rendered by an advertising agency or licensed broadcast station or any member, agent or employee thereof;

(oo) all sales of tangible personal property purchased by a community action group or agency for the exclusive purpose of repairing or weatherizing housing occupied by low income individuals;

(pp) all sales of drill bits and explosives actually utilized in the exploration and production of oil or gas;

(qq) all sales of tangible personal property and services purchased by a nonprofit museum or historical society or any combination thereof, including a nonprofit organization which is organized for the purpose of stimulating public interest in the exploration of space by providing educational information, exhibits and experiences, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986;

(rr) all sales of tangible personal property which will admit the purchaser thereof to any annual event sponsored by a nonprofit organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such tangible personal property purchased by a nonprofit organization which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(ss) all sales of tangible personal property and services purchased by a public broadcasting station licensed by the federal communications commission as a noncommercial educational television or radio station;

(tt) all sales of tangible personal property and services purchased by or on behalf of a not-for-profit corporation which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the sole purpose of constructing a Kansas Korean War memorial;

(uu) all sales of tangible personal property and services purchased by or on behalf of any rural volunteer fire-fighting organization for use exclusively in the performance of its duties and functions;

(vv) all sales of tangible personal property purchased by any of the following organizations which are exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the following purposes, and all sales of any such property by or on behalf of any such organization for any such purpose:

(1) The American heart association, Kansas affiliate, inc. for the purposes of providing education, training, certification in emergency cardiac

care, research and other related services to reduce disability and death from cardiovascular diseases and stroke;

(2) the Kansas alliance for the mentally ill, inc. for the purpose of advocacy for persons with mental illness and to education, research and support for their families;

(3) the Kansas mental illness awareness council for the purposes of advocacy for persons who are mentally ill and for education, research and support for them and their families;

(4) the American diabetes association Kansas affiliate, inc. for the purpose of eliminating diabetes through medical research, public education focusing on disease prevention and education, patient education including information on coping with diabetes, and professional education and training;

(5) the American lung association of Kansas, inc. for the purpose of eliminating all lung diseases through medical research, public education including information on coping with lung diseases, professional education and training related to lung disease and other related services to reduce the incidence of disability and death due to lung disease;

(6) the Kansas chapters of the Alzheimer's disease and related disorders association, inc. for the purpose of providing assistance and support to persons in Kansas with Alzheimer's disease, and their families and caregivers;

(7) the Kansas chapters of the Parkinson's disease association for the purpose of eliminating Parkinson's disease through medical research and public and professional education related to such disease;

(8) the national kidney foundation of Kansas and western Missouri for the purpose of eliminating kidney disease through medical research and public and private education related to such disease;

(9) the heartstrings community foundation for the purpose of providing training, employment and activities for adults with developmental disabilities;

(10) the cystic fibrosis foundation, heart of America chapter, for the purposes of assuring the development of the means to cure and control cystic fibrosis and improving the quality of life for those with the disease;

(11) the spina bifida association of Kansas for the purpose of providing financial, educational and practical aid to families and individuals with spina bifida. Such aid includes, but is not limited to, funding for medical devices, counseling and medical educational opportunities;

(12) the CHWC, Inc., for the purpose of rebuilding urban core neighborhoods through the construction of new homes, acquiring and renovating existing homes and other related activities, and promoting economic development in such neighborhoods;

(13) the cross-lines cooperative council for the purpose of providing social services to low income individuals and families;

(14) the dreams work, inc., for the purpose of providing young adult

day services to individuals with developmental disabilities and assisting families in avoiding institutional or nursing home care for a developmentally disabled member of their family;

(15) the KSDS, Inc., for the purpose of promoting the independence and inclusion of people with disabilities as fully participating and contributing members of their communities and society through the training and providing of guide and service dogs to people with disabilities, and providing disability education and awareness to the general public;

(16) the lyme association of greater Kansas City, Inc., for the purpose of providing support to persons with lyme disease and public education relating to the prevention, treatment and cure of lyme disease;

(17) the dream factory, inc., for the purpose of granting the dreams of children with critical and chronic illnesses;

(18) the Ottawa Suzuki strings, inc., for the purpose of providing students and families with education and resources necessary to enable each child to develop fine character and musical ability to the fullest potential;

(19) the international association of lions clubs for the purpose of creating and fostering a spirit of understanding among all people for humanitarian needs by providing voluntary services through community involvement and international cooperation;

(20) the Johnson county young matrons, inc., for the purpose of promoting a positive future for members of the community through volunteerism, financial support and education through the efforts of an all volunteer organization;

(21) the American cancer society, inc., for the purpose of eliminating cancer as a major health problem by preventing cancer, saving lives and diminishing suffering from cancer, through research, education, advocacy and service;

(22) the community services of Shawnee, inc., for the purpose of providing food and clothing to those in need;

(23) the angel babies association, for the purpose of providing assistance, support and items of necessity to teenage mothers and their babies; and

(24) the Kansas fairgrounds foundation for the purpose of the preservation, renovation and beautification of the Kansas state fairgrounds;

(ww) all sales of tangible personal property purchased by the habitat for humanity for the exclusive use of being incorporated within a housing project constructed by such organization;

(xx) all sales of tangible personal property and services purchased by a nonprofit zoo which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, or on behalf of such zoo by an entity itself exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986 contracted with to operate such zoo and all sales of tangible personal property or services purchased by a contractor for the purpose of con-

structing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any nonprofit zoo which would be exempt from taxation under the provisions of this section if purchased directly by such nonprofit zoo or the entity operating such zoo. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any nonprofit zoo. When any nonprofit zoo shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the nonprofit zoo concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, the nonprofit zoo concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(yy) all sales of tangible personal property and services purchased by a parent-teacher association or organization, and all sales of tangible personal property by or on behalf of such association or organization;

(zz) all sales of machinery and equipment purchased by over-the-air, free access radio or television station which is used directly and primarily for the purpose of producing a broadcast signal or is such that the failure of the machinery or equipment to operate would cause broadcasting to

cease. For purposes of this subsection, machinery and equipment shall include, but not be limited to, that required by rules and regulations of the federal communications commission, and all sales of electricity which are essential or necessary for the purpose of producing a broadcast signal or is such that the failure of the electricity would cause broadcasting to cease;

(aaa) all sales of tangible personal property and services purchased by a religious organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, and used exclusively for religious purposes, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization which would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without

the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after July 1, 1998, but prior to the effective date of this act upon the gross receipts received from any sale exempted by the amendatory provisions of this subsection shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(bbb) all sales of food for human consumption by an organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, pursuant to a food distribution program which offers such food at a price below cost in exchange for the performance of community service by the purchaser thereof;

(ccc) on and after July 1, 1999, all sales of tangible personal property and services purchased by a primary care clinic or health center the primary purpose of which is to provide services to medically underserved individuals and families, and which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such clinic or center which would be exempt from taxation under the provisions of this section if purchased directly by such clinic or center, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such tangible personal property and services purchased by a primary care clinic or health center which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such clinic or center. When any such clinic or center shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute



invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such clinic or center concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such clinic or center concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(ddd) on and after January 1, 1999, and before January 1, 2000, all sales of materials and services purchased by any class II or III railroad as classified by the federal surface transportation board for the construction, renovation, repair or replacement of class II or III railroad track and facilities used directly in interstate commerce. In the event any such track or facility for which materials and services were purchased sales tax exempt is not operational for five years succeeding the allowance of such exemption, the total amount of sales tax which would have been payable except for the operation of this subsection shall be recouped in accordance with rules and regulations adopted for such purpose by the secretary of revenue;

(eee) on and after January 1, 1999, and before January 1, 2001, all sales of materials and services purchased for the original construction, reconstruction, repair or replacement of grain storage facilities, including railroad sidings providing access thereto;

(fff) all sales of material handling equipment, racking systems and other related machinery and equipment that is used for the handling, movement or storage of tangible personal property in a warehouse or distribution facility in this state; all sales of installation, repair and maintenance services performed on such machinery and equipment; and all sales of repair and replacement parts for such machinery and equipment.

For purposes of this subsection, a warehouse or distribution facility means a single, fixed location that consists of buildings or structures in a contiguous area where storage or distribution operations are conducted that are separate and apart from the business' retail operations, if any, and which do not otherwise qualify for exemption as occurring at a manufacturing or processing plant or facility. Material handling and storage equipment shall include aeration, dust control, cleaning, handling and other such equipment that is used in a public grain warehouse or other commercial grain storage facility, whether used for grain handling, grain storage, grain refining or processing, or other grain treatment operation;

(ggg) all sales of tangible personal property and services purchased by or on behalf of the Kansas academy of science which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and used solely by such academy for the preparation, publication and dissemination of education materials;

(hhh) all sales of tangible personal property and services purchased by or on behalf of all domestic violence shelters that are member agencies of the Kansas coalition against sexual and domestic violence;

(iii) all sales of personal property and services purchased by an organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such personal property and services are used by any such organization in the collection, storage and distribution of food products to nonprofit organizations which distribute such food products to persons pursuant to a food distribution program on a charitable basis without fee or charge, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities used for the collection and storage of such food products for any such organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, which would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such

organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after July 1, 2005, but prior to the effective date of this act upon the gross receipts received from any sale exempted by the amendatory provisions of this subsection shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(jjj) all sales of dietary supplements dispensed pursuant to a prescription order by a licensed practitioner or a mid-level practitioner as defined by K.S.A. 65-1626, and amendments thereto. As used in this subsection, "dietary supplement" means any product, other than tobacco, intended to supplement the diet that: (1) Contains one or more of the following dietary ingredients: A vitamin, a mineral, an herb or other botanical, an amino acid, a dietary substance for use by humans to supplement the diet by increasing the total dietary intake or a concentrate, metabolite, constituent, extract or combination of any such ingredient; (2) is intended for ingestion in tablet, capsule, powder, softgel, gelcap or liquid form, or if not intended for ingestion, in such a form, is not represented as conventional food and is not represented for use as a sole item of a meal or of the diet; and (3) is required to be labeled as a dietary supplement,

identifiable by the supplemental facts box found on the label and as required pursuant to 21 C.F.R. § 101.36;

(lll) all sales of tangible personal property and services purchased by special olympics Kansas, inc. for the purpose of providing year-round sports training and athletic competition in a variety of olympic-type sports for individuals with intellectual disabilities by giving them continuing opportunities to develop physical fitness, demonstrate courage, experience joy and participate in a sharing of gifts, skills and friendship with their families, other special olympics athletes and the community, and activities provided or sponsored by such organization, and all sales of tangible personal property by or on behalf of any such organization;

(mmm) all sales of tangible personal property purchased by or on behalf of the Marillac center, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing psycho-social-biological and special education services to children, and all sales of any such property by or on behalf of such organization for such purpose;

(nnn) all sales of tangible personal property and services purchased by the west Sedgwick county-sunrise rotary club and sunrise charitable fund for the purpose of constructing a boundless playground which is an integrated, barrier free and developmentally advantageous play environment for children of all abilities and disabilities;

(ooo) all sales of tangible personal property by or on behalf of a public library serving the general public and supported in whole or in part with tax money or a not-for-profit organization whose purpose is to raise funds for or provide services or other benefits to any such public library;

(ppp) all sales of tangible personal property and services purchased by or on behalf of a homeless shelter which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal income tax code of 1986, and used by any such homeless shelter to provide emergency and transitional housing for individuals and families experiencing homelessness, and all sales of any such property by or on behalf of any such homeless shelter for any such purpose;

(qqq) all sales of tangible personal property and services purchased by TLC for children and families, inc., hereinafter referred to as TLC, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing emergency shelter and treatment for abused and neglected children as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of TLC for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for TLC for any such purpose which would be exempt from taxation under the pro-

visions of this section if purchased directly by TLC. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for TLC. When TLC contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to TLC a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, TLC shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(rrr) all sales of tangible personal property and services purchased by any county law library maintained pursuant to law and sales of tangible personal property and services purchased by an organization which would have been exempt from taxation under the provisions of this subsection if purchased directly by the county law library for the purpose of providing legal resources to attorneys, judges, students and the general public, and all sales of any such property by or on behalf of any such county law library;

(sss) all sales of tangible personal property and services purchased by catholic charities or youthville, hereinafter referred to as charitable family providers, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which

such property and services are used for the purpose of providing emergency shelter and treatment for abused and neglected children as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of charitable family providers for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for charitable family providers for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by charitable family providers. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for charitable family providers. When charitable family providers contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to charitable family providers a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, charitable family providers shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(ttt) all sales of tangible personal property or services purchased by

a contractor for a project for the purpose of restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility owned by a nonprofit museum which has been granted an exemption pursuant to subsection (qq), which such home or facility is located in a city which has been designated as a qualified hometown pursuant to the provisions of K.S.A. 75-5071 et seq., and amendments thereto, and which such project is related to the purposes of K.S.A. 75-5071 et seq., and amendments thereto, and which would be exempt from taxation under the provisions of this section if purchased directly by such nonprofit museum. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility for any such nonprofit museum. When any such nonprofit museum shall contract for the purpose of restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to such nonprofit museum a sworn statement on a form to be provided by the director of taxation that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in a home or facility or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such nonprofit museum shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(uuu) all sales of tangible personal property and services purchased

by Kansas children's service league, hereinafter referred to as KCSL, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing for the prevention and treatment of child abuse and maltreatment as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of KCSL for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for KCSL for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by KCSL. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for KCSL. When KCSL contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to KCSL a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, KCSL shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;



(vvv) all sales of tangible personal property or services, including the renting and leasing of tangible personal property or services, purchased by jazz in the woods, inc., a Kansas corporation which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing jazz in the woods, an event benefiting children-in-need and other nonprofit charities assisting such children, and all sales of any such property by or on behalf of such organization for such purpose;

(www) all sales of tangible personal property purchased by or on behalf of the Frontenac education foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing education support for students, and all sales of any such property by or on behalf of such organization for such purpose;

(xxx) all sales of personal property and services purchased by the booth theatre foundation, inc., an organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such personal property and services are used by any such organization in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling of the booth theatre, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling the booth theatre for such organization, which would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials

which will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after January 1, 2007, but prior to the effective date of this act upon the gross receipts received from any sale which would have been exempted by the provisions of this subsection had such sale occurred after the effective date of this act shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(yyy) all sales of tangible personal property and services purchased by TLC charities foundation, inc., hereinafter referred to as TLC charities, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of encouraging private philanthropy to further the vision, values, and goals of TLC for children and families, inc.; and all sales of such property and services by or on behalf of TLC charities for any such purpose and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for TLC charities for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by TLC charities. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for TLC charities. When TLC charities contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase ma-

terials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to TLC charities a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be incorporated into the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, TLC charities shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(zzz) all sales of tangible personal property purchased by the rotary club of shawnee foundation which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, as amended, used for the purpose of providing contributions to community service organizations and scholarships;

(aaaa) all sales of personal property and services purchased by or on behalf of victory in the valley, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing a cancer support group and services for persons with cancer, and all sales of any such property by or on behalf of any such organization for any such purpose;

(bbbb) all sales of entry or participation fees, charges or tickets by Guadalupe health foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for such organization's annual fundraising event which purpose is to provide health care services for uninsured workers;

(cccc) all sales of tangible personal property or services purchased by or on behalf of wayside waifs, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue

code, for the purpose of providing such organization's annual fundraiser, an event whose purpose is to support the care of homeless and abandoned animals, animal adoption efforts, education programs for children and efforts to reduce animal over-population and animal welfare services, and all sales of any such property, including entry or participation fees or charges, by or on behalf of such organization for such purpose;

(dddd) all sales of tangible personal property or services purchased by or on behalf of goodwill industries or Easter seals of Kansas, inc., both of which are exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing education, training and employment opportunities for people with disabilities and other barriers to employment;

(eeee) all sales of tangible personal property or services purchased by or on behalf of All American beef battalion, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of educating, promoting and participating as a contact group through the beef cattle industry in order to carry out such projects that provide support and morale to members of the United States armed forces and military services;

(ffff) all sales of tangible personal property and services purchased by sheltered living, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing residential and day services for people with developmental disabilities or intellectual disability, or both, and all sales of any such property by or on behalf of sheltered living, inc., for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of rehabilitating, constructing, maintaining, repairing, enlarging, furnishing or remodeling homes and facilities for sheltered living, inc., for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by sheltered living, inc. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such homes and facilities for sheltered living, inc. When sheltered living, inc., contracts for the purpose of rehabilitating, constructing, maintaining, repairing, enlarging, furnishing or remodeling such homes and facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to sheltered living, inc., a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were

entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, sheltered living, inc., shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(gggg) all sales of game birds for which the primary purpose is use in hunting;

(hhhh) all sales of tangible personal property or services purchased on or after July 1, 2014, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business identified under the North American industry classification system (NAICS) subsectors 1123, 1124, 112112, 112120 or 112210, and the sale and installation of machinery and equipment purchased for installation at any such business. The exemption provided in this subsection shall not apply to projects that have actual total costs less than \$50,000. When a person contracts for the construction, reconstruction, enlargement or remodeling of any such business, such person shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to the owner of the business a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor of the contractor, who shall use or otherwise dispose of any materials, machinery or equipment purchased under such a certificate

for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(iii) all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for Wichita children's home for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by Wichita children's home. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for Wichita children's home. When Wichita children's home contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to Wichita children's home a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, Wichita children's home shall be liable for the tax on all materials purchased for the project, and upon payment, it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(jjjj) all sales of tangible personal property or services purchased by

or on behalf of the beacon, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing those desiring help with food, shelter, clothing and other necessities of life during times of special need; *and*

(kkkk) all sales of tangible personal property and services purchased by or on behalf of reaching out from within, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of sponsoring self-help programs for incarcerated persons that will enable such incarcerated persons to become role models for non-violence while in correctional facilities and productive family members and citizens upon return to the community; *and*

~~(llll) except for subsections (f), (g), (i), (j), (m), (n), (o), (p), (q), (r), (t), (y), (cc), (hh), (jj), (kk), (ll), (nn), (pp), (zz), (aaa), (ccc), (fff) or (jjj) or as otherwise provided, the provisions of this section shall not apply after December 31, 2019.~~

Sec. 8. K.S.A. 2014 Supp. 79-3620, as amended by section 8 of Senate Substitute for House Bill 2109, is hereby amended to read as follows: 79-3620. (a) All revenue collected or received by the director of taxation from the taxes imposed by this act shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury, less amounts withheld as provided in subsection (b) and amounts credited as provided in subsections (c), (d) and (e), to the credit of the state general fund.

(b) A refund fund, designated as “sales tax refund fund” not to exceed \$100,000 shall be set apart and maintained by the director from sales tax collections and estimated tax collections and held by the state treasurer for prompt payment of all sales tax refunds. Such fund shall be in such amount, within the limit set by this section, as the director shall determine is necessary to meet current refunding requirements under this act. In the event such fund as established by this section is, at any time, insufficient to provide for the payment of refunds due claimants thereof, the director shall certify the amount of additional funds required to the director of accounts and reports who shall promptly transfer the required amount from the state general fund to the sales tax refund fund, and notify the state treasurer, who shall make proper entry in the records.

(c) (1) On July 1, 2010, the state treasurer shall credit 11.427% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(2) On July 1, 2011, the state treasurer shall credit 11.26% of the revenue collected and received from the tax imposed by K.S.A. 79-3603,

and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(3) On July 1, 2012, the state treasurer shall credit 11.233% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(4) On July 1, 2013, the state treasurer shall credit 17.073% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.15%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(5) On July 1, 2015, the state treasurer shall credit ~~16.327%~~ 16.226% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of ~~6.55%~~ 6.5%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(6) On July 1, 2016, and thereafter, the state treasurer shall credit ~~16.327%~~ 16.154% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the ~~rates~~ rate of ~~6.55% and 4.95%~~ 6.5%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(d) The state treasurer shall credit all revenue collected or received from the tax imposed by K.S.A. 79-3603, and amendments thereto, as certified by the director, from taxpayers doing business within that portion of a STAR bond project district occupied by a STAR bond project or taxpayers doing business with such entity financed by a STAR bond project as defined in K.S.A. 2014 Supp. 12-17,162, and amendments thereto, that was determined by the secretary of commerce to be of state-wide as well as local importance or will create a major tourism area for the state or the project was designated as a STAR bond project as defined in K.S.A. 2014 Supp. 12-17,162, and amendments thereto, to the city bond finance fund, which fund is hereby created. The provisions of this subsection shall expire when the total of all amounts credited hereunder and under K.S.A. 79-3710(d), and amendments thereto, is sufficient to retire the special obligation bonds issued for the purpose of financing all or a portion of the costs of such STAR bond project.

(e) All revenue certified by the director of taxation as having been collected or received from the tax imposed by K.S.A. 79-3603(c), and amendments thereto, on the sale or furnishing of gas, water, electricity and heat for use or consumption within the intermodal facility district described in this subsection, shall be credited by the state treasurer to the state highway fund. Such revenue may be transferred by the secretary



of transportation to the rail service improvement fund pursuant to law. The provisions of this subsection shall take effect upon certification by the secretary of transportation that a notice to proceed has been received for the construction of the improvements within the intermodal facility district, but not later than December 31, 2010, and shall expire when the secretary of revenue determines that the total of all amounts credited hereunder and pursuant to K.S.A. 79-3710(e), and amendments thereto, is equal to \$53,300,000, but not later than December 31, 2045. Thereafter, all revenues shall be collected and distributed in accordance with applicable law. For all tax reporting periods during which the provisions of this subsection are in effect, none of the exemptions contained in K.S.A. 79-3601 et seq., and amendments thereto, shall apply to the sale or furnishing of any gas, water, electricity and heat for use or consumption within the intermodal facility district. As used in this subsection, "intermodal facility district" shall consist of an intermodal transportation area as defined by K.S.A. 12-1770a(oo), and amendments thereto, located in Johnson county within the polygonal-shaped area having Waverly Road as the eastern boundary, 191st Street as the southern boundary, Four Corners Road as the western boundary, and Highway 56 as the northern boundary, and the polygonal-shaped area having Poplar Road as the eastern boundary, 183rd Street as the southern boundary, Waverly Road as the western boundary, and the BNSF mainline track as the northern boundary, that includes capital investment in an amount exceeding \$150 million for the construction of an intermodal facility to handle the transfer, storage and distribution of freight through railway and trucking operations.

Sec. 9. K.S.A. 2014 Supp. 79-3703, as amended by section 9 of Senate Substitute for House Bill 2109, is hereby amended to read as follows: 79-3703. There is hereby levied and there shall be collected from every person in this state a tax or excise for the privilege of using, storing, or consuming within this state any article of tangible personal property. Such tax shall be levied and collected in an amount equal to the consideration paid by the taxpayer multiplied by the rate of ~~6.55%~~, ~~except that commencing July 1, 2016, such rate shall be 4.95% on food and food ingredients as defined by K.S.A. 79-3602, and amendments thereto 6.5%~~. Within a redevelopment district established pursuant to K.S.A. 74-8921, and amendments thereto, there is hereby levied and there shall be collected and paid an additional tax of 2% until the earlier of: (1) The date the bonds issued to finance or refinance the redevelopment project undertaken in the district have been paid in full; or (2) the final scheduled maturity of the first series of bonds issued to finance the redevelopment project. All property purchased or leased within or without this state and subsequently used, stored or consumed in this state shall be subject to the compensating tax if the same property or transaction would have been

subject to the Kansas retailers' sales tax had the transaction been wholly within this state.

Sec. 10. K.S.A. 2014 Supp. 79-3710, as amended by section 10 of Senate Substitute for House Bill 2109, is hereby amended to read as follows: 79-3710. (a) All revenue collected or received by the director under the provisions of this act shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury, less amounts set apart as provided in subsection (b) and amounts credited as provided in subsection (c), (d) and (e), to the credit of the state general fund.

(b) A revolving fund, designated as "compensating tax refund fund" not to exceed \$10,000 shall be set apart and maintained by the director from compensating tax collections and estimated tax collections and held by the state treasurer for prompt payment of all compensating tax refunds. Such fund shall be in such amount, within the limit set by this section, as the director shall determine is necessary to meet current refunding requirements under this act.

(c) (1) On July 1, 2010, the state treasurer shall credit 11.427% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(2) On July 1, 2011, the state treasurer shall credit 11.26% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(3) On July 1, 2012, the state treasurer shall credit 11.233% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(4) On July 1, 2013, the state treasurer shall credit 17.073% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.15%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(5) On July 1, 2015, the state treasurer shall credit ~~16.327%~~ 16.226% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of ~~6.55%~~ 6.5%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(6) On July 1, 2016, and thereafter, the state treasurer shall credit

~~16.550%~~ 16.154% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the ~~rates~~ *rate* of ~~6.55% and 4.95%~~ 6.5%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(d) The state treasurer shall credit all revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, as certified by the director, from taxpayers doing business within that portion of a redevelopment district occupied by a redevelopment project that was determined by the secretary of commerce to be of statewide as well as local importance or will create a major tourism area for the state as defined in K.S.A. 12-1770a, and amendments thereto, to the city bond finance fund created by K.S.A. 79-3620(d), and amendments thereto. The provisions of this subsection shall expire when the total of all amounts credited hereunder and under K.S.A. 79-3620(d), and amendments thereto, is sufficient to retire the special obligation bonds issued for the purpose of financing all or a portion of the costs of such redevelopment project.

This subsection shall not apply to a project designated as a special bond project as defined in K.S.A. 12-1770a(z), and amendments thereto.

(e) All revenue certified by the director of taxation as having been collected or received from the tax imposed by K.S.A. 79-3603(c), and amendments thereto, on the sale or furnishing of gas, water, electricity and heat for use or consumption within the intermodal facility district described in this subsection, shall be credited by the state treasurer to the state highway fund. Such revenue may be transferred by the secretary of transportation to the rail service improvement fund pursuant to law. The provisions of this subsection shall take effect upon certification by the secretary of transportation that a notice to proceed has been received for the construction of the improvements within the intermodal facility district, but not later than December 31, 2010, and shall expire when the secretary of revenue determines that the total of all amounts credited hereunder and pursuant to K.S.A. 79-3620(e), and amendments thereto, is equal to \$53,300,000, but not later than December 31, 2045. Thereafter, all revenues shall be collected and distributed in accordance with applicable law. For all tax reporting periods during which the provisions of this subsection are in effect, none of the exemptions contained in K.S.A. 79-3601 et seq., and amendments thereto, shall apply to the sale or furnishing of any gas, water, electricity and heat for use or consumption within the intermodal facility district. As used in this subsection, "intermodal facility district" shall consist of an intermodal transportation area as defined by K.S.A. 12-1770a(oo), and amendments thereto, located in Johnson county within the polygonal-shaped area having Waverly Road as the eastern boundary, 191st Street as the southern boundary, Four Corners Road as the western boundary, and Highway 56 as the northern

boundary, and the polygonal-shaped area having Poplar Road as the eastern boundary, 183rd Street as the southern boundary, Waverly Road as the western boundary, and the BNSF mainline track as the northern boundary, that includes capital investment in an amount exceeding \$150 million for the construction of an intermodal facility to handle the transfer, storage and distribution of freight through railway and trucking operations.

Sec. 11. Section 11 of 2015 Senate Substitute for House Bill No. 2109 and K.S.A. 2014 Supp. 79-2925b, as amended by section 5 of 2015 Senate Substitute for House Bill No. 2109, 79-32,110, as amended by section 25 of 2015 Senate Substitute for House Bill No. 2109, 79-32,269, as amended by section 28 of 2015 Senate Substitute for House Bill No. 2109, 79-3602, as amended by section 6 of 2015 Senate Substitute for House Bill No. 2109, 79-3603, as amended by section 7 of 2015 Senate Substitute for House Bill No. 2109, 79-3606, as amended by section 33 of 2015 Senate Substitute for House Bill No. 2109, 79-3620, as amended by section 8 of 2015 Senate Substitute for House Bill No. 2109, 79-3703, as amended by section 9 of 2015 Senate Substitute for House Bill No. 2109 and 79-3710, as amended by section 10 of 2015 Senate Substitute for House Bill No. 2109 are hereby repealed.

Sec. 12. This act shall take effect and be in force from and after 2015 Senate Substitute for House Bill No. 2109 is passed by the Legislature during the 2015 regular session and enacted into law, and the publication of this act in the statute book.

Approved June 16, 2015.

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CHAPTER 103

Senate Substitute for HOUSE BILL No. 2135

TO SEC.  
Administration, department of ..... 2

AN ACT making and concerning appropriations for the fiscal year ending June 30, 2016, for state agencies; authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain disbursements, procedures and acts incidental to the foregoing.

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

Section 1. (a) For the fiscal years ending June 30, 2016, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, disbursements, procedures and acts incidental to the foregoing are hereby directed or authorized as provided in this act.

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

Sec. 2.

DEPARTMENT OF ADMINISTRATION

(a) (1) Notwithstanding the provisions of K.S.A. 75-3722, 75-6704, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2016, the director of the budget shall continuously monitor the status of the state general fund with regard to estimated and actual revenues and approved and actual expenditures and demand transfers: *Provided*, That periodically, the director of the budget shall estimate the amount of the unencumbered ending balance of moneys in the state general fund for fiscal year 2016 and the total amount of anticipated expenditures, demand transfers and encumbrances of moneys in the state general fund for fiscal year 2016: *Provided further*, That if the amount of such unencumbered ending balance in the state general fund is less than \$100,000,000, the director of the budget: (A) Shall determine the amount of moneys appropriated in each account of the state general fund or each special revenue fund appropriated for fiscal year 2016 for any agency of the executive branch of state government that are not required to be expended or encumbered for the fiscal year ending June 30, 2016; and (B) shall certify each such amount: *And provided further*, That, during fiscal year 2016, the director of the budget shall certify each amount appropriated from the state general fund, to the director of accounts and reports and, upon receipt of such certification, the amount so certified is hereby lapsed: *And provided further*, That, during fiscal year 2016, the director of the budget shall certify each amount appropriated from each special revenue fund, to the director of accounts and reports and, upon receipt of such certification, the amount so certified is hereby transferred to the state general fund: *And provided further*, That, at the same time as the director of the budget transmits each such certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research: *And provided further*, That the aggregate of all amounts lapsed from appropriations from the state general fund and amounts transferred from special revenue funds pursuant to this subsection, shall not exceed \$100,000,000.

(b) The provisions of this section shall not apply to the legislature or any agency of the legislative branch of state government; or the judicial branch or any agency of the judicial branch of state government.

(c) The provisions of this section shall not apply to: (1) Any item of appropriation for debt service for payments pursuant to contractual bond obligations; (2) any item of appropriation for employer contributions for the employers who are eligible employers as specified in K.S.A. 74-4931(1), (2) and (3), and amendments thereto, under the Kansas public

employees retirement system pursuant to K.S.A. 74-4939, and amendments thereto; (3) any item of appropriation for the department of education, except the provisions of this section shall apply to the operating expenditures (including official hospitality) account of the state general fund of the department of education; or (4) any demand transfer to the school district capital improvements fund for distribution to school districts pursuant to K.S.A. 75-2319, and amendments thereto.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

Approved June 16, 2015.

Published in the *Kansas Register* June 18, 2015.

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CHAPTER 104

House Substitute for SENATE BILL No. 112  
(Amends Chapters 1 and 44)

TO	SEC.	TO	SEC.
Abstracters' board of examiners	30	Indigents' defense services,	
Accountancy, board of	31	state board of	27, 70, 71
Adjutant general	146, 147, 226, 227, 228	Information technology services,	
Administration, department of	26, 80, 81, 184, 185	office of	82, 83
Administrative hearings, office of	84, 85	Insurance department	64, 65, 188, 189
Aging and disability services,		Judicial council	68, 69
Kansas department for	17, 108, 109, 190, 191	Kansas state university	126, 127, 206, 207
Agriculture, Kansas department of	160, 161	Kansas state university extension systems and	
Attorney general	58, 59	agriculture research programs	128, 129, 208, 209
Attorney general—Kansas bureau		Kansas state university veterinary	
of investigation	152, 153, 222, 223	medical center	130, 131
Bank commissioner, state	9, 32	Labor, department of	98, 99, 192, 193
Barbering, Kansas board of	25, 33	Legislative coordinating council	50, 51
Behavioral sciences regulatory board	7, 34	Legislature	12, 52, 53
Blind, Kansas state school for the	118, 119, 196, 197	Lottery, Kansas	90, 91
Children and families, Kansas		Mortuary arts, state board of	24, 39
department for	18, 110, 111	Nursing, board of	10, 41
Citizens' utility ratepayer board	78, 79	Optometry, board of examiners in	42
Commerce, department of	29, 94, 95, 186, 187	Peace officers' standards and training,	
Corporation commission, state	76, 77	Kansas commission on	158, 159
Corrections, department of	28, 144, 145, 220, 221	Pharmacy, state board of	43
Cosmetology, Kansas state board of	36	Pittsburg state university	21, 134, 135, 210, 211
Credit unions, state department of	37	Post audit, division of	13, 54, 55
Deaf, Kansas state school for the	120, 121, 198, 199	Public employees retirement system, Kansas	72, 73
Dental board, Kansas	38	Racing and gaming commission, Kansas	14, 92, 93
Education, department of	20, 114, 115	Real estate appraisal board	44
Emergency medical services board	154, 155	Real estate commission, Kansas	11, 45
Emporia state university	132, 133, 202, 203	Regents, state board of	22, 142, 143, 218, 219
Fair board, state	162, 163, 229, 230	Revenue, department of	88, 89
Fire marshal, state	148, 149	Secretary of state	60, 61
Fort Hays state university	124, 125, 204, 205	Securities commissioner of Kansas,	
Governmental ethics commission	49	office of the	46
Governor's department	56, 57	Sentencing commission, Kansas	156, 157
Guardianship program, Kansas	19, 112, 113	State library	116, 117
Healing arts, state board of	8, 35	State treasurer	62, 63
Health and environment, department of—		Tax appeals, state board of	86, 87
division of environment	106, 107	Technical professions, state board of	47
Health and environment, department of—		Transportation, department of	168, 169
division of health care finance	16, 104, 105	University of Kansas	136, 137, 212, 213
Health and environment, department of—		University of Kansas medical	
division of public health	102, 103	center	138, 139, 214, 215
Health care stabilization fund		Veterans affairs office, Kansas	
board of governors	66, 67	commission on	15, 100, 101, 194, 195
Hearing instruments, Kansas board of		Veterinary examiners, state board of	48
examiners in fitting and dispensing of	6, 40	Water office, Kansas	164, 165
Highway patrol, Kansas	150, 151, 224, 225	Wichita state university	140, 141, 216, 217
Historical society, state	122, 123, 200, 201	Wildlife, parks and tourism, Kansas	
Housing resources corporation, Kansas	96, 97	department of	23, 166, 167, 231, 232
Human rights commission, Kansas	74, 75		

AN ACT making and concerning appropriations for fiscal years ending June 30, 2015, June 30, 2016, June 30, 2017, June 30, 2018, and June 30, 2019, for state agencies; authorizing and directing payment of certain claims against the state; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2014 Supp. 2-223, 12-5256, 55-193, as amended by section 2 of 2015 House Bill No. 2231, 68-2320, 74-50,107, as amended by section 57 of 2015 Senate Bill No. 4, 74-8963, 74-99b34, 75-6702, 76-775, 76-783, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,156, 79-34,171, 79-4804 and 82a-953a and repealing the existing sections; also repealing K.S.A. 2014 Supp. 74-99b34a.

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

Section 1. (a) For the fiscal years ending June 30, 2015, June 30, 2016, June 30, 2017, June 30, 2018, and June 30, 2019, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, capital improvement projects, fees, receipts, disbursements, procedures and acts incidental to the foregoing are hereby directed or authorized as provided in this act.

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

(c) The provisions of this act relating to fiscal year 2016 shall be known and may be cited as the omnibus appropriation act of 2015 and shall constitute the omnibus reconciliation spending limit bill for the 2015 regular session of the legislature for purposes of K.S.A. 75-6702(a), and amendments thereto.

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

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

Cecil E. Thacker # 78311	
1806 Pinecrest	
Winfield, KS 67156 .....	\$33.48

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

Felton T. Williams Jr. # 0071445	
1318 KS Hwy 264	
Larned, KS 67550 .....	\$496.02

(d) The department of corrections is hereby authorized and directed to pay the following amount from the Hutchinson correctional facility —



facilities operations account of the state general fund for property damage to the following claimant:

Debra Skalinder  
 420 West Kansas  
 Little River, KS 67457 ..... \$1,489.61

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

Jose Serrano # 72898  
 2501 W. 7th  
 Street Oswego, KS 67356 ..... \$106.10

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

John Gichamu # 99036  
 P. O. Box 1568  
 Hutchinson, KS 67504 ..... \$103.00

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

Nathan D. Whitney II # 108166  
 P. O. Box 107  
 Ellsworth, KS 67439 ..... \$99.00

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

Brandin Harding # 93975  
 P. O. Box 2  
 Lansing, KS 66043..... \$138.00

Sec. 3. (a) The department for aging and disability services is hereby authorized and directed to pay the following amount from the Larned state hospital — operating expenditures account of the state general fund for property lost to the following claimant:

J. Richard A. Quillen  
 1301 KS Hwy 264  
 Larned, KS 67550 ..... \$57.00

(b) The department for aging and disability services is hereby authorized and directed to pay the following amount from the Larned state

hospital — operating expenditures account of the state general fund for inadequate medical care to the following claimant:

Gloria Ibarra # 98228

815 SE Rice Rd.

Topeka, KS 66607 ..... \$150.00

Sec. 4. The department of revenue is hereby authorized and directed to pay the following amounts from the motor-vehicle fuel tax refund fund, for claims not filed within the statutory filing period prescribed in K.S.A. 79-3458, and amendments thereto, to the following claimants:

Becker, Raymond C.

468 Highway 20 W

Lancaster, KS 66041 ..... \$163.73

C. E. Farms INC.

249 Timber Rd.

Courtland, KS 66939 ..... \$271.08

Canaan Well Service Inc.

1401 N. Park St.

Wellington, KS 67152 ..... \$131.12

D.H.P. Investments L.T.D.

212 Oldgrande Blvd. Ste 100

Tyler, TX 75703 ..... \$129.00

Elliot, Blake

787 Paint Rd.

Hope, KS 67451 ..... \$1,936.66

George, Eldon W.

25012 150 Rd.

Lebanon, KS 66952 ..... \$49.80

Hekele, Michael F.

1184 NE 90th Ave.

Clafflin, KS 67525 ..... \$81.00

JJ & J Inc. D.B.A. Lake Perry

6506 Cherokee Lane

Ozawkie, KS 66070 ..... \$4,222.80

Kahler, Wayne

11105 X Rd.

Meriden, KS 66512 ..... \$57.00

Kelles Transport Service Inc.

P.O. Box 71718

Salt Lake City, UT 84171 ..... \$322.92

Klassen Inc.

922 240th

Hillsboro, KS 67063 ..... \$26.52

Krob, Johnny R. 861 240 Rd. Cuba, KS 66940 .....	\$84.84
Markley, Robert E. 14602 E. 875 Rd. Mound City, KS 66056.....	\$89.40
Meyer, Richard L. 2275 Road 30 Hartford, KS 66854 .....	\$132.36
Neosho County Road and Bridge 515 E. 4th St. Erie, KS 66733 .....	\$20,450.43
Peterson Farm & Livestock Inc. 10729 S. Simpson Rd. Assaria, KS 67416.....	\$111.18
Pyle Petroleum Inc. 212 Oldgrande Blvd. Ste 100 Tyler, TX 75703 .....	\$291.60
Robben, Robert F. 44025 151st West Wichita, KS 67227.....	\$9,066.71
USD 283 P.O. Box 87 Longton, KS 67352.....	\$1,149.61
USD 300 P.O. Box 721 Coldwater, KS 67029 .....	\$695.45
USD 444 Little River P.O. Box 218 Little River, KS 67457 .....	\$1,659.53
Wichita Country Club P.O. Box 8105 Wichita, KS 67208.....	\$65.64
Wildcat Concrete Serv. Inc. P.O. Box 750075 Topeka, KS 66675 .....	\$90.46

Sec. 5. (a) Except as otherwise provided by sections 2 through 5, and amendments thereto, the director of accounts and reports is hereby authorized and directed to draw warrants on the state treasurer in favor of the claimants specified in this act, upon vouchers duly executed by the state agencies directed to pay the amounts specified in such sections to the claimants or their legal representatives or duly authorized agents, as provided by law.

(b) The director of accounts and reports shall secure prior to the payment of any amount to any claimant, other than amounts authorized to be paid pursuant to section 4, and amendments thereto, as motor-vehicle fuel tax refunds or as transactions between state agencies as provided by this act, a written release and satisfaction of all claims and rights against the state of Kansas and any agencies, officers and employees of the state of Kansas regarding their respective claims.

Sec. 6.

**KANSAS BOARD OF EXAMINERS IN THE FITTING AND DISPENSING OF HEARING INSTRUMENTS**

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2015, by section 12(a) of 2015 House Substitute for Senate Bill No. 4, on the hearing instrument board fee fund of the Kansas board of examiners in the fitting and dispensing of hearing instruments is hereby decreased from \$28,627 to \$26,127.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2015, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Hearing instrument litigation fund..... \$2,500

Sec. 7.

**BEHAVIORAL SCIENCES REGULATORY BOARD**

(a) On the effective date of this act, the expenditure limitation for official hospitality established for the fiscal year ending June 30, 2015, by section 61(a) of chapter 136 of the 2013 Session Laws of Kansas on the behavioral sciences regulatory board fee fund of the behavioral sciences regulatory board is hereby increased from \$500 to \$1,000.

Sec. 8.

**STATE BOARD OF HEALING ARTS**

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2015, by section 7(a) of 2015 House Substitute for Senate Bill No. 4, on the healing arts fee fund of the state board of healing arts is hereby decreased from \$4,366,207 to \$4,331,207.

Sec. 9.

**STATE BANK COMMISSIONER**

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2015, by section 4(a) of 2015 House Substitute for Senate Bill No. 4 on the bank commissioner fee fund of the state bank commissioner is hereby increased from \$10,553,454 to \$10,653,090.

## Sec. 10.

## BOARD OF NURSING

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2015, by section 13(a) of 2015 House Substitute for Senate Bill No. 4 on the board of nursing fee fund of the board of nursing is hereby decreased from \$2,590,604 to \$2,272,171.

## Sec. 11.

## KANSAS REAL ESTATE COMMISSION

(a) During the fiscal year ending June 30, 2015, notwithstanding the provisions of K.S.A. 58-3068, and amendments thereto, or any other statute, of the amount appropriated for the above agency from any special revenue fund or funds for fiscal year 2015 that is budgeted for the purpose of information technology projects or services, expenditures shall not be made from such budgeted amount by the above agency from any special revenue fund or funds for any other purpose.

## Sec. 12.

## LEGISLATURE

(a) In addition to the other purposes for which expenditures may be made by the above agency from the operations (including official hospitality) account of the state general fund for fiscal year 2015, expenditures shall be made by the above agency from the operations (including official hospitality) account of the state general fund for fiscal year 2015 for meetings of the legislative budget committee to develop a scope statement, draft a request for proposal, and solicit bids in an amount not to exceed \$3,000,000 for a review and evaluation of state government: *Provided*, That such review and evaluation shall include examining state agency core functions, procedures and efficiencies which may result in the consolidation of state agencies and functions, resulting in an overall reduction in expenditures: *Provided further*, That, the legislative budget committee shall have the authority to develop a scope statement, draft a request for proposal, and solicit bids pursuant to this subsection: *And provided further*, That, the revisor of statutes, the director of legislative research and the legislative post auditor shall provide assistance to the committee: *And provided further*, That as used in this subsection, "state agency" means each state agency in this or other appropriation act of the 2015 regular session of the legislature, except that "state agency" shall not include: The legislature or any agency of the legislative branch of state government; or the judicial branch or any agency of the judicial branch of state government.

## Sec. 13.

## DIVISION OF POST AUDIT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2015, the following:

Operations (including legislative post audit committee).... \$9,949  
Sec. 14.

**KANSAS RACING AND GAMING COMMISSION**

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2015, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Gaming machine examination fund ..... No limit

Sec. 15.

**KANSAS COMMISSION ON VETERANS AFFAIRS OFFICE**

(a) During the fiscal year ending June 30, 2015, expenditures from the soldiers' home fee fund, veterans' home fee fund, federal domiciliary per diem fund, and federal long term care per diem fund shall not exceed the limitation established for fiscal year 2015 by this or other appropriations act of the 2015 session of the legislature except upon specific authorization by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2015, by section 37(b) of 2015 House Substitute for Senate Bill No. 4 for the veterans' home fee fund of the Kansas commission on veterans affairs office is hereby decreased from \$2,927,328 to \$2,602,012.

(c) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2015, by section 37(d) of 2015 House Substitute for Senate Bill No. 4 for the federal domiciliary per diem fund of the Kansas commission on veterans affairs office is hereby increased from \$1,262,704 to \$1,588,020.

Sec. 16.

**DEPARTMENT OF HEALTH AND ENVIRONMENT —  
DIVISION OF HEALTH CARE FINANCE**

(a) During the fiscal year ending June 30, 2015, no expenditures shall be made by the secretary of health and environment from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2015 for the purpose of implementing a program under KanCare health homes for persons with chronic conditions, unless the legislature expressly consents to implementation of such program and expenditures therefor.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2015, by section 133(a) of chapter 136 of the 2013 Session Laws of Kansas on the other medical assistance account of the state general fund of the department for health and en-

vironment – division of health care finance is hereby decreased from \$643,290,000 to \$618,990,000.

Sec. 17.

KANSAS DEPARTMENT FOR AGING AND DISABILITY SERVICES

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2015, by section 138(a) of chapter 136 of the 2013 Session Laws of Kansas on the community based services account of the state general fund of the Kansas department for aging and disability services is hereby decreased from \$96,870,751 to \$90,670,751.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2015, by section 40(a) of 2015 House Substitute for Senate Bill No. 4 on the other medical assistance account of the state general fund of the Kansas department for aging and disability services is hereby decreased from \$6,329,716 to \$3,329,716.

(c) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2015, by section 40(d) of 2015 House Substitute for Senate Bill No. 4 on the Osawatomie state hospital fee fund of the Kansas department for aging and disability services is hereby increased from \$8,681,367 to \$10,181,367.

(d) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2015, by section 40(e) of 2015 House Substitute for Senate Bill No. 4 on the title XIX fund of the Kansas department for aging and disability services is hereby increased from \$46,542,289 to \$47,542,289.

Sec. 18.

KANSAS DEPARTMENT FOR CHILDREN AND FAMILIES

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2015, by section 41(a) of 2015 House Substitute for Senate Bill No. 4 on the youth services aid and assistance account of the state general fund of the Kansas department for children and families is hereby decreased from \$10,200,000 to \$8,100,000.

(b) On the effective date of this act, for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2015, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

SNAP employment and training pilot fund..... No limit

Sec. 19.

KANSAS GUARDIANSHIP PROGRAM

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2015, the following:

Kansas guardianship program..... \$4,445

Sec. 20.

DEPARTMENT OF EDUCATION

(a) In addition to the other purposes for which expenditures may be made by the above agency from the operating expenditures (including official hospitality) account of the department of education for the fiscal year ending June 30, 2015, by section 144 of chapter 136 of the 2013 Session Laws of Kansas, or section 7 of chapter 93 of the 2014 Session Laws of Kansas, expenditures shall be made from this account to issue a request for proposal to provide a statewide Kansas reading success program: *Provided*, That the purpose of this program is to provide academic support to help ensure achievement on grade level in reading; *Provided further*, That such program shall be available to all Kansas public school students in grades Pre-K through 8 and be online-delivered, interactive computer adaptive reading assessment and research-based intervention for use both at school and at home; *And provided further*, That the program shall be correlated to at least one of the commonly used reading assessments, such as DIBELS or the Kansas State Reading Test and the vendor must provide evidence that this program improves reading skills and scores; *And provided further*, That such program must automatically place students into a personalized learning path, continually tailor instruction to the individual needs of the student; *And provided further*, That such program shall provide teachers and administrators with immediate reporting, provide recommendations for interventions and provide teacher lessons and resources for teachers in order to deliver direct instruction based on the individual student needs; *And provided further*, That such program must make reporting and resources available to parents regarding student participation via a home portal; *And provided further*, That such program must be able to provide a computer adaptive-assessment, provide teachers, principals, and districts immediate on-line reporting including norm-referenced performance data that will enable teachers to plan and modify reading instruction without having to stop instructional time to administer a test; *And provided further*, That such program must provide accurate and predictive scores indicating the likelihood of a student being able to reach the requisite grade level reading skills by the end of the school year and an action plan for the students' teacher; *And provided further*, To ensure effective implementation of the program in conjunction with the beginning of the academic school year, the department of education shall issue a request for proposal to carry out the requirements of this provision no later than July 1, 2015, with plans to announce and implement the program no later than August 15, 2015.

(b) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2015, the following:

Supplemental general state aid .....	\$1,976,818
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(c) On the effective date of this act, notwithstanding the provisions of K.S.A. 72-8814, as amended by section 63 of 2015 House Substitute for Senate Bill No. 7, prior to its repeal, or any other statute, during the fiscal year ending June 30, 2015, the director of accounts and reports shall transfer an amount not to exceed \$3,958,900 from the state general fund to the school district capital outlay state aid fund: *Provided*, That the state board of education shall distribute such moneys to pay the remaining proportionate share of the entitlement to each school district as determined under the provisions of K.S.A. 72-8814(b), as amended by section 63 of 2015 House Substitute for Senate Bill No. 7, prior to its repeal.

(d) On the effective date of this act, notwithstanding the provisions of K.S.A. 72-6418, prior to its repeal, section 8 of 2015 House Substitute for Senate Bill No. 7, or any other statute, during the fiscal year ending June 30, 2015, any district that has been paid more than it is entitled to receive under any distributions made under the provisions of K.S.A. 72-6434, as amended by section 38 of 2015 House Substitute for Senate Bill No. 7, prior to its repeal, or K.S.A. 72-8814, as amended by section 63 of 2015 House Substitute for Senate Bill No. 7, prior to its repeal, shall be entitled to retain such overpayment.

(e) On the effective date of this act, of the \$2,760,946,624 appropriated for the above agency for the fiscal year ending June 30, 2017, by section 3(a) of 2015 House Substitute for Senate Bill No. 7 from the state general fund in the block grants to USDs account, the sum of \$3,500,000 is hereby lapsed.

Sec. 21.

PITTSBURG STATE UNIVERSITY

(a) On the effective date of this act, of the \$325,199 appropriated for the above agency for the fiscal year ending June 30, 2015, by section 237(a) of chapter 136 of the 2013 Session Laws of Kansas from the state general fund in the armory/classroom/recreation center debt service account, the sum of \$2,060 is hereby lapsed.

Sec. 22.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2015, the following:

Incentive for technical education ..... \$750,000

*Provided*, That, on the effective date of this act, notwithstanding the provisions of K.S.A. 72-4489, and amendments thereto, or any other statute, the state board of regents shall grant an award in an amount equal to \$1,000 for each pupil graduating from a high school in a school district having obtained an industry-recognized credential either prior to graduation from high school or by December 31 immediately following graduation in an occupation that has been identified by the secretary of labor in consultation with the state board of regents and the state board of

education as an occupation in highest need of additional skilled employees at the time the pupil entered the career technical education course or program in the school district: *Provided further*, That, if the amount of moneys appropriated for the above agency for fiscal year 2015 is less than the amount of moneys to be awarded to such school districts, the state board of regents shall prorate the available moneys to such school districts accordingly.

(b) On the effective date of this act, during the fiscal year ending June 30, 2015, notwithstanding the provisions of any other statutes, the state board of regents, with the approval of the director of the budget, may transfer moneys that are credited to an account of the state general fund of the state board of regents to another account of the state general fund of the state board of regents in the aggregate amount not exceeding \$3,100,000: *Provided*, That the state board of regents shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

Sec. 23.

#### KANSAS DEPARTMENT OF WILDLIFE, PARKS AND TOURISM

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2015, by section 52(d) of 2015 House Substitute for Senate Bill No. 4 on the parks fee fund of the Kansas department of wildlife, parks and tourism is hereby decreased from \$6,570,990 to \$6,199,882.

Sec. 24.

#### STATE BOARD OF MORTUARY ARTS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2015, by section 11(a) of 2015 House Substitute for Senate Bill No. 4 for the mortuary arts fee fund is hereby increased from \$285,756 to \$292,002.

Sec. 25.

#### KANSAS BOARD OF BARBERING

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2015, by section 5(a) of 2015 House Substitute for Senate Bill No. 4 on the board of barbering fee fund of the Kansas board of barbering is hereby increased from \$152,864 to \$156,849.

Sec. 26.

#### DEPARTMENT OF ADMINISTRATION

(a) On the effective date of this act, during the fiscal year ending June 30, 2015, pursuant to section 31(c) of 2015 House Substitute for Senate Bill No. 4, in addition to the provisions allowing the secretary of administration to determine the amount of moneys appropriated in each account of the state general fund that are not required to be expended or encumbered for an information technology project for the fiscal year end-

ing June 30, 2015, the secretary shall determine the amount of moneys appropriated in each account of any special revenue fund that are not required to be expended or encumbered for an information technology project for the fiscal year ending June 30, 2015, and shall certify each such amount to the director of the budget, accompanied by such other information with respect thereto as may be prescribed by the director of the budget: *Provided*, That, on or before June 30, 2015, the director of the budget shall certify each amount appropriated from each special revenue fund, which is certified by the secretary of administration pursuant to this section, to the director of accounts and reports and, upon receipt of such certification, the amount so certified is hereby transferred to the state general fund: *Provided further*, That, at the same time as the director of the budget transmits each such certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research: *And provided further*, That the aggregate of all amounts lapsed from appropriations from the state general fund pursuant to section 31(c) of 2015 House Substitute for Senate Bill No. 4 and amounts transferred from special revenue funds pursuant to this subsection, shall be equal to \$3,800,000 or more.

(b) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2015, for the capital improvement project or projects specified, the following:

John Redmond reservoir debt service.....	\$131,382
University of Kansas medical education building debt service .....	\$169,517
Debt service refunding.....	\$1,485,239

(c) On or before June 30, 2015, the director of accounts and reports shall transfer \$245,212 from the statehouse debt service — state highway fund of the department of administration to the state general fund.

(d) On or before June 30, 2015, the director of accounts and reports shall transfer \$26,540 from the public broadcasting digital conversion debt service fund of the department of administration to the state general fund.

(e) On the effective date of this act, of the \$16,146,050 appropriated for the above agency for the fiscal year ending June 30, 2015, by section 211(a) of chapter 136 of the 2013 Session Laws of Kansas from the state general fund in the Kansas department of transportation — CTP — debt service account of the state general fund, the sum of \$1,279,370 is hereby lapsed.

(f) On the effective date of this act, of the \$20,987,985 appropriated for the above agency for the fiscal year ending June 30, 2015, by section 211(a) of chapter 136 of the 2013 Session Laws of Kansas from the state

general fund in the statehouse improvements – debt service account of the state general fund, the sum of \$258,796 is hereby lapsed.

Sec. 27.

STATE BOARD OF INDIGENTS’ DEFENSE SERVICES

(a) There is hereby appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2015, the following:

Litigation support..... \$315,955

Sec. 28.

DEPARTMENT OF CORRECTIONS

(a) On the effective date of this act, of the \$21,266,989 appropriated for the above agency for the fiscal year ending June 30, 2015, by section 86(a) of chapter 142 of the 2014 Session Laws of Kansas from the state general fund in the purchase of services account, the sum of \$840,000 is hereby lapsed.

(b) On the effective date of this act, of the \$1,043,850 appropriated for the above agency for the fiscal year ending June 30, 2015, by section 247(a) of chapter 136 of the 2013 Session Laws of Kansas from the state general fund in the debt service payment for the infrastructure projects bond issue account of the state general fund, the sum of \$115,204 is hereby lapsed.

(c) On the effective date of this act, of the \$1,403,750 appropriated for the above agency for the fiscal year ending June 30, 2015, by section 247(a) of chapter 136 of the 2013 Session Laws of Kansas from the state general fund in the debt service payment for the reception and diagnostic unit relocation bond issue account of the state general fund, the sum of \$76,241 is hereby lapsed.

Sec. 29.

DEPARTMENT OF COMMERCE

(a) On the effective date of this act, of the \$9,162,358 appropriated for the above agency for the fiscal year ending June 30, 2015, by section 124(b) of chapter 136 of the 2013 Session Laws of Kansas from the state economic development initiatives fund in the operating grant (including official hospitality) account, the sum of \$250,000 is hereby lapsed.

(b) On the effective date of this act, of the amount reappropriated for the above agency for the fiscal year ending June 30, 2015, by section 124(b) of chapter 136 of the 2013 Session Laws of Kansas from the state economic development initiatives fund in the rural opportunity zones program account, the sum of \$2,000,000 is hereby lapsed.

Sec. 30.

ABSTRACTERS’ BOARD OF EXAMINERS

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

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

Abstracters' fee fund

For the fiscal year ending June 30, 2016.....	\$22,500
For the fiscal year ending June 30, 2017.....	\$23,348

Sec. 31.

BOARD OF ACCOUNTANCY

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

Board of accountancy fee fund

For the fiscal year ending June 30, 2016.....	\$362,647
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*Provided*, That expenditures from the board of accountancy fee fund for the fiscal year ending June 30, 2016, for official hospitality shall not exceed \$1,000.

For the fiscal year ending June 30, 2017.....	\$370,150
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*Provided*, That expenditures from the board of accountancy fee fund for the fiscal year ending June 30, 2017, for official hospitality shall not exceed \$1,000.

Special litigation reserve fund

For the fiscal year ending June 30, 2016.....	No limit
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*Provided*, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2016, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above agency.

For the fiscal year ending June 30, 2017.....	No limit
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*Provided*, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2017, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not

contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above agency.

(b) During the fiscal year ending June 30, 2016, the executive director of the board of accountancy, with the approval of the director of the budget, may transfer moneys from the board of accountancy fee fund to the special litigation reserve fund of the board of accountancy: *Provided*, That the aggregate of such transfers for the fiscal year ending June 30, 2016, shall not exceed \$15,000: *Provided further*, That the executive director of the board of accountancy shall certify each such transfer of moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

(c) During the fiscal year ending June 30, 2017, the executive director of the board of accountancy, with the approval of the director of the budget, may transfer moneys from the board of accountancy fee fund to the special litigation reserve fund of the board of accountancy: *Provided*, That the aggregate of such transfers for the fiscal year ending June 30, 2017, shall not exceed \$15,000: *Provided further*, That the executive director of the board of accountancy shall certify each such transfer of moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

Sec. 32.

STATE BANK COMMISSIONER

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

Bank commissioner fee fund

For the fiscal year ending June 30, 2016..... \$10,607,989

*Provided*, That expenditures from the bank commissioner fee fund for the fiscal year ending June 30, 2016, for official hospitality for the division of consumer and mortgage lending shall not exceed \$1,000: *Provided further*, That expenditures from the bank commissioner fee fund for the fiscal year ending June 30, 2016, for official hospitality for the division of banking shall not exceed \$1,000.

For the fiscal year ending June 30, 2017..... \$11,043,185

*Provided*, That expenditures from the bank commissioner fee fund for the fiscal year ending June 30, 2017, for official hospitality for the division of consumer and mortgage lending shall not exceed \$1,000: *Provided further*, That expenditures from the bank commissioner fee fund for the

fiscal year ending June 30, 2017, for official hospitality for the division of banking shall not exceed \$1,000.

Bank examination and investigation fund

- For the fiscal year ending June 30, 2016..... No limit
- For the fiscal year ending June 30, 2017..... No limit

Consumer education settlement fund

- For the fiscal year ending June 30, 2016..... No limit

*Provided*, That expenditures may be made from the consumer education settlement fund for the fiscal year ending June 30, 2016, for consumer education purposes, which may be in accordance with contracts for such activities which are hereby authorized to be entered into by the state bank commissioner or the deputy commissioner of the consumer and mortgage lending division, as the case may require, and the entities conducting such activities.

- For the fiscal year ending June 30, 2017..... No limit

*Provided*, That expenditures may be made from the consumer education settlement fund for the fiscal year ending June 30, 2017, for consumer education purposes, which may be in accordance with contracts for such activities which are hereby authorized to be entered into by the state bank commissioner or the deputy commissioner of the consumer and mortgage lending division, as the case may require, and the entities conducting such activities.

Litigation expense fund

- For the fiscal year ending June 30, 2016..... No limit

*Provided*, That the above agency is authorized to make expenditures from the litigation expense fund for the fiscal year ending June 30, 2016, for costs, fees, and expenses associated with administrative or judicial proceedings regarding the enforcement of laws administered by the consumer and mortgage lending division and the enforcement and collection of assessed fines, fees and consumer refunds: *Provided further*, That, during the fiscal year ending June 30, 2016, a portion of the moneys collected as a result of fines and investigative fees collected by the consumer and mortgage lending division, as determined by the deputy of the consumer and mortgage lending division, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the litigation expense fund.

- For the fiscal year ending June 30, 2017..... No limit

*Provided*, That the above agency is authorized to make expenditures from the litigation expense fund for the fiscal year ending June 30, 2017, for costs, fees, and expenses associated with administrative or judicial proceedings regarding the enforcement of laws administered by the consumer and mortgage lending division and the enforcement and collection of assessed fines, fees and consumer refunds: *Provided further*, That,

during the fiscal year ending June 30, 2017, a portion of the moneys collected as a result of fines and investigative fees collected by the consumer and mortgage lending division, as determined by the deputy of the consumer and mortgage lending division, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the litigation expense fund.

(b) During the fiscal years ending June 30, 2016, and June 30, 2017, notwithstanding the provisions of K.S.A. 9-2209, 9-2218, 16a-2-302 and 16a-6-104, and amendments thereto, or any other statute, all moneys received under the Kansas mortgage business act or the uniform consumer credit code for fines or settlement moneys designated for consumer education shall be deposited in the state treasury to the credit of the consumer education settlement fund.

Sec. 33.

KANSAS BOARD OF BARBERING

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

Board of barbering fee fund

For the fiscal year ending June 30, 2016..... \$174,366

*Provided*, That expenditures from the board of barbering fee fund for the fiscal year ending June 30, 2016, for official hospitality shall not exceed \$500.

For the fiscal year ending June 30, 2017..... \$176,688

*Provided*, That expenditures from the board of barbering fee fund for the fiscal year ending June 30, 2017, for official hospitality shall not exceed \$500.

Sec. 34.

BEHAVIORAL SCIENCES REGULATORY BOARD

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

Behavioral sciences regulatory board fee fund

For the fiscal year ending June 30, 2016..... \$730,635

*Provided*, That expenditures from the behavioral sciences regulatory board fee fund for the fiscal year ending June 30, 2016, for official hospitality shall not exceed \$1,000: *Provided further*, That all expenditures from the behavioral sciences regulatory board fee fund for the fiscal year ending June 30, 2016, for disciplinary hearings shall be in addition to any



expenditure limitation imposed on the behavioral sciences regulatory board fee fund for fiscal year 2016.

For the fiscal year ending June 30, 2017..... \$737,043

*Provided*, That expenditures from the behavioral sciences regulatory board fee fund for the fiscal year ending June 30, 2017, for official hospitality shall not exceed \$1,000; *Provided further*, That all expenditures from the behavioral sciences regulatory board fee fund for the fiscal year ending June 30, 2017, for disciplinary hearings shall be in addition to any expenditure limitation imposed on the behavioral sciences regulatory board fee fund for fiscal year 2017.

Sec. 35.

STATE BOARD OF HEALING ARTS

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

Healing arts fee fund

For the fiscal year ending June 30, 2016..... \$4,611,175

*Provided*, That expenditures from the healing arts fee fund for the fiscal year ending June 30, 2016, for official hospitality shall not exceed \$1,000; *Provided further*, That all expenditures from the healing arts fee fund for the fiscal year ending June 30, 2016, for disciplinary hearings shall be in addition to any expenditure limitation imposed on the healing arts fee fund for fiscal year 2016.

For the fiscal year ending June 30, 2017..... \$4,727,977

*Provided*, That expenditures from the healing arts fee fund for the fiscal year ending June 30, 2017, for official hospitality shall not exceed \$1,000; *Provided further*, That all expenditures from the healing arts fee fund for the fiscal year ending June 30, 2017, for disciplinary hearings shall be in addition to any expenditure limitation imposed on the healing arts fee fund for fiscal year 2017; *And provided further*, That expenditures from the healing arts fee fund for the fiscal year ending June 30, 2017, for a statewide education initiative to address management of chronic pain shall be in addition to any expenditure limitation imposed on the healing arts fee fund for fiscal year 2017.

Medical records maintenance trust fund

For fiscal year ending June 30, 2016..... \$35,000

For fiscal year ending June 30, 2017..... \$35,000

Sec. 36.

KANSAS STATE BOARD OF COSMETOLOGY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all

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

Cosmetology fee fund

For the fiscal year ending June 30, 2016..... \$901,159

*Provided*, That expenditures from the cosmetology fee fund for the fiscal year ending June 30, 2016, for official hospitality shall not exceed \$2,000.

For the fiscal year ending June 30, 2017..... \$909,621

*Provided*, That expenditures from the cosmetology fee fund for the fiscal year ending June 30, 2017, for official hospitality shall not exceed \$2,000.

Sec. 37.

STATE DEPARTMENT OF CREDIT UNIONS

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

Credit union fee fund

For the fiscal year ending June 30, 2016..... \$1,165,765

*Provided*, That expenditures from the credit union fee fund for the fiscal year ending June 30, 2016, for official hospitality shall not exceed \$300.

For the fiscal year ending June 30, 2017..... 1,193,175

*Provided*, That expenditures from the credit union fee fund for the fiscal year ending June 30, 2017, for official hospitality shall not exceed \$300.

Sec. 38.

KANSAS DENTAL BOARD

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

Dental board fee fund

For the fiscal year ending June 30, 2016..... \$401,453

*Provided*, That expenditures from the dental board fee fund for the fiscal year ending June 30, 2016, for official hospitality shall not exceed \$500.

For the fiscal year ending June 30, 2017..... \$411,564

*Provided*, That expenditures from the dental board fee fund for the fiscal year ending June 30, 2017, for official hospitality shall not exceed \$500.

Special litigation reserve fund

For the fiscal year ending June 30, 2016..... No limit

*Provided*, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2016, except upon the

approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above agency.

For the fiscal year ending June 30, 2017..... No limit  
*Provided*, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2017, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above agency.

(b) During the fiscal year ending June 30, 2016, the executive director of the Kansas dental board, with the approval of the director of the budget, may transfer moneys from the dental board fee fund to the special litigation reserve fund of the Kansas dental board: *Provided*, That the aggregate of such transfers for the fiscal year ending June 30, 2016, shall not exceed \$50,000: *Provided further*, That the executive director of the Kansas dental board shall certify each such transfer of moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

(c) During the fiscal year ending June 30, 2017, the executive director of the Kansas dental board, with the approval of the director of the budget, may transfer moneys from the dental board fee fund to the special litigation reserve fund of the Kansas dental board: *Provided*, That the aggregate of such transfers for the fiscal year ending June 30, 2017, shall not exceed \$50,000: *Provided further*, That the executive director of the Kansas dental board shall certify each such transfer of moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

Sec. 39.

STATE BOARD OF MORTUARY ARTS

(a) There is appropriated for the above agency from the following

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

Mortuary arts fee fund

For the fiscal year ending June 30, 2016.....	\$306,862
For the fiscal year ending June 30, 2017.....	\$318,644

Sec. 40.

KANSAS BOARD OF EXAMINERS IN FITTING AND DISPENSING OF HEARING INSTRUMENTS

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

Hearing instrument board fee fund

For the fiscal year ending June 30, 2016.....	\$25,657
For the fiscal year ending June 30, 2017.....	\$26,448

Hearing instrument litigation fund

For the fiscal year ending June 30, 2016.....	\$3,500
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*Provided*, That no expenditures shall be made from the hearing instrument litigation fund for the fiscal year ending June 30, 2016, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above agency.

For the fiscal year ending June 30, 2017.....	\$3,500
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*Provided*, That no expenditures shall be made from the hearing instrument litigation fund for the fiscal year ending June 30, 2017, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above agency.

(b) During the fiscal year ending June 30, 2016, the executive officer of the Kansas board of examiners in fitting and dispensing of hearing instruments, with the approval of the director of the budget, may transfer moneys from the hearing instrument board fee fund to the hearing instrument litigation fund of the Kansas board of examiners in fitting and dispensing of hearing instruments: *Provided*, That the aggregate of such transfers for the fiscal year ending June 30, 2016, shall not exceed \$3,500: *Provided further*, That the executive officer of the Kansas board of examiners in fitting and dispensing of hearing instruments shall certify each such transfer of moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

(c) During the fiscal year ending June 30, 2017, the executive officer of the Kansas board of examiners in fitting and dispensing of hearing instruments, with the approval of the director of the budget, may transfer moneys from the hearing instrument board fee fund to the hearing instrument litigation fund of the Kansas board of examiners in fitting and dispensing of hearing instruments: *Provided*, That the aggregate of such transfers for the fiscal year ending June 30, 2017, shall not exceed \$3,500: *Provided further*, That the executive officer of the Kansas board of examiners in fitting and dispensing of hearing instruments shall certify each such transfer of moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

Sec. 41.

BOARD OF NURSING

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

Board of nursing fee fund

For the fiscal year ending June 30, 2016..... \$2,397,402

*Provided*, That expenditures from the board of nursing fee fund for the fiscal year ending June 30, 2016, for official hospitality shall not exceed \$500.

For the fiscal year ending June 30, 2017..... \$2,430,848

*Provided*, That expenditures from the board of nursing fee fund for the fiscal year ending June 30, 2017, for official hospitality shall not exceed \$500.

Gifts and grants fund

For the fiscal year ending June 30, 2016..... No limit

For the fiscal year ending June 30, 2017..... No limit

Education conference fund

For the fiscal year ending June 30, 2016..... No limit

For the fiscal year ending June 30, 2017..... No limit

Criminal background and fingerprinting fund

For the fiscal year ending June 30, 2016..... No limit

For the fiscal year ending June 30, 2017..... No limit

Sec. 42.

BOARD OF EXAMINERS IN OPTOMETRY

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

Optometry fee fund

For the fiscal year ending June 30, 2016..... \$107,277

Provided, That expenditures from the optometry fee fund for the fiscal year ending June 30, 2016, for official hospitality shall not exceed \$600.

For the fiscal year ending June 30, 2017..... \$109,591

Provided, That expenditures from the optometry fee fund for the fiscal year ending June 30, 2017, for official hospitality shall not exceed \$600.

Optometry litigation fund

For the fiscal year ending June 30, 2016..... No limit

Provided, That no expenditures shall be made from the optometry litigation fund for the fiscal year ending June 30, 2016, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above agency.

For the fiscal year ending June 30, 2017..... No limit

Provided, That no expenditures shall be made from the optometry litigation fund for the fiscal year ending June 30, 2017, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will

assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above agency.

Criminal history fingerprinting fund

For the fiscal year ending June 30, 2016.....	No limit
For the fiscal year ending June 30, 2017.....	No limit

(b) During the fiscal year ending June 30, 2016, the executive officer of the board of examiners in optometry, with the approval of the director of the budget, may transfer moneys from the optometry fee fund to the optometry litigation fund of the board of examiners in optometry: *Provided*, That the aggregate of such transfers for the fiscal year ending June 30, 2016, shall not exceed \$50,000: *Provided further*, That the executive officer of the board of examiners in optometry shall certify each such transfer of moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

(c) During the fiscal year ending June 30, 2017, the executive officer of the board of examiners in optometry, with the approval of the director of the budget, may transfer moneys from the optometry fee fund to the optometry litigation fund of the board of examiners in optometry: *Provided*, That the aggregate of such transfers for the fiscal year ending June 30, 2017, shall not exceed \$50,000: *Provided further*, That the executive officer of the board of examiners in optometry shall certify each such transfer of moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

Sec. 43.

STATE BOARD OF PHARMACY

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

State board of pharmacy fee fund

For the fiscal year ending June 30, 2016.....	\$1,209,866
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*Provided*, That expenditures from the state board of pharmacy fee fund for the fiscal year ending June 30, 2016, for official hospitality shall not exceed \$1,500.

For the fiscal year ending June 30, 2017.....	\$1,138,888
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*Provided*, That expenditures from the state board of pharmacy fee fund for the fiscal year ending June 30, 2017, for official hospitality shall not exceed \$1,500.

State board of pharmacy litigation fund

For the fiscal year ending June 30, 2016.....	No limit
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*Provided*, That no expenditures shall be made from the state board of pharmacy litigation fund for the fiscal year ending June 30, 2016, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above agency.

For the fiscal year ending June 30, 2017..... No limit

*Provided*, That no expenditures shall be made from the state board of pharmacy litigation fund for the fiscal year ending June 30, 2017, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above agency.

Harold Rogers prescription federal fund

For the fiscal year ending June 30, 2016..... No limit

For the fiscal year ending June 30, 2017..... No limit

NASPER grant federal fund

For the fiscal year ending June 30, 2016..... No limit

For the fiscal year ending June 30, 2017..... No limit

Non-federal gifts and grants fund

For the fiscal year ending June 30, 2016..... No limit

*Provided*, That the state board of pharmacy is hereby authorized to apply for and to accept grants and may accept donations, bequests or gifts during fiscal year 2016: *Provided, however*, That the board shall remit all moneys received under this proviso to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto: *Provided further*, That, upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the non-federal gifts and grants fund: *And provided further*, That all expenditures from the non-federal gifts and grants fund for fiscal year 2016 shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the president of the state board of pharmacy or a person designated by the president.



For the fiscal year ending June 30, 2017..... No limit  
*Provided*, That the state board of pharmacy is hereby authorized to apply for and to accept grants and may accept donations, bequests or gifts during fiscal year 2017: *Provided, however*, That the board shall remit all moneys received under this proviso to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto: *Provided further*, That, upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the non-federal gifts and grants fund: *And provided further*, That all expenditures from the non-federal gifts and grants fund for fiscal year 2017 shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the president of the state board of pharmacy or a person designated by the president.

SAMSHA PMP integration federal fund

For the fiscal year ending June 30, 2016..... No limit  
 For the fiscal year ending June 30, 2017..... No limit

(b) During the fiscal year ending June 30, 2016, the executive director of the state board of pharmacy, with the approval of the director of the budget, may transfer moneys from the state board of pharmacy fee fund to the state board of pharmacy litigation fund of the state board of pharmacy: *Provided*, That the aggregate of such transfers for the fiscal year ending June 30, 2016, shall not exceed \$50,000: *Provided further*, That the executive director of the state board of pharmacy shall certify each such transfer of moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

(c) During the fiscal year ending June 30, 2017, the executive director of the state board of pharmacy, with the approval of the director of the budget, may transfer moneys from the state board of pharmacy fee fund to the state board of pharmacy litigation fund of the state board of pharmacy: *Provided*, That the aggregate of such transfers for the fiscal year ending June 30, 2017, shall not exceed \$50,000: *Provided further*, That the executive director of the state board of pharmacy shall certify each such transfer of moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

Sec. 44.

REAL ESTATE APPRAISAL BOARD

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

Appraiser fee fund

For the fiscal year ending June 30, 2016..... \$237,713

*Provided*, That expenditures from the appraiser fee fund for the fiscal year ending June 30, 2016, for official hospitality shall not exceed \$375.

For the fiscal year ending June 30, 2017..... \$243,286

*Provided*, That expenditures from the appraiser fee fund for the fiscal year ending June 30, 2017, for official hospitality shall not exceed \$375.

Federal registry clearing fund

For the fiscal year ending June 30, 2016..... No limit

For the fiscal year ending June 30, 2017..... No limit

AMC federal registry clearing fund

For the fiscal year ending June 30, 2016..... No limit

For the fiscal year ending June 30, 2017..... No limit

Appraisal management companies fee fund

For the fiscal year ending June 30, 2016..... \$78,739

For the fiscal year ending June 30, 2017..... \$80,598

Sec. 45.

KANSAS REAL ESTATE COMMISSION

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

Real estate fee fund

For the fiscal year ending June 30, 2016..... \$1,004,286

*Provided*, That expenditures from the real estate fee fund for the fiscal year ending June 30, 2016, for official hospitality shall not exceed \$200.

For the fiscal year ending June 30, 2017..... \$1,037,746

*Provided*, That expenditures from the real estate fee fund for the fiscal year ending June 30, 2017, for official hospitality shall not exceed \$200.

Real estate recovery revolving fund

For the fiscal year ending June 30, 2016..... No limit

For the fiscal year ending June 30, 2017..... No limit

Background investigation fee fund

For the fiscal year ending June 30, 2016..... No limit

*Provided*, That notwithstanding the provisions of K.S.A. 58-3039, and amendments thereto, or any other statute, moneys collected for the purpose of reimbursing the Kansas real estate commission for the cost of fingerprinting and the criminal history record check shall be deposited in the state treasury and credited to the background investigation fee fund.

For the fiscal year ending June 30, 2017..... No limit

*Provided*, That notwithstanding the provisions of K.S.A. 58-3039, and

amendments thereto, or any other statute, moneys collected for the purpose of reimbursing the Kansas real estate commission for the cost of fingerprinting and the criminal history record check shall be deposited in the state treasury and credited to the background investigation fee fund.

(b) During the fiscal year ending June 30, 2016, notwithstanding the provisions of K.S.A. 58-3068, and amendments thereto, or any other statute, of the amount appropriated for the above agency from any special revenue fund or funds for fiscal year 2016 that is budgeted for the purpose of information technology projects or services, expenditures shall not be made from such budgeted amount by the above agency from any special revenue fund or funds for any other purpose.

(c) During the fiscal year ending June 30, 2017, notwithstanding the provisions of K.S.A. 58-3068, and amendments thereto, or any other statute, of the amount appropriated for the above agency from any special revenue fund or funds for fiscal year 2017 that is budgeted for the purpose of information technology projects or services, expenditures shall not be made from such budgeted amount by the above agency from any special revenue fund or funds for any other purpose.

Sec. 46.

OFFICE OF THE SECURITIES COMMISSIONER OF KANSAS

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

Securities act fee fund

For the fiscal year ending June 30, 2016..... \$3,096,811

*Provided*, That expenditures from the securities act fee fund for the fiscal year ending June 30, 2016, for official hospitality shall not exceed \$2,000.

For the fiscal year ending June 30, 2017..... \$3,158,462

*Provided*, That expenditures from the securities act fee fund for the fiscal year ending June 30, 2017, for official hospitality shall not exceed \$2,000.

Investor education fund

For the fiscal year ending June 30, 2016..... No limit

*Provided*, That expenditures from the investor education fund for the fiscal year ending June 30, 2016, for official hospitality shall not exceed \$5,000.

For the fiscal year ending June 30, 2017..... No limit

*Provided*, That expenditures from the investor education fund for the fiscal year ending June 30, 2017, for official hospitality shall not exceed \$5,000.

Sec. 47.

STATE BOARD OF TECHNICAL PROFESSIONS

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

Technical professions fee fund

For the fiscal year ending June 30, 2016..... \$634,025

*Provided*, That expenditures from the technical professions fee fund for the fiscal year ending June 30, 2016, for official hospitality shall not exceed \$1,000.

For the fiscal year ending June 30, 2017..... \$643,692

*Provided*, That expenditures from the technical professions fee fund for the fiscal year ending June 30, 2017, for official hospitality shall not exceed \$1,000.

Special litigation reserve fund

For the fiscal year ending June 30, 2016..... No limit

*Provided*, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2016, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above agency.

For the fiscal year ending June 30, 2017..... No limit

*Provided*, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2017, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above agency.

Sec. 48.

STATE BOARD OF VETERINARY EXAMINERS

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

Veterinary examiners fee fund

For the fiscal year ending June 30, 2017..... \$394,343

Sec. 49.

GOVERNMENTAL ETHICS COMMISSION

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

Operating expenditures

For the fiscal year ending June 30, 2016..... \$369,717

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

For the fiscal year ending June 30, 2017..... \$382,551

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

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

Governmental ethics commission fee fund

For the fiscal year ending June 30, 2016..... \$246,577

For the fiscal year ending June 30, 2017..... \$263,520

Sec. 50.

LEGISLATIVE COORDINATING COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Legislative coordinating council — operations ..... \$540,717

Provided, That any unencumbered balance in the legislative coordinating council – operations account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Legislative research department – operations ..... \$3,585,101

Provided, That any unencumbered balance in the legislative research department – operations account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Office of revisor of statutes – operations ..... \$3,058,904  
*Provided*, That any unencumbered balance in the office of revisor of statutes – operations account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Legislative research department special revenue fund..... No limit  
 Sec. 51.

LEGISLATIVE COORDINATING COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Legislative coordinating council — operations ..... \$539,114  
*Provided*, That any unencumbered balance in the legislative coordinating council – operations account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Legislative research department – operations ..... \$3,585,504  
*Provided*, That any unencumbered balance in the legislative research department – operations account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Office of revisor of statutes – operations ..... \$3,057,448  
*Provided*, That any unencumbered balance in the office of revisor of statutes – operations account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Legislative research department special revenue fund..... No limit  
 Sec. 52.

LEGISLATURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operations (including official hospitality) ..... \$12,915,607  
*Provided*, That any unencumbered balance in the operations (including official hospitality) account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That expenditures may be made from this account, pursuant to vouchers approved by the chairperson or vice-chairperson of the legislative coordinating council, to

pay compensation and travel expenses and subsistence expenses or allowances as authorized by K.S.A. 75-3212, and amendments thereto, for members and associate members of the advisory committee to the Kansas commission on interstate cooperation established under K.S.A. 46-407a, and amendments thereto, for attendance at meetings of the advisory committee which are authorized by the legislative coordinating council, except that: (1) The legislative coordinating council may establish restrictions or limitations, or both, on travel expenses, subsistence expenses or allowances, or any combination thereof, paid to members and associate members of such advisory committee; and (2) any person who is an associate member of such advisory committee, by reason of such person having been accredited by the national conference of commissioners on uniform state laws as a life member of that organization, shall receive the same travel expenses and subsistence expenses for attendance at meetings of the advisory committee as a regular member, but shall receive no per diem compensation: *And provided further*, That expenditures may be made from this account for services, facilities and supplies provided for legislators in addition to those provided under the approved budget and for related copying, facsimile transmission and other services provided to persons other than legislators, in accordance with policies and any restrictions or limitations prescribed by the legislative coordinating council: *And provided further*, That no expenditures shall be made from this account for any meeting of any joint committee, or of any subcommittee of any joint committee, chargeable to fiscal year 2016 unless such meeting is approved by the legislative coordinating council: *And provided further*, That, notwithstanding the provisions of K.S.A. 45-116, and amendments thereto, or any other statute, no expenditures shall be made from this account for the printing and distribution of copies of the permanent journals of the senate or house of representatives to each member of the legislature during fiscal year 2016: *And provided further*, That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this account for the printing and distribution of complete sets of the Kansas Statutes Annotated to each member of the legislature in excess of one complete set of the Kansas Statutes Annotated to each member at the commencement of the member's first term as legislator during fiscal year 2016: *And provided further*, That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this account for the legislator's name to be printed on one complete set of the Kansas Statutes Annotated during fiscal year 2016: *And provided further*, That, notwithstanding the provisions of K.S.A. 77-165, and amendments thereto, or any other statute, no expenditures shall be made from this account for the printing and delivering of a set of the cumulative supplements of the Kansas Statutes Annotated to each member of the legislature in excess of one cumulative supplement set of the Kansas Stat-

utes Annotated to each member of the legislature during fiscal year 2016: *And provided further*, That, notwithstanding the provisions of K.S.A. 75-1005, and amendments thereto, or any other statute, expenditures may be made from this account to reimburse members of the legislature for expenses incurred in printing correspondence with constituents: *And provided further*, That no expenses shall be reimbursed unless a legislator has first obtained approval for such printing by the director of legislative administrative services: *And provided further*, That such reimbursements shall only be issued after a legislator provides written receipts showing such expense to the director of legislative administrative services: *And provided further*, That the maximum amount reimbursed to any legislator shall be equal to or less than the maximum amount allotted to any legislator for constituent correspondence pursuant to policies adopted by the legislative coordinating council.

Legislative information system.....	\$4,387,146
Jordan-legislative claim.....	\$107,878
Efficiency analysis review .....	\$3,000,000

*Provided*, That expenditures may be made by the above agency from this account for the fiscal year ending June 30, 2016, to enter into a contract with a professional consulting service to assist in the review and evaluation of state government: *Provided further*, That such review and evaluation shall include examining state agency core functions, procedures and efficiencies which may result in the consolidation of state agencies and functions, resulting in an overall reduction in expenditures: *And provided further*, That the legislative budget committee shall have the authority to develop a scope statement, draft a request for proposal, and solicit bids in an amount not to exceed \$3,000,000 for such a review and evaluation: *And provided further*, That the legislative coordinating council shall approve any such contract: *And provided further*, That such consulting service shall provide a preliminary report to the house appropriations committee and the senate ways and means committee on or before January 1, 2016: *And provided further*, That as used in this subsection, “state agency” means each state agency in this or other appropriation act of the 2015 regular session of the legislature, except that “state agency” shall not include: The legislature or any agency of the legislative branch of state government; or the judicial branch or any agency of the judicial branch of state government.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Legislative special revenue fund .....	No limit
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*Provided*, That expenditures may be made from the legislative special



revenue fund, pursuant to vouchers approved by the chairperson or the vice-chairperson of the legislative coordinating council, to pay compensation and travel expenses and subsistence expenses or allowances as authorized by K.S.A. 75-3212, and amendments thereto, for members and associate members of the advisory committee to the Kansas commission on interstate cooperation established under K.S.A. 46-407a, and amendments thereto, for attendance at meetings of the advisory committee which are authorized by the legislative coordinating council, except that: (1) The legislative coordinating council may establish restrictions or limitations, or both, on travel expenses, subsistence expenses or allowances, or any combination thereof, paid to members and associate members of such advisory committee; and (2) any person who is an associate member of such advisory committee, by reason of such person having been accredited by the national conference of commissioners on uniform state laws as a life member of that organization, shall receive the same travel expenses and subsistence expenses for attendance at meetings of the advisory committee as a regular member, but shall receive no per diem compensation: *Provided further*, That expenditures may be made from this fund for services, facilities and supplies provided for legislators in addition to those provided under the approved budget and for related copying, facsimile transmission and other services provided to persons other than legislators, in accordance with policies and any restrictions or limitations prescribed by the legislative coordinating council: *And provided further*, That amounts are hereby authorized to be collected for such services, facilities and supplies in accordance with policies of the council: *And provided further*, That such amounts shall be fixed in order to recover all or part of the expenses incurred for providing such services, facilities and supplies and shall be consistent with policies and fees established in accordance with K.S.A. 46-1207a, and amendments thereto: *And provided further*, That all such amounts received shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the legislative special revenue fund: *And provided further*, That all donations, gifts or bequests of money for the legislative branch of government which are received and accepted by the legislative coordinating council shall be deposited in the state treasury and credited to an account of the legislative special revenue fund: *And provided further*, That all donations, gifts or bequests of money for the legislative branch of government which are received and accepted by the legislative coordinating council shall be deposited in the state treasury and credited to an account of the legislative special revenue fund: *And provided further*, That no expenditures shall be made from this fund for any meeting of any joint committee, or of any subcommittee of any joint committee, during fiscal year 2016 unless such meeting is approved by the legislative coordinating council: *And provided further*, That, notwithstanding the provisions of K.S.A. 45-116, and amendments thereto,

or any other statute, no expenditures shall be made from this fund for the printing and distribution of copies of the permanent journals of the senate or house of representatives to each member of the legislature during fiscal year 2016: *And provided further*, That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the printing and distribution of complete sets of the Kansas Statutes Annotated to each member of the legislature in excess of one complete set of the Kansas Statutes Annotated to each member at the commencement of the member's first term as legislator during fiscal year 2016: *And provided further*, That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the legislator's name to be printed on one complete set of the Kansas Statutes Annotated during fiscal year 2016: *And provided further*, That, notwithstanding the provisions of K.S.A. 77-165, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the printing and delivering of a set of the cumulative supplements of the Kansas Statutes Annotated to each member of the legislature in excess of one cumulative supplement set of the Kansas Statutes Annotated to each member of the legislature during fiscal year 2016.

Capitol restoration – gifts and donations fund..... No limit

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

Sec. 53.

LEGISLATURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operations (including official hospitality) ..... \$12,880,354

*Provided*, That any unencumbered balance in the operations (including official hospitality) account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That expenditures may be made from this account, pursuant to vouchers approved by the

chairperson or vice-chairperson of the legislative coordinating council, to pay compensation and travel expenses and subsistence expenses or allowances as authorized by K.S.A. 75-3212, and amendments thereto, for members and associate members of the advisory committee to the Kansas commission on interstate cooperation established under K.S.A. 46-407a, and amendments thereto, for attendance at meetings of the advisory committee which are authorized by the legislative coordinating council, except that: (1) The legislative coordinating council may establish restrictions or limitations, or both, on travel expenses, subsistence expenses or allowances, or any combination thereof, paid to members and associate members of such advisory committee; and (2) any person who is an associate member of such advisory committee, by reason of such person having been accredited by the national conference of commissioners on uniform state laws as a life member of that organization, shall receive the same travel expenses and subsistence expenses for attendance at meetings of the advisory committee as a regular member, but shall receive no per diem compensation: *And provided further*, That expenditures may be made from this account for services, facilities and supplies provided for legislators in addition to those provided under the approved budget and for related copying, facsimile transmission and other services provided to persons other than legislators, in accordance with policies and any restrictions or limitations prescribed by the legislative coordinating council: *And provided further*, That no expenditures shall be made from this account for any meeting of any joint committee, or of any subcommittee of any joint committee, chargeable to fiscal year 2017 unless such meeting is approved by the legislative coordinating council: *And provided further*, That, notwithstanding the provisions of K.S.A. 45-116, and amendments thereto, or any other statute, no expenditures shall be made from this account for the printing and distribution of copies of the permanent journals of the senate or house of representatives to each member of the legislature during fiscal year 2017: *And provided further*, That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this account for the printing and distribution of complete sets of the Kansas Statutes Annotated to each member of the legislature in excess of one complete set of the Kansas Statutes Annotated to each member at the commencement of the member's first term as legislator during fiscal year 2017: *And provided further*, That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this account for the legislator's name to be printed on one complete set of the Kansas Statutes Annotated during fiscal year 2017: *And provided further*, That, notwithstanding the provisions of K.S.A. 77-165, and amendments thereto, or any other statute, no expenditures shall be made from this account for the printing and delivering of a set of the cumulative supplements of the Kansas Statutes Annotated to each member of the

legislature in excess of one cumulative supplement set of the Kansas Statutes Annotated to each member of the legislature during fiscal year 2017: *And provided further*, That, notwithstanding the provisions of K.S.A. 75-1005, and amendments thereto, or any other statute, expenditures may be made from this account to reimburse members of the legislature for expenses incurred in printing correspondence with constituents: *And provided further*, That no expenses shall be reimbursed unless a legislator has first obtained approval for such printing by the director of legislative administrative services: *And provided further*, That such reimbursements shall only be issued after a legislator provides written receipts showing such expense to the director of legislative administrative services: *And provided further*, That the maximum amount reimbursed to any legislator shall be equal to or less than the maximum amount allotted to any legislator for constituent correspondence pursuant to policies adopted by the legislative coordinating council.

Legislative information system..... \$4,301,391

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Legislative special revenue fund ..... No limit

*Provided*, That expenditures may be made from the legislative special revenue fund, pursuant to vouchers approved by the chairperson or the vice-chairperson of the legislative coordinating council, to pay compensation and travel expenses and subsistence expenses or allowances as authorized by K.S.A. 75-3212, and amendments thereto, for members and associate members of the advisory committee to the Kansas commission on interstate cooperation established under K.S.A. 46-407a, and amendments thereto, for attendance at meetings of the advisory committee which are authorized by the legislative coordinating council, except that: (1) The legislative coordinating council may establish restrictions or limitations, or both, on travel expenses, subsistence expenses or allowances, or any combination thereof, paid to members and associate members of such advisory committee; and (2) any person who is an associate member of such advisory committee, by reason of such person having been accredited by the national conference of commissioners on uniform state laws as a life member of that organization, shall receive the same travel expenses and subsistence expenses for attendance at meetings of the advisory committee as a regular member, but shall receive no per diem compensation: *Provided further*, That expenditures may be made from this fund for services, facilities and supplies provided for legislators in addition to those provided under the approved budget and for related copying, facsimile transmission and other services provided to persons

other than legislators, in accordance with policies and any restrictions or limitations prescribed by the legislative coordinating council: *And provided further*, That amounts are hereby authorized to be collected for such services, facilities and supplies in accordance with policies of the council: *And provided further*, That such amounts shall be fixed in order to recover all or part of the expenses incurred for providing such services, facilities and supplies and shall be consistent with policies and fees established in accordance with K.S.A. 46-1207a, and amendments thereto: *And provided further*, That all such amounts received shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the legislative special revenue fund: *And provided further*, That all donations, gifts or bequests of money for the legislative branch of government which are received and accepted by the legislative coordinating council shall be deposited in the state treasury and credited to an account of the legislative special revenue fund: *And provided further*, That no expenditures shall be made from this fund for any meeting of any joint committee, or of any subcommittee of any joint committee, during fiscal year 2017 unless such meeting is approved by the legislative coordinating council: *And provided further*, That, notwithstanding the provisions of K.S.A. 45-116, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the printing and distribution of copies of the permanent journals of the senate or house of representatives to each member of the legislature during fiscal year 2017: *And provided further*, That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the printing and distribution of complete sets of the Kansas Statutes Annotated to each member of the legislature in excess of one complete set of the Kansas Statutes Annotated to each member at the commencement of the member's first term as legislator during fiscal year 2017: *And provided further*, That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the legislator's name to be printed on one complete set of the Kansas Statutes Annotated during fiscal year 2017: *And provided further*, That, notwithstanding the provisions of K.S.A. 77-165, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the printing and delivering of a set of the cumulative supplements of the Kansas Statutes Annotated to each member of the legislature in excess of one cumulative supplement set of the Kansas Statutes Annotated to each member of the legislature during fiscal year 2017.

Capitol restoration – gifts and donations fund..... No limit

(c) As used in this section, "joint committee" includes the joint committee on administrative rules and regulations, health care stabilization fund oversight committee, joint committee on special claims against the

state, legislative budget committee, joint committee on state building construction, joint committee on information technology, joint committee on pensions, investments and benefits, joint committee on state-tribal relations, confirmation oversight committee, joint committee on corrections and juvenile justice oversight, compensation commission, joint committee on Kansas security, Robert G. (Bob) Bethell joint committee on home and community based services and KanCare oversight, capitol restoration commission, redistricting advisory group, capitol preservation committee and any other committee, commission or other body for which expenditures are to be paid from moneys appropriated for the legislature for the expenses of any meeting of any such body or for the expenses of any member thereof.

Sec. 54.

DIVISION OF POST AUDIT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operations (including legislative post audit committee).... \$2,352,344  
*Provided*, That any unencumbered balance in the operations (including legislative post audit committee) account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Audit services fund..... No limit  
*Provided*, That the division of post audit is hereby authorized to fix, charge and collect fees for copies of public records of the division, including distribution of such copies: *Provided further*, That such fees shall be fixed to recover all or part of the expenses incurred for reproducing and distributing such copies and shall be consistent with policies and fees established in accordance with K.S.A. 46-1207a, and amendments thereto: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the audit services fund.

Conversion of materials and equipment fund ..... No limit  
 State agency audits fund..... No limit

(c) Notwithstanding the provisions of any statute, during the fiscal year ending June 30, 2016, the above agency shall not expend any moneys appropriated for the fiscal year ending June 30, 2016, from the state general fund or in any special revenue fund or funds for such state agency by this or other appropriation act of the 2015 regular session of the legislature, to pay for any monumental building surcharge charged by the

department of administration or any other state agency. During the fiscal year ending June 30, 2016, the above agency shall not be liable to pay and shall be exempt from such surcharge.

(d) In addition to other purposes for which expenditures may be made by the division of post audit from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 as authorized by this act or other appropriation act of the 2015 regular session of the legislature, expenditures may be made by the division of post audit from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 to conduct information technology audits as directed by the legislative post audit committee: *Provided*, That audit work performed under this section may include: (1) Assessment of security practices of information technology systems maintained or administered by any state agency or any entity subject to audit under the provisions of K.S.A. 46-1114(c), and amendments thereto; and (2) continuous audits of ongoing information technology projects by any state agency or any entity subject to audit under the provisions of K.S.A. 46-1114(c), and amendments thereto, including systems development and implementation: *Provided further*, That written reports on the results of such auditing shall be furnished to the governor, the entity which is being audited, the chief information technology officers of the executive, legislative and judicial branches, the legislative post audit committee, the joint committee on information technology and such other persons or agencies as may be required by law or by the specifications of the audit or as otherwise directed by the legislative post audit committee: *And provided further*, That the provisions of K.S.A. 46-1106(g), and amendments thereto, shall apply to any audit or audit work conducted pursuant to this section: *And provided further*, That, notwithstanding the provisions of K.S.A. 46-1128, and amendments thereto, or any other statute, the legislative post auditor may report in writing outside of a regularly scheduled meeting to the legislative post audit committee, the joint committee on information technology, and the chief information technology officers of the executive, legislative and judicial branches, when, in the opinion of the post auditor, it appears that an information technology project being audited is at risk due to a failure to meet key milestones, or failure to receive sufficient deliverables after a contract payment, significant cost overruns, or when the post auditor finds the project is not being efficiently and effectively implemented in accordance with its original stated purpose and goals.

Sec. 55.

#### DIVISION OF POST AUDIT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operations (including legislative post audit committee).... \$2,349,908

*Provided*, That any unencumbered balance in the operations (including legislative post audit committee) account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Audit services fund..... No limit

*Provided*, That the division of post audit is hereby authorized to fix, charge and collect fees for copies of public records of the division, including distribution of such copies: *Provided further*, That such fees shall be fixed to recover all or part of the expenses incurred for reproducing and distributing such copies and shall be consistent with policies and fees established in accordance with K.S.A. 46-1207a, and amendments thereto: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the audit services fund.

Conversion of materials and equipment fund ..... No limit

State agency audits fund..... No limit

(c) Notwithstanding the provisions of any statute, during the fiscal year ending June 30, 2017, the above agency shall not expend any moneys appropriated for the fiscal year ending June 30, 2017, from the state general fund or in any special revenue fund or funds for such state agency by this or other appropriation act of the 2015 or 2016 regular session of the legislature, to pay for any monumental building surcharge charged by the department of administration or any other state agency. During the fiscal year ending June 30, 2017, the above agency shall not be liable to pay and shall be exempt from such surcharge.

(d) In addition to other purposes for which expenditures may be made by the division of post audit from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2017 as authorized by this act or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures may be made by the division of post audit from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2017 to conduct information technology audits as directed by the legislative post audit committee: *Provided*, That audit work performed under this section may include: (1) Assessment of security practices of information technology systems maintained or administered by any state agency or any entity subject to audit under the provisions of K.S.A. 46-1114(c), and amendments thereto; and (2) continuous audits of ongoing information technology projects by any state agency or any entity subject to audit under the provisions of K.S.A. 46-1114(c), and amendments thereto, in-



cluding systems development and implementation: *Provided further*, That written reports on the results of such auditing shall be furnished to the governor, the entity which is being audited, the chief information technology officers of the executive, legislative and judicial branches, the legislative post audit committee, the joint committee on information technology and such other persons or agencies as may be required by law or by the specifications of the audit or as otherwise directed by the legislative post audit committee: *And provided further*, That the provisions of K.S.A. 46-1106(g), and amendments thereto, shall apply to any audit or audit work conducted pursuant to this section: *And provided further*, That, notwithstanding the provisions of K.S.A. 46-1128, and amendments thereto, or any other statute, the legislative post auditor may report in writing outside of a regularly scheduled meeting to the legislative post audit committee, the joint committee on information technology, and the chief information technology officers of the executive, legislative and judicial branches, when, in the opinion of the post auditor, it appears that an information technology project being audited is at risk due to a failure to meet key milestones, or failure to receive sufficient deliverables after a contract payment, significant cost overruns, or when the post auditor finds the project is not being efficiently and effectively implemented in accordance with its original stated purpose and goals.

Sec. 56.

GOVERNOR'S DEPARTMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Governor's department .....	\$2,106,327
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*Provided*, That any unencumbered balance in the governor's department account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That expenditures may be made from this account for official hospitality and contingencies without limitation at the discretion of the governor.

Domestic violence prevention grants .....	\$3,606,280
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*Provided*, That any unencumbered balance in the domestic violence prevention grants account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That expenditures may be made from the domestic violence prevention grants account for official hospitality and contingencies without limitation at the discretion of the governor.

Child advocacy centers .....	\$799,863
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*Provided*, That any unencumbered balance in the child advocacy centers account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That expenditures may be made

from the child advocacy centers account for official hospitality and contingencies without limitation at the discretion of the governor.

Lieutenant governor – operations ..... \$166,569

*Provided*, That any unencumbered balance in the lieutenant governor operations account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That expenditures may be made from the lieutenant governor – operations account for official hospitality and contingencies without limitation at the discretion of the lieutenant governor.

(b) Expenditures may be made by the above agency for travel expenses of the governor’s spouse when accompanying the governor or when representing the governor on official state business, for travel and subsistence expenditures for security personnel when traveling with the governor and for entertainment of officials and other persons as guests from the amount appropriated for the fiscal year ending June 30, 2016, by subsection (a) from the state general fund in the governor’s department account.

(c) Expenditures may be made by the above agency for travel expenses of the lieutenant governor’s spouse when accompanying the lieutenant governor or when representing the lieutenant governor on official state business, for travel and subsistence expenditures for security personnel when traveling with the lieutenant governor and for entertainment of officials and other persons as guests from the amount appropriated for the fiscal year ending June 30, 2016, by subsection (a) from the state general fund in the lieutenant governor – operations account.

(d) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Special programs fund..... No limit

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

Lieutenant governor special programs fund..... No limit

*Provided*, That expenditures may be made from the lieutenant governor special programs fund for operating expenditures for the lieutenant gov-

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

Hispanic and Latino American affairs fee fund ..... No limit  
 Miscellaneous projects fund..... No limit

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

Intragovernmental service fund ..... No limit

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

Conversion of materials and equipment fund ..... No limit  
 Federal grants fund ..... No limit  
 Justice assistance grant – federal fund ..... No limit  
 Hispanic and Latino American affairs commission – donations fund ..... No limit  
 Advisory commission on African-American affairs – donations fund..... No limit

Kansas commission on disability concerns fee fund .....	No limit
Kansas commission on disability concerns – gifts, grants and donations fund.....	No limit
Domestic violence grants fund .....	No limit

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

Child advocacy centers grant fund .....	No limit
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(e) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$150,343 from the medicaid fraud prosecution revolving fund of the attorney general to the domestic violence grants fund of the governor’s department.

(f) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$33,348 from the medicaid fraud prosecution revolving fund of the attorney general to the child advocacy centers grants fund of the governor’s department.

Sec. 57.

GOVERNOR’S DEPARTMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Governor’s department .....	\$2,145,349
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*Provided*, That any unencumbered balance in the governor’s department account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That expenditures may be made from this account for official hospitality and contingencies without limitation at the discretion of the governor.

Domestic violence prevention grants .....	\$3,605,882
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*Provided*, That any unencumbered balance in the domestic violence prevention grants account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That expenditures may be made from the domestic violence prevention grants account for official hospitality and contingencies without limitation at the discretion of the governor.

Child advocacy centers.....	\$799,763
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*Provided*, That any unencumbered balance in the child advocacy centers account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That expenditures may be made from the child advocacy centers account for official hospitality and contingencies without limitation at the discretion of the governor.

Lieutenant governor – operations .....	\$169,704
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*Provided*, That any unencumbered balance in the lieutenant governor – operations account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That expenditures may be made from the lieutenant governor – operations account for official hospitality and contingencies without limitation at the discretion of the lieutenant governor.

(b) Expenditures may be made by the above agency for travel expenses of the governor’s spouse when accompanying the governor or when representing the governor on official state business, for travel and subsistence expenditures for security personnel when traveling with the governor and for entertainment of officials and other persons as guests from the amount appropriated for the fiscal year ending June 30, 2017, by subsection (a) from the state general fund in the governor’s department account.

(c) Expenditures may be made by the above agency for travel expenses of the lieutenant governor’s spouse when accompanying the lieutenant governor or when representing the lieutenant governor on official state business, for travel and subsistence expenditures for security personnel when traveling with the lieutenant governor and for entertainment of officials and other persons as guests from the amount appropriated for the fiscal year ending June 30, 2017, by subsection (a) from the state general fund in the lieutenant governor – operations account.

(d) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Special programs fund..... No limit

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

Lieutenant governor special programs fund..... No limit

*Provided*, That expenditures may be made from the lieutenant governor special programs fund for operating expenditures for the lieutenant governor, including conferences and official hospitality: *Provided further*, That the lieutenant governor is hereby authorized to fix, charge and collect fees for such conferences: *And provided further*, That fees for such conferences shall be fixed in order to recover all or part of the operating

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

Hispanic and Latino American affairs fee fund ..... No limit  
Miscellaneous projects fund ..... No limit

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

Intragovernmental service fund ..... No limit

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

Conversion of materials and equipment fund ..... No limit

Federal grants fund ..... No limit

Justice assistance grant – federal fund ..... No limit

Hispanic and Latino American affairs commission – donations fund ..... No limit

Advisory commission on African-American affairs – donations fund ..... No limit

Kansas commission on disability concerns fee fund ..... No limit

Kansas commission on disability concerns – gifts, grants and donations fund ..... No limit

Domestic violence grants fund ..... No limit

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

Child advocacy centers grant fund ..... No limit

(e) On July 1, 2016, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$150,343 from the medicaid fraud prosecution revolving fund of the attorney general to the domestic violence grants fund of the governor’s department.

(f) On July 1, 2016, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$33,348 from the medicaid fraud prosecution revolving fund of the attorney general to the child advocacy centers grants fund of the governor’s department.

Sec. 58.

ATTORNEY GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures ..... \$4,698,691

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$2,000.

Litigation costs..... \$78,000

*Provided*, That any unencumbered balance in the litigation costs account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Abuse, neglect and exploitation unit ..... \$119,090

*Provided*, That any unencumbered balance in the abuse, neglect and exploitation unit account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That expenditures may be made by the attorney general from the abuse, neglect and exploitation unit account pursuant to contracts with other agencies or organizations to provide services related to the investigation or litigation of findings related to abuse, neglect or exploitation.

Child abuse grants..... \$75,000

Child exchange and visitation centers ..... \$128,000

*Provided*, That notwithstanding the provisions of K.S.A. 74-7334, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2016, the above agency may use moneys in the child exchange and visitation centers account for matching funds.

Protection from abuse..... \$519,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Private detective fee fund.....	No limit
Court cost fund.....	No limit
Bond transcript review fee fund .....	No limit
Conversion of materials and equipment fund .....	No limit
Attorney general's antitrust special revenue fund .....	No limit
Private gifts fund.....	No limit
Medicaid fraud reimbursement fund.....	No limit
Medicaid fraud control unit .....	No limit
Attorney general's antitrust suspense fund .....	No limit
Attorney general's consumer protection clearing fund.....	No limit
Attorney general's committee on crime prevention fee fund .....	No limit

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

Tort claims fund.....	No limit
Crime victims compensation fund.....	No limit

*Provided*, That expenditures from the crime victims compensation fund for state operations shall not exceed \$471,058: *Provided further*, That any expenditures for payment of compensation to crime victims are authorized to be made from this fund regardless of when the claim was awarded.

Crime victims assistance fund .....	No limit
Protection from abuse fund .....	No limit
Crime victims grants and gifts fund.....	No limit

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



Kansas attorney general batterer intervention program certification fund ..... No limit

Debt collection administration cost recovery fund ..... No limit

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

Medicaid fraud prosecution revolving fund ..... No limit

Provided, That all moneys recovered by the medicaid fraud and abuse division of the attorney general’s office in the enforcement of state and federal law which are in excess of any restitution for overcharges and interest, including all moneys recovered as recoupment of expenses of investigation and prosecution, shall be deposited in the state treasury to the credit of the medicaid fraud prosecution revolving fund: Provided further, That, notwithstanding the provisions of K.S.A. 2014 Supp. 21-5933, and amendments thereto, or any other statute, expenditures may be made from the medicaid fraud prosecution revolving fund for other operating expenditures of the attorney general’s office other than for medicaid fraud prosecution costs.

Interstate water litigation fund ..... No limit

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

Suspense fund ..... No limit

Children’s advocacy center fund ..... No limit

Abuse, neglect and exploitation of people with disabilities unit grant acceptance fund..... No limit

Concealed weapon licensure fund..... No limit

Tobacco master settlement agreement compliance fund... No limit

Sexually violent predator expense fund ..... No limit

County law enforcement equipment fund ..... No limit

Child exchange and visiting centers fund ..... No limit

Roofing contractor registration fund..... No limit

State medicaid fraud control unit – federal fund ..... No limit

Com def sol – violence against women federal fund .....	No limit
Crime victims compensation federal fund .....	No limit
Ed Byrne state/local law enforcement federal fund .....	No limit
Violence against women – ARRA federal fund.....	No limit
Comm prsct/project safe neighborhood federal fund .....	No limit
Public safety prtnt/comm pol fund.....	No limit
Anti-gang initiative federal fund .....	No limit
Alcohol impaired driving cntrmsr federal fund.....	No limit
Children’s justice grant federal fund.....	No limit
Ed Byrne memorial JAG – ARRA federal fund.....	No limit
Medicaid indirect cost federal fund.....	No limit
Federal forfeiture fund .....	No limit
SSA fraud prevention federal fund.....	No limit
False claims litigation revolving fund.....	No limit

*Provided*, That expenditures may be made from the false claims litigation revolving fund for costs associated with litigation under the Kansas false claims act, K.S.A. 2014 Supp. 75-7501 et seq., and amendments thereto.

GTEAP federal fund.....	No limit
Ed Byrne memorial justice assistance grant federal fund..	No limit
911 state maintenance fund .....	No limit
911 federal grant fund.....	No limit
DOT prohibit racial profiling .....	No limit
Human trafficking victim assistance fund .....	No limit
Criminal appeals cost fund.....	No limit
Attorney general’s open government fund.....	No limit

(c) During the fiscal year ending June 30, 2016, grants made pursuant to K.S.A. 74-7325, and amendments thereto, from the protection from abuse fund and grants made pursuant to K.S.A. 74-7334, and amendments thereto, from the crime victims assistance fund shall be made after consideration of the recommendation of an entity that has been designated by the United States department of health and human services and by the centers for disease control as the official domestic violence or sexual assault coalition.

(d) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$460,593 from the Kansas endowment for youth fund to the tobacco master settlement agreement compliance fund of the attorney general.

(e) During the fiscal year ending June 30, 2016, the attorney general, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2016 from the state general fund for the attorney general to another item of appropriation for fiscal year 2016 from the state general fund for the attorney general. The attorney general shall certify each such transfer to the director of accounts and

reports and shall transmit a copy of each such certification to the director of legislative research.

(f) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,000,000 from the medicaid fraud prosecution revolving fund of the attorney general to the state general fund.

Sec. 59.

ATTORNEY GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures ..... \$4,860,924

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$2,000.

Litigation costs..... \$78,000

*Provided*, That any unencumbered balance in the litigation costs account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Abuse, neglect and exploitation unit..... \$123,063

*Provided*, That any unencumbered balance in the abuse, neglect and exploitation unit account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That expenditures may be made by the attorney general from the abuse, neglect and exploitation unit account pursuant to contracts with other agencies or organizations to provide services related to the investigation or litigation of findings related to abuse, neglect or exploitation.

Child abuse grants..... \$75,000

Child exchange and visitation centers ..... \$128,000

*Provided*, That notwithstanding the provisions of K.S.A. 74-7334, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2017, the above agency may use moneys in the child exchange and visitation centers account for matching funds.

Protection from abuse..... \$519,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Private detective fee fund..... No limit

Court cost fund..... No limit

Bond transcript review fee fund ..... No limit

Conversion of materials and equipment fund .....	No limit
Attorney general's antitrust special revenue fund .....	No limit
Private gifts fund.....	No limit
Medicaid fraud reimbursement fund.....	No limit
Medicaid fraud control unit .....	No limit
Attorney general's antitrust suspense fund .....	No limit
Attorney general's consumer protection clearing fund.....	No limit
Attorney general's committee on crime prevention fee fund .....	No limit

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

Tort claims fund.....	No limit
Crime victims compensation fund.....	No limit

*Provided*, That expenditures from the crime victims compensation fund for state operations shall not exceed \$471,058: *Provided further*, That any expenditures for payment of compensation to crime victims are authorized to be made from this fund regardless of when the claim was awarded.

Crime victims assistance fund .....	No limit
Protection from abuse fund .....	No limit
Crime victims grants and gifts fund.....	No limit

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

Kansas attorney general batterer intervention program certification fund .....	No limit
Debt collection administration cost recovery fund.....	No limit

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

Medicaid fraud prosecution revolving fund ..... No limit

*Provided*, That all moneys recovered by the medicaid fraud and abuse division of the attorney general’s office in the enforcement of state and federal law which are in excess of any restitution for overcharges and interest, including all moneys recovered as recoupment of expenses of investigation and prosecution, shall be deposited in the state treasury to the credit of the medicaid fraud prosecution revolving fund: *Provided further*, That, notwithstanding the provisions of K.S.A. 2014 Supp. 21-5933, and amendments thereto, or any other statute, expenditures may be made from the medicaid fraud prosecution revolving fund for other operating expenditures of the attorney general’s office other than for medicaid fraud prosecution costs.

Interstate water litigation fund ..... No limit

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

Suspense fund ..... No limit

Children’s advocacy center fund ..... No limit

Abuse, neglect and exploitation of people with disabilities unit grant acceptance fund..... No limit

Concealed weapon licensure fund..... No limit

Tobacco master settlement agreement compliance fund... No limit

Sexually violent predator expense fund ..... No limit

County law enforcement equipment fund ..... No limit

Child exchange and visiting centers fund ..... No limit

Roofing contractor registration fund..... No limit

State medicaid fraud control unit – federal fund ..... No limit

Com def sol – violence against women federal fund ..... No limit

Crime victims compensation federal fund ..... No limit

Ed Byrne state/local law enforcement federal fund ..... No limit

Violence against women – ARRA federal fund..... No limit

Comm prsct/project safe neighborhood federal fund ..... No limit

Public safety prtnt/comm pol fund. .... No limit

Anti-gang initiative federal fund ..... No limit

Alcohol impaired driving cntnrsr federal fund..... No limit

Children’s justice grant federal fund..... No limit

Ed Byrne memorial JAG – ARRA federal fund.....	No limit
Medicaid indirect cost federal fund.....	No limit
Federal forfeiture fund .....	No limit
SSA fraud prevention federal fund.....	No limit
False claims litigation revolving fund.....	No limit

*Provided*, That expenditures may be made from the false claims litigation revolving fund for costs associated with litigation under the Kansas false claims act, K.S.A. 2014 Supp. 75-7501 et seq., and amendments thereto.

GTEAP federal fund.....	No limit
Ed Byrne memorial justice assistance grant federal fund..	No limit
911 state maintenance fund .....	No limit
911 federal grant fund.....	No limit
DOT prohibit racial profiling .....	No limit
Human trafficking victim assistance fund.....	No limit
Criminal appeals cost fund.....	No limit
Attorney general’s open government fund.....	No limit

(c) During the fiscal year ending June 30, 2017, grants made pursuant to K.S.A. 74-7325, and amendments thereto, from the protection from abuse fund and grants made pursuant to K.S.A. 74-7334, and amendments thereto, from the crime victims assistance fund shall be made after consideration of the recommendation of an entity that has been designated by the United States department of health and human services and by the centers for disease control as the official domestic violence or sexual assault coalition.

(d) On July 1, 2016, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$460,593 from the Kansas endowment for youth fund to the tobacco master settlement agreement compliance fund of the attorney general.

(e) During the fiscal year ending June 30, 2017, the attorney general, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2017 from the state general fund for the attorney general to another item of appropriation for fiscal year 2017 from the state general fund for the attorney general. The attorney general shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(f) On July 1, 2016, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,000,000 from the medicaid fraud prosecution revolving fund of the attorney general to the state general fund.

Sec. 60.

SECRETARY OF STATE

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016,

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

Cemetery and funeral audit fee fund.....	No limit
HAVA ELVIS fund .....	No limit
Conversion of materials and equipment fund .....	No limit
Information and services fee fund.....	No limit

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

State register fee fund.....	No limit
Uniform commercial code fee fund.....	No limit
State flag and banner fund.....	No limit
Secretary of state fee refund fund.....	No limit
Electronic voting machine examination fund .....	No limit
Credit card clearing fund.....	No limit
Suspense fund .....	No limit
Prepaid services fund.....	No limit
Athlete agent registration fee fund.....	No limit
Democracy fund .....	No limit

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

Technology communication fee fund.....	No limit
Help America Vote Act federal fund .....	No limit
HAVA Title I federal fund.....	No limit
Voting access — disabled individuals federal fund.....	No limit
Cemetery maintenance and merchandise fee fund .....	No limit
Franchise fee recovery fund.....	No limit

(b) During the fiscal year ending June 30, 2016, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from any special revenue fund or funds for fiscal year 2016 by the above agency by this or other appropriation act of the 2015 regular session of the legislature, expenditures shall be made by the above agency from such special revenue fund or funds to provide a report to the house appropriations committee and the senate ways and means committee detailing the costs of publication in a newspaper in each county pursuant to K.S.A. 64-103, and amendments thereto, of any constitutional amendment that is introduced by the legislature during the 2016 regular session of the legislature and detailing costs to local units of governments for conducting elections which include proposed constitutional amendments.

Sec. 61.

SECRETARY OF STATE

(a) There is appropriated for the above agency from the following

special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Cemetery and funeral audit fee fund.....	No limit
HAVA ELVIS fund .....	No limit
Conversion of materials and equipment fund .....	No limit
Information and services fee fund.....	No limit

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

State register fee fund.....	No limit
Uniform commercial code fee fund.....	No limit
State flag and banner fund.....	No limit
Secretary of state fee refund fund.....	No limit
Electronic voting machine examination fund .....	No limit
Credit card clearing fund.....	No limit
Suspense fund .....	No limit
Prepaid services fund.....	No limit
Athlete agent registration fee fund.....	No limit
Democracy fund .....	No limit

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

Technology communication fee fund.....	No limit
Help America Vote Act federal fund .....	No limit
HAVA Title I federal fund.....	No limit
Voting access — disabled individuals federal fund.....	No limit
Cemetery maintenance and merchandise fee fund .....	No limit
Franchise fee recovery fund.....	No limit

(b) During the fiscal year ending June 30, 2017, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from any special revenue fund or funds for fiscal year 2017 by the above agency by this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures shall be made by the above agency from such special revenue fund or funds to provide a report to the house appropriations committee and the senate ways and means committee detailing the costs of publication in a newspaper in each county pursuant to K.S.A. 64-103, and amendments thereto, of any constitutional amendment that is introduced by the legislature during the 2017 regular session of the legislature and detailing costs to local units of governments for conducting elections which include proposed constitutional amendments.



Sec. 62.

STATE TREASURER

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

State treasurer operating fund..... \$1,559,726

*Provided*, That, notwithstanding the provisions of the uniform unclaimed property act, K.S.A. 58-3934 et seq., and amendments thereto, or any other statute, of all the moneys received under the uniform unclaimed property act, K.S.A. 58-3934 et seq., and amendments thereto, during fiscal year 2016, the state treasurer is hereby authorized and directed to credit the first \$1,559,726 received and deposited in the state treasury to the state treasurer operating fund: *Provided further*, That, after such aggregate amount has been credited to the state treasurer operating fund, then all of the moneys received under the uniform unclaimed property act during fiscal year 2016 shall be credited as prescribed under the unclaimed property act, K.S.A. 58-3934 et seq., and amendments thereto: *And provided further*, That all moneys credited to the state treasurer operating fund during fiscal year 2016 are to reimburse the state treasurer for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed to administer the provisions of the uniform unclaimed property act, K.S.A. 58-3934 et seq., and amendments thereto, that are not otherwise reimbursed under any other provision of law.

Fiscal agency fund.....	No limit
Bond services fee fund.....	No limit
City bond finance fund.....	No limit
Local ad valorem tax reduction fund .....	No limit
County and city revenue sharing fund .....	No limit
Suspense fund .....	No limit
County and city retailers' sales tax fund .....	No limit
County and city compensating use tax fund.....	No limit
Local alcoholic liquor fund .....	No limit
Local alcoholic liquor equalization fund.....	No limit
Unclaimed property claims fund.....	No limit
Unclaimed property expense fund .....	No limit

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

County and city transient guest tax fund .....	No limit
Racing admissions tax fund .....	No limit
Rental motor vehicle excise tax fund .....	No limit
Transportation development district sales tax fund .....	No limit
Redevelopment bond fund .....	No limit

Municipal investment pool fund .....	No limit
Pooled money investment portfolio fee fund .....	No limit

*Provided*, That, on or before the fifth day of each month of the fiscal year ending June 30, 2016, the state treasurer shall certify to the pooled money investment board an accounting of the banking fees incurred by the state treasurer during the second preceding month that are attributable to the investment of the pooled money investment portfolio during such month:

*Provided further*, That, prior to the 10th day of each month during the fiscal year ending June 30, 2016, the pooled money investment board shall review the certification from the state treasurer and shall make expenditures from the pooled money investment portfolio fee fund to pay the amount of banking fees incurred by the state treasurer during the second preceding month that are attributable to the investment of the pooled money investment portfolio during the second preceding month, as determined by the pooled money investment board: *And provided further*, That expenditures from the pooled money investment portfolio fee fund for official hospitality shall not exceed \$800.

Special qualified industrial manufacturer fund .....	No limit
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*Provided*, That, notwithstanding the provisions of K.S.A. 2014 Supp. 74-50,122, and amendments thereto, or any other statute, the special qualified industrial manufacturer fund shall be maintained in the state treasury and shall be administered by the state treasurer for the purposes of the qualified industrial manufacturer act: *Provided further*, That, on the 15th day of each month that commences during fiscal year 2016, the secretary of commerce and the secretary of revenue shall consult and determine the amount of revenue received by the state from withholding taxes paid by each taxpayer that is a qualified industrial manufacturer during the preceding month and then, jointly, shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of legislative research: *And provided further*, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the special qualified industrial manufacturer fund established by this subsection: *And provided further*, That, on or before the 10th day of each month commencing during fiscal year 2016, the director of accounts and reports shall transfer from the state general fund to the special qualified industrial manufacturer fund interest earnings based on: (1) The average daily balance of moneys in the special qualified industrial manufacturer fund established by this subsection for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*, That the moneys credited to the special qualified industrial manufacturer fund from the withholding taxes paid

by a qualified industrial manufacturer shall be paid by the state treasurer to such qualified industrial manufacturer on such dates as are mutually agreed to by the secretary of commerce and the state treasurer, serving as paying agent in accordance with the terms of the agreement entered into pursuant to K.S.A. 2014 Supp. 74-50,122, and amendments thereto, by the secretary of commerce and such qualified industrial manufacturer: *And provided further*, That not more than \$2,000,000 shall be paid from the special qualified industrial manufacturer fund established by this subsection by the state treasurer to a qualified industrial manufacturer: *And provided further*, That the words and phrases used in these provisos to the appropriation of moneys in the special qualified industrial manufacturer fund shall have the meanings respectively ascribed thereto by K.S.A. 2014 Supp. 74-50,121, and amendments thereto, unless the context requires otherwise.

Kansas postsecondary education savings program trust fund ..... No limit

*Provided*, That, notwithstanding the provisions of subsection (f) of K.S.A. 2014 Supp. 75-650, and amendments thereto, or any other statute, moneys are hereby appropriated for the fiscal year ending June 30, 2016, for the purpose of matching contributions of qualified applicants.

Kansas postsecondary education savings expense fund ..... No limit  
 Conversion of materials and equipment fund ..... No limit  
 Tax increment financing revenue replacement fund ..... No limit  
 Spirit bonds fund ..... No limit

*Provided*, That, on the 15th day of each month that commences during fiscal year 2016, the secretary of revenue shall determine the amount of revenue received by the state during the preceding month from withholding taxes paid with respect to an eligible project by each taxpayer that is an eligible business for which bonds have been issued under K.S.A. 2014 Supp. 74-50,136, and amendments thereto, and for which the Spirit bonds fund was created, and shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of legislative research: *Provided further*, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the Spirit bonds fund: *And provided further*, That, on or before the 10th day of each month commencing during fiscal year 2016, the director of accounts and reports shall transfer from the state general fund to the Spirit bonds fund interest earnings based on: (1) The average daily balance of moneys in the Spirit bonds fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*, That the moneys credited to the Spirit bonds fund from

the withholding taxes paid by an eligible business and the interest earnings thereon shall be transferred by the state treasurer from the Spirit bonds fund to the special economic revitalization fund administered by the state treasurer in accordance with K.S.A. 2014 Supp. 74-50,136, and amendments thereto.

Learjet bond fund ..... No limit

*Provided*, That, on the 15th day of each month that commences during fiscal year 2016, the secretary of revenue shall determine the amount of revenue received by the state during the preceding month from withholding taxes paid with respect to an eligible project by each taxpayer that is an eligible business for which bonds have been issued under K.S.A. 2014 Supp. 74-50,136, and amendments thereto, and for which the Learjet bond fund was created, and shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of legislative research: *Provided further*, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the Learjet bond fund: *And provided further*, That, on or before the 10th day of each month commencing during fiscal year 2016, the director of accounts and reports shall transfer from the state general fund to the Learjet bond fund interest earnings based on: (1) The average daily balance of moneys in the Learjet bond fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*, That the moneys credited to the Learjet bond fund from the withholding taxes paid by an eligible business and the interest earnings thereon shall be transferred by the state treasurer from the Learjet bond fund to the appropriate account of the special economic revitalization fund administered by the state treasurer in accordance with K.S.A. 2014 Supp. 74-50,136, and amendments thereto.

Siemens bond fund..... No limit

*Provided*, That, on the 15th day of each month that commences during fiscal year 2016, the secretary of revenue shall determine the amount of revenue received by the state during the preceding month from withholding taxes paid with respect to an eligible project by each taxpayer that is an eligible business for which bonds have been issued under K.S.A. 2014 Supp. 74-50,136, and amendments thereto, and for which the Siemens bond fund was created, and shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of legislative research: *Provided further*, That, upon receipt of each such certification, the director of accounts and reports shall transfer

the amount certified from the state general fund to the Siemens bond fund: *And provided further*, That, on or before the 10th day of each month commencing during fiscal year 2016, the director of accounts and reports shall transfer from the state general fund to the Siemens bond fund interest earnings based on: (1) The average daily balance of moneys in the Siemens bond fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*, That the moneys credited to the Siemens bond fund from the withholding taxes paid by an eligible business and the interest earnings thereon shall be transferred by the state treasurer from the Siemens bond fund to the appropriate account of the special economic revitalization fund administered by the state treasurer in accordance with K.S.A. 2014 Supp. 74-50,136, and amendments thereto.

Business machinery and equipment tax reduction assistance fund.....	\$0
Telecommunications and railroad machinery and equipment tax reduction assistance fund.....	\$0
Community improvement district sales tax fund.....	No limit
Special economic revitalization fund.....	No limit
Bioscience development and investment fund .....	No limit

(b) During the fiscal year ending June 30, 2016, notwithstanding the provisions of K.S.A. 75-1514, and amendments thereto, or any other statute, the commissioner of insurance shall remit all moneys received by the commissioner under K.S.A. 75-1508, and amendments thereto, to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto: *Provided*, That, upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury: *Provided, however*, That, for each such remittance deposited in the state treasury during fiscal year 2016, the state treasurer shall not credit such deposit pursuant to K.S.A. 75-1514, and amendments thereto, but shall credit such deposit in accordance with the provisions of this subsection: *Provided further*, That the state treasurer shall credit 10% of each such deposit to the state general fund and the state treasurer shall credit the remainder of each such deposit as follows: (1) The amount equal to 64% of the remainder of such deposit shall be credited to the fire marshal fee fund of the state fire marshal; (2) the amount equal to 20% of the remainder of such deposit shall be credited to the emergency medical services board operating fund of the emergency medical services board; and (3) the amount equal to 16% of the remainder of such deposit shall be credited to the fire service training program fund of the university of Kansas: *And provided further*, That the amount of each such deposit that is credited to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other govern-

mental services which are performed on behalf of the state fire marshal, the emergency medical services board, and the fire service training program of the university of Kansas by other state agencies which receive appropriations from the state general fund to provide such services: *And provided further*, That, whenever in fiscal year 2016 the aggregate amount that the 10% credit to the state general fund prescribed by this subsection is equal to \$100,000, then: (1) The provisions of this subsection prescribing the 10% credit to the state general fund no longer shall apply to moneys received pursuant to K.S.A. 75-1508, and amendments thereto; and (2) for the remainder of fiscal year 2016, the state treasurer shall credit the full 100% so received of each such deposit as follows: (A) The amount equal to 64% of such deposit shall be credited to the fire marshal fee fund of the state fire marshal; (B) the amount equal to 20% of such deposit shall be credited to the emergency medical services board operating fund of the emergency medical services board; and (C) the amount equal to 16% of such deposit shall be credited to the fire service training program fund of the university of Kansas.

(c) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$200,000 from the state treasurer operating fund of the state treasurer to the state general fund.

Sec. 63.

STATE TREASURER

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

State treasurer operating fund..... \$1,582,666

*Provided*, That, notwithstanding the provisions of the uniform unclaimed property act, K.S.A. 58-3934 et seq., and amendments thereto, or any other statute, of all the moneys received under the uniform unclaimed property act, K.S.A. 58-3934 et seq., and amendments thereto, during fiscal year 2017, the state treasurer is hereby authorized and directed to credit the first \$1,582,666 received and deposited in the state treasury to the state treasurer operating fund: *Provided further*, That, after such aggregate amount has been credited to the state treasurer operating fund, then all of the moneys received under the uniform unclaimed property act during fiscal year 2017 shall be credited as prescribed under the unclaimed property act, K.S.A. 58-3934 et seq., and amendments thereto: *And provided further*, That all moneys credited to the state treasurer operating fund during fiscal year 2017 are to reimburse the state treasurer for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed to administer the provisions of the uniform unclaimed property

act, K.S.A. 58-3934 et seq., and amendments thereto, that are not otherwise reimbursed under any other provision of law.

Fiscal agency fund.....	No limit
Bond services fee fund.....	No limit
City bond finance fund.....	No limit
Local ad valorem tax reduction fund .....	No limit
County and city revenue sharing fund .....	No limit
Suspense fund .....	No limit
County and city retailers' sales tax fund .....	No limit
County and city compensating use tax fund.....	No limit
Local alcoholic liquor fund .....	No limit
Local alcoholic liquor equalization fund.....	No limit
Unclaimed property claims fund.....	No limit
Unclaimed property expense fund .....	No limit

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

County and city transient guest tax fund .....	No limit
Racing admissions tax fund .....	No limit
Rental motor vehicle excise tax fund .....	No limit
Transportation development district sales tax fund .....	No limit
Redevelopment bond fund .....	No limit
Municipal investment pool fund .....	No limit
Pooled money investment portfolio fee fund .....	No limit

*Provided*, That, on or before the fifth day of each month of the fiscal year ending June 30, 2017, the state treasurer shall certify to the pooled money investment board an accounting of the banking fees incurred by the state treasurer during the second preceding month that are attributable to the investment of the pooled money investment portfolio during such month:

*Provided further*, That, prior to the 10th day of each month during the fiscal year ending June 30, 2017, the pooled money investment board shall review the certification from the state treasurer and shall make expenditures from the pooled money investment portfolio fee fund to pay the amount of banking fees incurred by the state treasurer during the second preceding month that are attributable to the investment of the pooled money investment portfolio during the second preceding month, as determined by the pooled money investment board: *And provided further*, That expenditures from the pooled money investment portfolio fee fund for official hospitality shall not exceed \$800.

Special qualified industrial manufacturer fund.....	No limit
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*Provided*, That, notwithstanding the provisions of K.S.A. 2014 Supp. 74-50,122, and amendments thereto, or any other statute, the special qualified industrial manufacturer fund shall be maintained in the state treasury and shall be administered by the state treasurer for the purposes of

the qualified industrial manufacturer act: *Provided further*, That, on the 15th day of each month that commences during fiscal year 2017, the secretary of commerce and the secretary of revenue shall consult and determine the amount of revenue received by the state from withholding taxes paid by each taxpayer that is a qualified industrial manufacturer during the preceding month and then, jointly, shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of legislative research: *And provided further*, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the special qualified industrial manufacturer fund established by this subsection: *And provided further*, That, on or before the 10th day of each month commencing during fiscal year 2017, the director of accounts and reports shall transfer from the state general fund to the special qualified industrial manufacturer fund interest earnings based on: (1) The average daily balance of moneys in the special qualified industrial manufacturer fund established by this subsection for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*, That the moneys credited to the special qualified industrial manufacturer fund from the withholding taxes paid by a qualified industrial manufacturer shall be paid by the state treasurer to such qualified industrial manufacturer on such dates as are mutually agreed to by the secretary of commerce and the state treasurer, serving as paying agent in accordance with the terms of the agreement entered into pursuant to K.S.A. 2014 Supp. 74-50,122, and amendments thereto, by the secretary of commerce and such qualified industrial manufacturer: *And provided further*, That not more than \$2,000,000 shall be paid from the special qualified industrial manufacturer fund established by this subsection by the state treasurer to a qualified industrial manufacturer: *And provided further*, That the words and phrases used in these provisos to the appropriation of moneys in the special qualified industrial manufacturer fund shall have the meanings respectively ascribed thereto by K.S.A. 2014 Supp. 74-50,121, and amendments thereto, unless the context requires otherwise.

Kansas postsecondary education savings program trust fund ..... No limit

*Provided*, That, notwithstanding the provisions of subsection (f) of K.S.A. 2014 Supp. 75-650, and amendments thereto, or any other statute, moneys are hereby appropriated for the fiscal year ending June 30, 2017, for the purpose of matching contributions of qualified applicants.

Kansas postsecondary education savings expense fund ..... No limit  
 Conversion of materials and equipment fund ..... No limit



Tax increment financing revenue replacement fund .....	No limit
Spirit bonds fund .....	No limit

*Provided*, That, on the 15th day of each month that commences during fiscal year 2017, the secretary of revenue shall determine the amount of revenue received by the state during the preceding month from withholding taxes paid with respect to an eligible project by each taxpayer that is an eligible business for which bonds have been issued under K.S.A. 2014 Supp. 74-50,136, and amendments thereto, and for which the Spirit bonds fund was created, and shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of legislative research: *Provided further*, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the Spirit bonds fund: *And provided further*, That, on or before the 10th day of each month commencing during fiscal year 2017, the director of accounts and reports shall transfer from the state general fund to the Spirit bonds fund interest earnings based on: (1) The average daily balance of moneys in the Spirit bonds fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*, That the moneys credited to the Spirit bonds fund from the withholding taxes paid by an eligible business and the interest earnings thereon shall be transferred by the state treasurer from the Spirit bonds fund to the special economic revitalization fund administered by the state treasurer in accordance with K.S.A. 2014 Supp. 74-50,136, and amendments thereto.

Learjet bond fund .....	No limit
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*Provided*, That, on the 15th day of each month that commences during fiscal year 2017, the secretary of revenue shall determine the amount of revenue received by the state during the preceding month from withholding taxes paid with respect to an eligible project by each taxpayer that is an eligible business for which bonds have been issued under K.S.A. 2014 Supp. 74-50,136, and amendments thereto, and for which the Learjet bond fund was created, and shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of legislative research: *Provided further*, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the Learjet bond fund: *And provided further*, That, on or before the 10th day of each month commencing during fiscal year 2017, the director of accounts and reports shall transfer from the state general fund to the Learjet bond fund interest

earnings based on: (1) The average daily balance of moneys in the Learjet bond fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*, That the moneys credited to the Learjet bond fund from the withholding taxes paid by an eligible business and the interest earnings thereon shall be transferred by the state treasurer from the Learjet bond fund to the appropriate account of the special economic revitalization fund administered by the state treasurer in accordance with K.S.A. 2014 Supp. 74-50,136, and amendments thereto.

Siemens bond fund..... No limit

*Provided*, That, on the 15th day of each month that commences during fiscal year 2017, the secretary of revenue shall determine the amount of revenue received by the state during the preceding month from withholding taxes paid with respect to an eligible project by each taxpayer that is an eligible business for which bonds have been issued under K.S.A. 2014 Supp. 74-50,136, and amendments thereto, and for which the Siemens bond fund was created, and shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of legislative research: *Provided further*, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the Siemens bond fund: *And provided further*, That, on or before the 10th day of each month commencing during fiscal year 2017, the director of accounts and reports shall transfer from the state general fund to the Siemens bond fund interest earnings based on: (1) The average daily balance of moneys in the Siemens bond fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*, That the moneys credited to the Siemens bond fund from the withholding taxes paid by an eligible business and the interest earnings thereon shall be transferred by the state treasurer from the Siemens bond fund to the appropriate account of the special economic revitalization fund administered by the state treasurer in accordance with K.S.A. 2014 Supp. 74-50,136, and amendments thereto.

Business machinery and equipment tax reduction assistance fund..... \$0

Telecommunications and railroad machinery and equipment tax reduction assistance fund..... \$0

Community improvement district sales tax fund..... No limit

Special economic revitalization fund..... No limit

Bioscience development and investment fund ..... No limit

(b) During the fiscal year ending June 30, 2017, notwithstanding the provisions of K.S.A. 75-1514, and amendments thereto, or any other stat-

ute, the commissioner of insurance shall remit all moneys received by the commissioner under K.S.A. 75-1508, and amendments thereto, to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto: *Provided*, That, upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury: *Provided, however*, That, for each such remittance deposited in the state treasury during fiscal year 2017, the state treasurer shall not credit such deposit pursuant to K.S.A. 75-1514, and amendments thereto, but shall credit such deposit in accordance with the provisions of this subsection: *Provided further*, That the state treasurer shall credit 10% of each such deposit to the state general fund and the state treasurer shall credit the remainder of each such deposit as follows: (1) The amount equal to 64% of the remainder of such deposit shall be credited to the fire marshal fee fund of the state fire marshal; (2) the amount equal to 20% of the remainder of such deposit shall be credited to the emergency medical services board operating fund of the emergency medical services board; and (3) the amount equal to 16% of the remainder of such deposit shall be credited to the fire service training program fund of the university of Kansas: *And provided further*, That the amount of each such deposit that is credited to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state fire marshal, the emergency medical services board, and the fire service training program of the university of Kansas by other state agencies which receive appropriations from the state general fund to provide such services: *And provided further*, That, whenever in fiscal year 2017 the aggregate amount that the 10% credit to the state general fund prescribed by this subsection is equal to \$100,000, then: (1) The provisions of this subsection prescribing the 10% credit to the state general fund no longer shall apply to moneys received pursuant to K.S.A. 75-1508, and amendments thereto; and (2) for the remainder of fiscal year 2017, the state treasurer shall credit the full 100% so received of each such deposit as follows: (A) The amount equal to 64% of such deposit shall be credited to the fire marshal fee fund of the state fire marshal; (B) the amount equal to 20% of such deposit shall be credited to the emergency medical services board operating fund of the emergency medical services board; and (C) the amount equal to 16% of such deposit shall be credited to the fire service training program fund of the university of Kansas.

Sec. 64.

#### INSURANCE DEPARTMENT

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such

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

Insurance department service regulation fund ..... No limit

*Provided*, That expenditures from the insurance department service regulation fund for official hospitality shall not exceed \$2,500; *Provided further*, That transfers may be made from this fund to the insurance department rehabilitation and repair fund of the insurance department.

Insurance company examination fund..... No limit

*Provided*, That transfers may be made from the insurance company examination fund to the insurance department rehabilitation and repair fund of the insurance department.

Insurance company annual statement examination fund... No limit

Insurance company examiner training fund ..... No limit

Conversion of materials and equipment fund ..... No limit

Commissioner’s travel reimbursement fund..... No limit

*Provided*, That expenditures may be made from the commissioner’s travel reimbursement fund only to reimburse the commissioner of insurance, or any designated employee, for expenses incurred for in-state or out-of-state travel for official purposes, including travel to meetings of public or private associations; *Provided further*, That all moneys received by the commissioner of insurance for such travel from any non-state agency source shall be deposited in the state treasury to the credit of this fund.

Workers compensation fund ..... No limit

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

State firefighters relief fund..... No limit

*Provided*, That, notwithstanding the provisions of K.S.A. 40-1706, and amendments thereto, or any other statute, transfers may be made from the state firefighters relief fund to the insurance department rehabilitation and repair fund of the insurance department; *Provided further*, That, pursuant to the provisions of section 34(a) of chapter 131 of the 2008 Session Laws of Kansas, one or more transfers may be made during fiscal year 2016 from the state firefighters relief fund to the insurance department service regulation fund to repay the amount that was borrowed for the special distribution in fiscal year 2008 pursuant to section 34(a) of chapter 131 of the 2008 Session Laws of Kansas, relating to the overpayment to the firefighters relief association for Manhattan, KS; *And provided further*, That, as used in this proviso: (1) “2016 formula amount” means the amount determined in accordance with the formula and other provisions of K.S.A. 40-1706, and amendments thereto, for the firefighters relief association for Manhattan, KS, for fiscal year 2016; (2) “2008

payment amount” means the amount actually paid to the firefighters relief association for Manhattan, KS, from the state firefighters relief fund for fiscal year 2008; and (3) “2016 repayment amount” means the difference between the 2016 formula amount and the 2008 payment amount: *And provided further*, That, notwithstanding the provisions of K.S.A. 40-1706, and amendments thereto, or any other statute, the amount of the distribution to be paid to the firefighters relief association for Manhattan, KS, from the state firefighters relief fund for fiscal year 2016 shall not exceed the 2008 payment amount: *And provided further*, That the commissioner of insurance shall certify the 2016 repayment amount to the director of accounts and reports and the outstanding amount that remains to be repaid to the insurance department service regulation fund pursuant to the provisions of section 34(a) of chapter 131 of the 2008 Session Laws of Kansas after the transfer to the insurance department service regulation fund pursuant to this proviso: *And provided further*, That, upon receipt of such certification, the director of accounts and reports shall transfer the amount equal to the 2016 repayment amount from the state firefighters relief fund to the insurance department service regulation fund: *And provided further*, That, at the same time that the commissioner of insurance transmits such certification to the director of accounts and reports, the commissioner of insurance shall transmit a copy of such certification to the director of the budget and to the director of legislative research.

Insurance company tax and fee refund fund..... No limit  
 Group-funded workers’ compensation pools fee fund ..... No limit

*Provided*, That transfers may be made from the group-funded workers’ compensation pools fee fund to the insurance department rehabilitation and repair fund of the insurance department.

Municipal group-funded pools fee fund..... No limit

*Provided*, That transfers may be made from the municipal group-funded pools fee fund to the insurance department rehabilitation and repair fund of the insurance department.

Uninsurable health insurance plan fund..... No limit  
 Private grants and gifts fund ..... No limit  
 Insurance education and training fund..... No limit

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

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

Monumental life settlement fund..... No limit

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

Fines and penalties fund ..... \$10,000

*Provided*, That, notwithstanding the provisions of K.S.A. 40-2606, and amendments thereto, or any other statute, all moneys received during fiscal year 2016 for penalties imposed pursuant to K.S.A. 40-2606, and amendments thereto, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the fines and penalties fund.

Settlements fund..... No limit

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

Affordable care act – federal fund..... No limit

HHS consumer assistance grant – federal fund..... No limit

HHS exchange planning & establishment grant – federal fund ..... No limit

HHS rate review grant — federal fund..... No limit

Professional employer organization fee fund..... No limit

(b) In addition to the other purposes for which expenditures may be made by the insurance department from the insurance company examination fund for fiscal year 2016 as authorized by K.S.A. 40-223, and amendments thereto, notwithstanding the provisions of K.S.A. 40-223, and amendments thereto, or any other statute, expenditures may be made by the insurance department from the insurance company examination fund for fiscal year 2016 for the examination of annual statements filed with the commissioner of insurance, regardless of when the services were rendered, when the expenses were incurred or when any claim was submitted or processed for payment and regardless of whether or not the services were rendered or the expenses were incurred prior to the effective date of this act.

(c) On July 1, 2015, October 1, 2015, January 1, 2016, and April 1, 2016, or as soon after each date as moneys are available, notwithstanding the provisions of K.S.A. 40-112, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$2,000,000 from the insurance department service regulation fund of the insurance department to the state general fund.

Sec. 65.

INSURANCE DEPARTMENT

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Insurance department service regulation fund ..... No limit

*Provided*, That expenditures from the insurance department service regulation fund for official hospitality shall not exceed \$2,500: *Provided further*, That transfers may be made from this fund to the insurance department rehabilitation and repair fund of the insurance department.

Insurance company examination fund..... No limit

*Provided*, That transfers may be made from the insurance company examination fund to the insurance department rehabilitation and repair fund of the insurance department.

Insurance company annual statement examination fund... No limit

Insurance company examiner training fund ..... No limit

Conversion of materials and equipment fund ..... No limit

Commissioner’s travel reimbursement fund..... No limit

*Provided*, That expenditures may be made from the commissioner’s travel reimbursement fund only to reimburse the commissioner of insurance, or any designated employee, for expenses incurred for in-state or out-of-state travel for official purposes, including travel to meetings of public or private associations: *Provided further*, That all moneys received by the commissioner of insurance for such travel from any non-state agency source shall be deposited in the state treasury to the credit of this fund.

Workers compensation fund ..... No limit

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

State firefighters relief fund..... No limit

*Provided*, That, notwithstanding the provisions of K.S.A. 40-1706, and amendments thereto, or any other statute, transfers may be made from the state firefighters relief fund to the insurance department rehabilitation and repair fund of the insurance department: *Provided further*, That,

pursuant to the provisions of section 34(a) of chapter 131 of the 2008 Session Laws of Kansas, one or more transfers may be made during fiscal year 2017 from the state firefighters relief fund to the insurance department service regulation fund to repay the amount that was borrowed for the special distribution in fiscal year 2008 pursuant to section 34(a) of chapter 131 of the 2008 Session Laws of Kansas, relating to the overpayment to the firefighters relief association for Manhattan, KS: *And provided further*, That, as used in this proviso: (1) “2017 formula amount” means the amount determined in accordance with the formula and other provisions of K.S.A. 40-1706, and amendments thereto, for the firefighters relief association for Manhattan, KS, for fiscal year 2017; (2) “2008 payment amount” means the amount actually paid to the firefighters relief association for Manhattan, KS, from the state firefighters relief fund for fiscal year 2008; and (3) “2017 repayment amount” means the difference between the 2017 formula amount and the 2008 payment amount: *And provided further*, That, notwithstanding the provisions of K.S.A. 40-1706, and amendments thereto, or any other statute, the amount of the distribution to be paid to the firefighters relief association for Manhattan, KS, from the state firefighters relief fund for fiscal year 2017 shall not exceed the 2008 payment amount: *And provided further*, That the commissioner of insurance shall certify the 2017 repayment amount to the director of accounts and reports and the outstanding amount that remains to be repaid to the insurance department service regulation fund pursuant to the provisions of section 34(a) of chapter 131 of the 2008 Session Laws of Kansas after the transfer to the insurance department service regulation fund pursuant to this proviso: *And provided further*, That, upon receipt of such certification, the director of accounts and reports shall transfer the amount equal to the 2017 repayment amount from the state firefighters relief fund to the insurance department service regulation fund: *And provided further*, That, at the same time that the commissioner of insurance transmits such certification to the director of accounts and reports, the commissioner of insurance shall transmit a copy of such certification to the director of the budget and to the director of legislative research.

Insurance company tax and fee refund fund.....	No limit
Group-funded workers’ compensation pools fee fund .....	No limit

*Provided*, That transfers may be made from the group-funded workers’ compensation pools fee fund to the insurance department rehabilitation and repair fund of the insurance department.

Municipal group-funded pools fee fund.....	No limit
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*Provided*, That transfers may be made from the municipal group-funded pools fee fund to the insurance department rehabilitation and repair fund of the insurance department.

Uninsurable health insurance plan fund.....	No limit
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Private grants and gifts fund .....	No limit
Insurance education and training fund.....	No limit

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

Monumental life settlement fund.....	No limit
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*Provided*, That all expenditures from the monumental life settlement fund shall be made for scholarship purposes: *Provided further*, That the scholarship recipients shall be African-American students who are currently enrolled and are attending an accredited higher education institution in the state of Kansas and who have designated a major in mathematics, computer science or business.

Fines and penalties fund .....	\$10,000
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*Provided*, That, notwithstanding the provisions of K.S.A. 40-2606, and amendments thereto, or any other statute, all moneys received during fiscal year 2017 for penalties imposed pursuant to K.S.A. 40-2606, and amendments thereto, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the fines and penalties fund.

Settlements fund.....	No limit
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*Provided*, That moneys may be transferred or otherwise credited to the settlements fund as the result of or pursuant to court orders under K.S.A. 40-3644, and amendments thereto, court-ordered settlements, or legislative authority: *Provided further*, That expenditures from the settlements fund shall be made for the purpose of providing consumer education and outreach or for costs that the insurance department may incur in closeout of any troubled insurance company matters.

Affordable care act – federal fund.....	No limit
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HHS consumer assistance grant – federal fund.....	No limit
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HHS exchange planning & establishment grant — federal fund .....	No limit
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HHS rate review grant — federal fund.....	No limit
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Professional employer organization fee fund.....	No limit
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(b) In addition to the other purposes for which expenditures may be made by the insurance department from the insurance company exami-

nation fund for fiscal year 2017 as authorized by K.S.A. 40-223, and amendments thereto, notwithstanding the provisions of K.S.A. 40-223, and amendments thereto, or any other statute, expenditures may be made by the insurance department from the insurance company examination fund for fiscal year 2017 for the examination of annual statements filed with the commissioner of insurance, regardless of when the services were rendered, when the expenses were incurred or when any claim was submitted or processed for payment and regardless of whether or not the services were rendered or the expenses were incurred prior to the effective date of this act.

(c) On July 1, 2016, October 1, 2016, January 1, 2017, and April 1, 2017, or as soon after each date as moneys are available, notwithstanding the provisions of K.S.A. 40-112, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$2,000,000 from the insurance department service regulation fund of the insurance department to the state general fund.

Sec. 66.

HEALTH CARE STABILIZATION FUND BOARD  
OF GOVERNORS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Health care stabilization fund.....	No limit
Conference fee fund.....	No limit

(b) Expenditures from the health care stabilization fund for the fiscal year ending June 30, 2016, other than refunds authorized by law for the following specified purposes shall not exceed the limitations prescribed therefor as follows:

Operating expenditures .....	\$1,935,426
<i>Provided</i> , That expenditures may be made from the operating expenditures account for official hospitality.	
Legal services and other claims expenses .....	No limit
Claims and benefits .....	No limit

Sec. 67.

HEALTH CARE STABILIZATION FUND BOARD  
OF GOVERNORS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Health care stabilization fund.....	No limit
Conference fee fund.....	No limit

(b) Expenditures from the health care stabilization fund for the fiscal year ending June 30, 2017, other than refunds authorized by law for the following specified purposes shall not exceed the limitations prescribed therefor as follows:

Operating expenditures .....	\$1,994,885
<i>Provided</i> , That expenditures may be made from the operating expenditures account for official hospitality.	
Legal services and other claims expenses .....	No limit
Claims and benefits .....	No limit

Sec. 68.

JUDICIAL COUNCIL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Judicial council fund.....	No limit
Grants and gifts fund .....	No limit

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

Publications fee fund .....	No limit
Judicial performance fund .....	No limit

(b) On June 30, 2016, notwithstanding the provisions of K.S.A. 20-2207, and amendments thereto, or any other statute, the director of accounts and reports shall transfer the amount of any unencumbered balance in the publications fee fund as of June 30, 2016, in excess of \$175,000 from the publications fee fund to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the publications fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the publications fee fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the judicial council by other state agencies which receive appropriations from the state general fund to provide such services: *And provided further*, That, when the judicial council must expend moneys for unforeseen and unbudgeted items, such moneys shall be paid first from the judicial council fund and then from the publication fees fund.

Sec. 69.

JUDICIAL COUNCIL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Judicial council fund .....	No limit
Grants and gifts fund .....	No limit

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

Publications fee fund .....	No limit
Judicial performance fund .....	No limit

(b) On June 30, 2017, notwithstanding the provisions of K.S.A. 20-2207, and amendments thereto, or any other statute, the director of accounts and reports shall transfer the amount of any unencumbered balance in the publications fee fund as of June 30, 2017, in excess of \$175,000 from the publications fee fund to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the publications fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the publications fee fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the judicial council by other state agencies which receive appropriations from the state general fund to provide such services: *And provided further*, That, when the judicial council must expend moneys for unforeseen and unbudgeted items, such moneys shall be paid first from the judicial council fund and then from the publication fees fund.

Sec. 70.

STATE BOARD OF INDIGENTS' DEFENSE SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures .....	\$12,931,837
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*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*, That expenditures for indigents' defense services are authorized to be made from the operating expenditures account regardless of when services were rendered: *Provided further*, That expenditures may be made from the operating expenditures

account for negotiated contracts for malpractice insurance for public defenders and deputy or assistant public defenders: *And provided further*, That all contracts for malpractice insurance for public defenders and deputy or assistant public defenders shall be negotiated and purchased by the state board of indigents' defense services, shall not be subject to approval or purchase by the committee on surety bonds and insurance under K.S.A. 75-4114 and 75-6111, and amendments thereto, and shall not be subject to the provisions of K.S.A. 75-3739, and amendments thereto.

Assigned counsel expenditures ..... \$10,050,000

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2015, in the assigned counsel expenditures account is hereby reappropriated for fiscal year 2016: *Provided further*, That expenditures for indigents' defense services are authorized to be made from the assigned counsel expenditures account regardless of when services were rendered.

Capital defense operations ..... \$1,331,307

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2015, in the capital defense operations account is hereby reappropriated for fiscal year 2016: *Provided further*, That expenditures for indigents' defense services are authorized to be made from the capital defense operations account regardless of when services were rendered.

Legal services for prisoners ..... \$289,592

Indigents' defense services operations ..... \$156,847

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2015, in the indigents' defense services operations account is hereby reappropriated for fiscal year 2016: *Provided further*, That expenditures may be made from the indigents' defense services operations account for the purpose of assigned counsel and other professional services related to contract cases.

Litigation support ..... \$950,000

*Provided*, That any unencumbered balance in the litigation support account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Capital litigation training grant fund ..... No limit

Indigents' defense services fund ..... No limit

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

Inservice education workshop fee fund..... No limit

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

(c) During the fiscal year ending June 30, 2016, the executive director of the state board of indigents' defense services, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2016, from the state general fund for the state board of indigents' defense services to any other item of appropriation for fiscal year 2016 from the state general fund for the state board of indigents' defense services. The executive director shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

Sec. 71.

STATE BOARD OF INDIGENTS' DEFENSE SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures ..... \$13,308,664

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*, That expenditures for indigents' defense services are authorized to be made from the operating expenditures account regardless of when services were rendered: *Provided further*, That expenditures may be made from the operating expenditures account for negotiated contracts for malpractice insurance for public defenders and deputy or assistant public defenders: *And provided further*, That all contracts for malpractice insurance for public defenders and deputy or assistant public defenders shall be negotiated and purchased by the state board of indigents' defense services, shall not be subject to approval or purchase by the committee on surety bonds and insurance under K.S.A. 75-4114 and 75-6111, and amendments thereto, and shall not be subject to the provisions of K.S.A. 75-3739, and amendments thereto.

Assigned counsel expenditures ..... \$10,050,000

*Provided*, That any unencumbered balance in excess of \$100 as of June

30, 2016, in the assigned counsel expenditures account is hereby reappropriated for fiscal year 2017: *Provided further*, That expenditures for indigents’ defense services are authorized to be made from the assigned counsel expenditures account regardless of when services were rendered.

Capital defense operations..... \$1,372,257

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2016, in the capital defense operations account is hereby reappropriated for fiscal year 2017: *Provided further*, That expenditures for indigents’ defense services are authorized to be made from the capital defense operations account regardless of when services were rendered.

Legal services for prisoners..... \$289,592

Indigents’ defense services operations ..... \$156,847

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2016, in the indigents’ defense services operations account is hereby reappropriated for fiscal year 2017: *Provided further*, That expenditures may be made from the indigents’ defense services operations account for the purpose of assigned counsel and other professional services related to contract cases.

Litigation support..... \$1,450,000

*Provided*, That any unencumbered balance in the litigation support account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Capital litigation training grant fund..... No limit

Indigents’ defense services fund ..... No limit

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

Inservice education workshop fee fund..... No limit

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

ments thereto, and shall be credited to the inservice education workshop fee fund.

(c) During the fiscal year ending June 30, 2017, the executive director of the state board of indigents' defense services, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2017, from the state general fund for the state board of indigents' defense services to any other item of appropriation for fiscal year 2017 from the state general fund for the state board of indigents' defense services. The executive director shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

Sec. 72.

KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas public employees retirement fund.....	No limit
<i>Provided</i> , That no expenditures may be made from the Kansas public employees retirement fund other than for benefits, investments, refunds authorized by law, and other purposes specifically authorized by this or other appropriation act.	
Kansas public employees deferred compensation fees fund .....	No limit
Group insurance reserve fund .....	No limit
Optional death benefit plan reserve fund .....	No limit
Kansas endowment for youth fund.....	No limit
Senior services trust fund .....	No limit
Family and children endowment account – family and children investment fund.....	No limit
Non-retirement administration fund.....	No limit

*Provided*, That the executive officer of the Kansas public employees retirement system shall certify to the director of accounts and reports the amount of moneys to transfer from the Kansas endowment for youth fund, the senior services trust fund, the family and children endowment account – family and children investment fund, and the unclaimed property account of the state general fund for the purpose of reimbursing the costs of non-retirement-related administrative activities and investment-related expenses for managing such funds in accordance with K.S.A. 74-4909b, and amendments thereto.

KDFA series 2003H bond debt service fund.....	No limit
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*Provided*, That, notwithstanding the provisions of K.S.A. 74-4921 et seq.,



and amendments thereto, any employer contributions remitted in accordance with the provisions of K.S.A. 20-2605, and amendments thereto, K.S.A. 74-4920, and amendments thereto, K.S.A. 74-4939, and amendments thereto, and K.S.A. 74-4967, and amendments thereto, for the purpose of paying the actuarial cost of the provisions of K.S.A. 74-49,109 et seq., and amendments thereto, shall be credited in the K DFA series 2003H bond debt service fund: *Provided further*, That the executive director of the Kansas public employees retirement system shall certify to the director of accounts and reports an amount to reimburse the state general fund for bond debt service payments authorized in fiscal year 2016: *And provided further*, That the director of accounts and reports shall transfer to the state general fund such amount certified as provided by the executive director no later than June 30, 2016.

(b) Expenditures may be made from the expense reserve of the Kansas public employees retirement fund for the fiscal year ending June 30, 2016, for the following specified purposes:

Agency operations ..... \$11,925,367

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

Investment-related expenses ..... No limit

KPERS technology project ..... No limit

(c) Expenditures may be made from the non-retirement administration fund for the fiscal year ending June 30, 2016, for the following specified purposes:

Agency operations ..... \$105,047

Investment-related expenses ..... No limit

(d) On July 1, 2015, notwithstanding the provisions of K.S.A. 38-2102, and amendments thereto, the amount prescribed by subsection (d)(4) of K.S.A. 38-2102, and amendments thereto, to be transferred on July 1, 2015, by the director of accounts and reports from the Kansas endowment for youth fund to the children’s initiatives fund is hereby increased to \$51,200,000.

(e) On July 1, 2015, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 38-2101, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$9,578,000 from the Kansas endowment for youth fund to the state general fund.

(f) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$200,000 from the Kansas endowment for youth fund to the permanent families account – family and children investment fund of the judicial branch.

Sec. 73.

KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas public employees retirement fund..... No limit

*Provided*, That no expenditures may be made from the Kansas public employees retirement fund other than for benefits, investments, refunds authorized by law, and other purposes specifically authorized by this or other appropriation act.

Kansas public employees deferred compensation fees fund ..... No limit

Group insurance reserve fund ..... No limit

Optional death benefit plan reserve fund ..... No limit

Kansas endowment for youth fund..... No limit

Senior services trust fund ..... No limit

Family and children endowment account – family and children investment fund..... No limit

Non-retirement administration fund..... No limit

*Provided*, That the executive officer of the Kansas public employees retirement system shall certify to the director of accounts and reports the amount of moneys to transfer from the Kansas endowment for youth fund, the senior services trust fund, the family and children endowment account – family and children investment fund, and the unclaimed property account of the state general fund for the purpose of reimbursing the costs of non-retirement-related administrative activities and investment-related expenses for managing such funds in accordance with K.S.A. 74-4909b, and amendments thereto.

KDFA series 2003H bond debt service fund ..... No limit

*Provided*, That, notwithstanding the provisions of K.S.A. 74-4921 et seq., and amendments thereto, any employer contributions remitted in accordance with the provisions of K.S.A. 20-2605, and amendments thereto, K.S.A. 74-4920, and amendments thereto, K.S.A. 74-4939, and amendments thereto, and K.S.A. 74-4967, and amendments thereto, for the purpose of paying the actuarial cost of the provisions of K.S.A. 74-49,109 et seq., and amendments thereto, shall be credited in the KDFA series 2003H bond debt service fund: *Provided further*, That the executive director of the Kansas public employees retirement system shall certify to the director of accounts and reports an amount to reimburse the state general fund for bond debt service payments authorized in fiscal year 2017: *And provided further*, That the director of accounts and reports

shall transfer to the state general fund such amount certified as provided by the executive director no later than June 30, 2017.

(b) Expenditures may be made from the expense reserve of the Kansas public employees retirement fund for the fiscal year ending June 30, 2017, for the following specified purposes:

Agency operations ..... \$12,373,968

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

Investment-related expenses ..... No limit

KPERS technology project ..... No limit

(c) Expenditures may be made from the non-retirement administration fund for the fiscal year ending June 30, 2017, for the following specified purposes:

Agency operations ..... \$112,421

Investment-related expenses ..... No limit

(d) On July 1, 2016, notwithstanding the provisions of K.S.A. 38-2102, and amendments thereto, the amount prescribed by subsection (d)(4) of K.S.A. 38-2102, and amendments thereto, to be transferred on July 1, 2016, by the director of accounts and reports from the Kansas endowment for youth fund to the children’s initiatives fund is hereby increased to \$49,200,000.

(e) On July 1, 2016, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 38-2101, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$8,100,000 from the Kansas endowment for youth fund to the state general fund.

(f) On July 1, 2016, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$200,000 from the Kansas endowment for youth fund to the permanent families account – family and children investment fund of the judicial branch.

Sec. 74.

KANSAS HUMAN RIGHTS COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures ..... \$1,045,193

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$200: *Provided further*, That expenditures for mediation services contracted with Kansas legal services shall be made only upon certification by the executive director of the human rights commission to the director of accounts and reports that

private moneys are available to match the expenditure of state moneys on a \$1 of private moneys to \$3 of state moneys basis.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Federal fund.....	No limit
Conversion of materials and equipment fund .....	No limit
Annual banquet fund .....	No limit

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

Education and training fund .....	No limit
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*Provided*, That expenditures may be made from the education and training fund for operating expenditures for the commission’s education and training programs for the general public, including official hospitality: *Provided further*, That the executive director is hereby authorized to fix, charge and collect fees for such programs: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred for such training programs, including official hospitality: *And provided further*, That all fees received for such programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the education and training fund.

Sec. 75.

KANSAS HUMAN RIGHTS COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures .....	\$1,076,515
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*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$200: *Provided further*, That expenditures for mediation services contracted with Kansas legal services shall be made only upon certification by the executive director of the

human rights commission to the director of accounts and reports that private moneys are available to match the expenditure of state moneys on a \$1 of private moneys to \$3 of state moneys basis.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Federal fund.....	No limit
Conversion of materials and equipment fund .....	No limit
Annual banquet fund .....	No limit

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

Education and training fund .....	No limit
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*Provided*, That expenditures may be made from the education and training fund for operating expenditures for the commission’s education and training programs for the general public, including official hospitality: *Provided further*, That the executive director is hereby authorized to fix, charge and collect fees for such programs: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred for such training programs, including official hospitality: *And provided further*, That all fees received for such programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the education and training fund.

Sec. 76.

STATE CORPORATION COMMISSION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Public service regulation fund .....	No limit
Motor carrier license fees fund.....	No limit
Conservation fee fund.....	No limit

*Provided*, That any expenditure made from the conservation fee fund for plugging abandoned wells, cleanup of pollution from oil and gas activities and testing of wells shall be in addition to any expenditure limitation imposed on this fund: *Provided further*, That expenditures may be made from this fund for debt collection and set-off administration: *And provided further*, That a percentage of the fees collected, not to exceed 27%, shall be transferred from the conservation fee fund to the accounting services recovery fund of the department of administration for services rendered in collection efforts: *And provided further*, That all expenditures made from the conservation fee fund for debt collection and set-off administration shall be in addition to any expenditure limitation imposed on this fund: *And provided further*, That the state corporation commission shall include as part of the fiscal year 2017 budget estimates for the state corporation commission submitted pursuant to K.S.A. 75-3717, and amendments thereto, a three-year projection of receipts to and expenditures from the conservation fee fund for fiscal years 2016, 2017 and 2018.

Natural gas underground storage fee fund .....	No limit
Gas pipeline inspection fee fund.....	No limit
Special one-call – federal fund .....	No limit
Compressed air energy storage fee fund .....	\$0
Abandoned oil and gas well fund .....	No limit
Facility conservation improvement program fund.....	No limit
Gas pipeline safety program – federal fund .....	No limit
Carbon dioxide injection well and underground storage fund .....	\$0
Energy conservation plan – federal fund.....	No limit
Energy efficiency revolving loan program – ARRA federal fund .....	No limit

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

commission detailing and accounting for all expenditures and receipts related to the use of the moneys received from the energy efficiency revolving loan program – ARRA federal fund: *And provided further*, That moneys repaid to the energy efficiency revolving loan program moneys shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the energy efficiency revolving loan program – ARRA federal fund: *And provided further*, That, on or before the 10th day of each month, the director of accounts and reports shall transfer from the state general fund to the energy efficiency revolving loan program – ARRA federal fund interest earnings based on: (1) The average daily balance of repaid moneys in the energy efficiency revolving loan program – ARRA federal fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

Vehicle information systems network – federal fund.....	No limit
Underground injection control class II – federal fund.....	No limit
One call – federal fund .....	No limit
Inservice education workshop fee fund.....	No limit

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

Unified carrier registration clearing fund .....	No limit
Credit card clearing fund.....	No limit
Suspense fund .....	No limit
Well plugging assurance fund.....	No limit
Energy grants management fund .....	\$0
KETA administrative fund.....	No limit
KETA development fund .....	No limit

(b) Expenditures for the fiscal year ending June 30, 2016, by the state corporation commission from the conservation fee fund or the abandoned oil and gas well fund may be made for the service of independent on-site supervision of well plugging contracts: *Provided*, That all such expenditures from the conservation fee fund or the abandoned oil and gas well fund for the purpose of plugging of abandoned oil and gas wells during

fiscal year 2016 shall be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto, and shall not be exempt from such competitive bidding requirements on the basis of the estimated amount of such purchases.

(c) During the fiscal year ending June 30, 2016, the executive director of the state corporation commission, with the approval of the director of the budget, may transfer additional moneys from the conservation fee fund of the state corporation commission, which are in excess of \$800,000 as prescribed by K.S.A. 55-193, and amendments thereto, to the abandoned oil and gas well plugging fund of the state corporation commission: *Provided*, That the executive director of the state corporation commission shall certify each such transfer of additional moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(d) During the fiscal year ending June 30, 2016, notwithstanding the provisions of any other statute, the executive director of the state corporation commission, with the approval of the director of the budget, may transfer funds from any special revenue fund or funds of the state corporation commission to any other special revenue fund or funds of the state corporation commission. The executive director of the state corporation commission shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) On July 1, 2015, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 66-1a01, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$75,000 from the public service regulation fund of the state corporation commission to the KETA administrative fund of the state corporation commission.

(f) Expenditures for the fiscal year ending June 30, 2016, by the state corporation commission from the public service regulation fund, the motor carrier license fees fund and the conservation fee fund for official hospitality shall not exceed, in the aggregate, \$2,000.

(g) During the fiscal year ending June 30, 2016, notwithstanding the provisions of K.S.A. 55-164, 66-138 or 66-1,142b, and amendments thereto, or any other statute, all moneys received from civil fines and penalties charged and collected by the state corporation commission under K.S.A. 55-164, 66-138 or 66-1,142b, and amendments thereto, in the conservation fees fund, public service regulation fund and motor carrier license fee fund shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and deposited in the state treasury and credited to the state general fund.

(h) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$3,000,000 from the



conservation fee fund of the state corporation commission to the state general fund.

(i) On July 1, 2015, notwithstanding the provisions of K.S.A. 55-166, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$500,000 from the well plugging assurance fund of the state corporation commission to the abandoned oil and gas well fund of the state corporation commission.

Sec. 77.

STATE CORPORATION COMMISSION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Public service regulation fund .....	No limit
Motor carrier license fees fund.....	No limit
Conservation fee fund.....	No limit

*Provided*, That any expenditure made from the conservation fee fund for plugging abandoned wells, cleanup of pollution from oil and gas activities and testing of wells shall be in addition to any expenditure limitation imposed on this fund: *Provided further*, That expenditures may be made from this fund for debt collection and set-off administration: *And provided further*, That a percentage of the fees collected, not to exceed 27%, shall be transferred from the conservation fee fund to the accounting services recovery fund of the department of administration for services rendered in collection efforts: *And provided further*, That all expenditures made from the conservation fee fund for debt collection and set-off administration shall be in addition to any expenditure limitation imposed on this fund: *And provided further*, That the state corporation commission shall include as part of the fiscal year 2017 budget estimates for the state corporation commission submitted pursuant to K.S.A. 75-3717, and amendments thereto, a three-year projection of receipts to and expenditures from the conservation fee fund for fiscal years 2017, 2018 and 2019.

Natural gas underground storage fee fund .....	No limit
Gas pipeline inspection fee fund.....	No limit
Special one-call – federal fund .....	No limit
Compressed air energy storage fee fund .....	\$0
Abandoned oil and gas well fund .....	No limit
Facility conservation improvement program fund.....	No limit
Gas pipeline safety program – federal fund .....	No limit
Carbon dioxide injection well and underground storage fund .....	\$0
Energy conservation plan – federal fund.....	No limit

Energy efficiency revolving loan program – ARRA federal fund .....	No limit
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*Provided*, That expenditures may be made from the energy efficiency revolving loan program – ARRA federal fund for the energy efficiency revolving loan program pursuant to vouchers approved by the chairperson of the state corporation commission or by a person or persons designated by the chairperson: *Provided further*, That the state corporation commission is hereby authorized to establish the energy efficiency revolving loan program for the purpose of making loans for energy conservation and other energy-related activities: *And provided further*, That loans under such program shall be made at an interest rate established by the state corporation commission: *And provided further*, That the state corporation commission is hereby authorized to enter into contracts with other state agencies and with persons as may be necessary to administer the energy efficiency revolving loan program: *And provided further*, That any person who agrees to receive money from the energy efficiency revolving loan program – ARRA federal fund shall enter into an agreement requiring such person to submit a written report to the state corporation commission detailing and accounting for all expenditures and receipts related to the use of the moneys received from the energy efficiency revolving loan program – ARRA federal fund: *And provided further*, That moneys repaid to the energy efficiency revolving loan program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the energy efficiency revolving loan program – ARRA federal fund: *And provided further*, That, on or before the 10th day of each month, the director of accounts and reports shall transfer from the state general fund to the energy efficiency revolving loan program – ARRA federal fund interest earnings based on: (1) The average daily balance of repaid moneys in the energy efficiency revolving loan program – ARRA federal fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

Vehicle information systems network – federal fund .....	No limit
Underground injection control class II – federal fund .....	No limit
One call – federal fund .....	No limit
Inservice education workshop fee fund .....	No limit

*Provided*, That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospitality, incurred for inservice workshops and conferences conducted by the state corporation commission for staff and members of the state corporation commission: *Provided further*, That the state corporation commission is hereby authorized to fix, charge and collect fees for such inservice workshops and conferences: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenditures

incurred for conducting such inservice workshops and conferences: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the inservice education workshop fee fund.

Unified carrier registration clearing fund .....	No limit
Credit card clearing fund.....	No limit
Suspense fund .....	No limit
Well plugging assurance fund.....	No limit
Energy grants management fund .....	\$0
KETA administrative fund.....	No limit
KETA development fund .....	No limit

(b) Expenditures for the fiscal year ending June 30, 2017, by the state corporation commission from the conservation fee fund or the abandoned oil and gas well fund may be made for the service of independent on-site supervision of well plugging contracts: *Provided*, That all such expenditures from the conservation fee fund or the abandoned oil and gas well fund for the purpose of plugging of abandoned oil and gas wells during fiscal year 2017 shall be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto, and shall not be exempt from such competitive bidding requirements on the basis of the estimated amount of such purchases.

(c) During the fiscal year ending June 30, 2017, the executive director of the state corporation commission, with the approval of the director of the budget, may transfer additional moneys from the conservation fee fund of the state corporation commission, which are in excess of \$800,000 as prescribed by K.S.A. 55-193, and amendments thereto, to the abandoned oil and gas well plugging fund of the state corporation commission: *Provided*, That the executive director of the state corporation commission shall certify each such transfer of additional moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(d) During the fiscal year ending June 30, 2017, notwithstanding the provisions of any other statute, the executive director of the state corporation commission, with the approval of the director of the budget, may transfer funds from any special revenue fund or funds of the state corporation commission to any other special revenue fund or funds of the state corporation commission. The executive director of the state corporation commission shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) On July 1, 2016, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 66-1a01, and amendments thereto, or any other statute, the director of accounts and reports shall

transfer \$75,000 from the public service regulation fund of the state corporation commission to the KETA administrative fund of the state corporation commission.

(f) Expenditures for the fiscal year ending June 30, 2017, by the state corporation commission from the public service regulation fund, the motor carrier license fees fund and the conservation fee fund for official hospitality shall not exceed, in the aggregate, \$2,000.

(g) During the fiscal year ending June 30, 2017, notwithstanding the provisions of K.S.A. 55-164, 66-138 or 66-1,142b, and amendments thereto, or any other statute, all moneys received from civil fines and penalties charged and collected by the state corporation commission under K.S.A. 55-164, 66-138 or 66-1,142b, and amendments thereto, in the conservation fee fund, public service regulation fund and motor carrier license fees fund shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and deposited in the state treasury and credited to the state general fund.

(h) On July 1, 2016, notwithstanding the provisions of K.S.A. 55-166, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$500,000 from the well plugging assurance fund of the state corporation commission to the abandoned oil and gas well fund of the state corporation commission.

Sec. 78.

CITIZENS' UTILITY RATEPAYER BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Utility regulatory fee fund ..... \$860,390

(b) During the fiscal year ending June 30, 2016, in addition to other purposes for which expenditures may be made by the citizens' utility ratepayer board from the utility regulatory fee fund for fiscal year 2016 for the citizens' utility ratepayer board as authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, notwithstanding the provisions of any other statute to the contrary, if the total expenditures authorized to be expended on contracts for professional services by the citizens' utility ratepayer board by the expenditure limitation prescribed by subsection (a) are not expended or encumbered for fiscal year 2015, then the amount equal to the remaining amount of such expenditure authority for fiscal year 2015 may be expended from the utility regulatory fee fund for fiscal year 2016 pursuant to contracts for professional services and any such expenditure for fiscal year 2016 shall be in addition to any expenditure limitation imposed on the utility regulatory fee fund for fiscal year 2016.

(c) On and after the effective date of this act, during the fiscal year ending June 30, 2016, no expenditures shall be made by the above agency from the utility regulatory fee fund for the review or other oversight of proposed administrative rules and regulations or any other duties pursuant to executive order no. 11-02.

Sec. 79.

CITIZENS' UTILITY RATEPAYER BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Utility regulatory fee fund ..... \$897,017

(b) During the fiscal year ending June 30, 2017, in addition to other purposes for which expenditures may be made by the citizens' utility ratepayer board from the utility regulatory fee fund for fiscal year 2017 for the citizens' utility ratepayer board as authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, notwithstanding the provisions of any other statute to the contrary, if the total expenditures authorized to be expended on contracts for professional services by the citizens' utility ratepayer board by the expenditure limitation prescribed by subsection (a) are not expended or encumbered for fiscal year 2016, then the amount equal to the remaining amount of such expenditure authority for fiscal year 2016 may be expended from the utility regulatory fee fund for fiscal year 2017 pursuant to contracts for professional services and any such expenditure for fiscal year 2017 shall be in addition to any expenditure limitation imposed on the utility regulatory fee fund for fiscal year 2017.

(c) On and after the effective date of this act, during the fiscal year ending June 30, 2017, no expenditures shall be made by the above agency from the utility regulatory fee fund for the review or other oversight of proposed administrative rules and regulations or any other duties pursuant to executive order no. 11-02.

Sec. 80.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures ..... \$5,424,069

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$2,000: *Provided further*, That, notwithstanding the provisions of K.S.A. 75-2935, and amendments

thereto, or any other statute, in addition to other positions within the department of administration in the unclassified service as prescribed by law, expenditures may be made from the operating expenditures account for three employees in the unclassified service under the Kansas civil service act.

Budget analysis ..... \$1,417,070

*Provided*, That any unencumbered balance in the budget analysis account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, in addition to other positions within the department of administration in the unclassified service as prescribed by law, expenditures may be made from the budget analysis account for eight employees in the unclassified service under the Kansas civil service act: *And provided further*, That expenditures from this account for official hospitality shall not exceed \$1,000.

Long-term care ombudsman ..... \$237,067

*Provided*, That any unencumbered balance in the long-term care ombudsman account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That expenditures from this account for official hospitality shall not exceed \$1,000.

KPERS bonds debt service ..... \$34,149,845

(b) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2016, the following:

KPERS bond debt service ..... \$33,396,102

Public broadcasting digital conversion debt service..... \$236,150

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds or indirect cost recoveries authorized by law shall not exceed the following:

Federal cash management fund..... No limit

State leave payment reserve fund..... No limit

Building and ground fund..... No limit

General fees fund..... No limit

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

copies of public records, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund.

Human resource information systems cost recovery fund ..... No limit  
Budget fees fund..... No limit

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

Purchasing fees fund..... No limit

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

Architectural services fee fund ..... No limit

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

in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the architectural services fee fund.

Budget equipment conversion fund.....	No limit
Conversion of materials and equipment fund .....	No limit
Architectural services equipment conversion fund.....	No limit
Property contingency fund.....	No limit
Flood control emergency – federal fund .....	No limit
INK special revenue fund.....	No limit
FICA reimbursements medical residents fund.....	No limit
State buildings operating fund.....	No limit

*Provided*, That the secretary of administration is hereby authorized to fix, charge and collect a real estate property leasing services fee at a reasonable rate per square foot of space leased by state agencies as approved by the secretary of administration under K.S.A. 75-3765, and amendments thereto, to recover the costs incurred by the department of administration in providing services to state agencies relating to leases of real property: *Provided further*, That each state agency that is party to a lease of real property that is approved by the secretary of administration under K.S.A. 75-3765, and amendments thereto, shall remit to the secretary of administration the real estate property leasing services fee upon receipt of the billing therefor: *And provided further*, That all moneys received for real estate property leasing services fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration: *And provided further*, That the net proceeds from the sale of all or any part of the Topeka state hospital property, as defined by subsection (a) of K.S.A. 2014 Supp. 75-37,123, and amendments thereto, shall be deposited in the state treasury and credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration: *And provided further*, That the secretary of administration is hereby authorized to fix, charge and collect a surcharge against all state agency leased square footage in Shawnee county including both state-owned and privately-owned buildings: *And provided further*, That all moneys received for such surcharge shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration.

Accounting services recovery fund .....	No limit
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*Provided*, That expenditures may be made from the accounting services recovery fund for the operating expenditures, including official hospital-ity, of the department of administration: *Provided further*, That the sec-



retary of administration is hereby authorized to fix, charge and collect fees for services or sales provided by the department of administration which are not specifically authorized by any other statute: *And provided further*, That all fees received for such services or sales shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the accounting services recovery fund.

Architectural services recovery fund..... No limit

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

Motor pool service fund ..... No limit

Intragovernmental printing service fund ..... No limit

Intragovernmental printing service depreciation reserve fund ..... No limit

Municipal accounting and training services recovery fund ..... No limit

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

Canceled warrants payment fund..... No limit

State emergency fund ..... No limit

Bid and contract deposit fund ..... No limit

Federal withholding tax clearing fund..... No limit

Financial management system development fund..... No limit

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

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

State gaming revenues fund .....	No limit
Financial management system development fund – on budget .....	No limit
Construction defects recovery fund .....	No limit
Facilities conservation improvement fund .....	No limit
State revolving fund services fee fund .....	No limit
Conversion of materials and equipment – recycling program fund .....	No limit
Curtis office building maintenance reserve fund .....	No limit
Equipment lease purchase program administration clearing fund .....	No limit
Suspense fund .....	No limit
Electronic funds transfer suspense fund .....	No limit
Surplus property program fund – on budget .....	No limit
Surplus property program fund – off budget .....	No limit
Older Americans act long-term care ombudsman federal fund .....	No limit
Long-term care ombudsman gift and grant fund .....	No limit
Title XIX – long-term care ombudsman medical assistance program federal fund .....	No limit
Wireless enhanced 911 grant fund .....	No limit
Landon state office building repair expense fund .....	No limit
MacVicar avenue assessment expense fund .....	No limit
Bioscience development fund .....	No limit
Docking state office building rehab, repair and razing fund .....	No limit

*Provided*, That expenditures shall be made from the Docking state office building rehab, repair and razing fund only for demolition of the Docking state office building and related reconstruction, relocation, and renovation of the power plant.

Digital imaging program fund .....	No limit
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*Provided*, That expenditures may be made from the digital imaging program fund for grants to state agencies for digital document imaging projects.

(d) In addition to the other purposes for which expenditures may be made by the department of administration from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 as authorized by this act or other appropriation act of

the 2015 regular session of the legislature, expenditures may be made by the department of administration from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 to raze building no. 3 (Docking state office building). However, no expenditures may be made from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 by the department of administration to sell, lease, transfer or otherwise convey the land on which building no. 3 (Docking state office building) is situated.

(e) On July 1, 2015, the director of accounts and reports shall transfer \$210,000 from the state highway fund to the state general fund for the purpose of reimbursing the state general fund for the cost of providing purchasing services to the department of transportation.

(f) During the fiscal year ending June 30, 2016, the secretary of administration is hereby authorized to approve refinancing of equipment being financed by state agencies through the department's equipment financing program. Such refinancing project is hereby approved for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto.

(g) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated in any capital improvement account of any special revenue fund or in any capital improvement account of the state general fund for the above agency for fiscal year 2016 by this or other appropriation act of the 2015 regular session of the legislature, expenditures may be made by the above agency from any such capital improvement account of any special revenue fund or any such capital improvement account of the state general fund for fiscal year 2016 for the purpose of making emergency repairs to any facility that is under the charge, care, management or control of the department of administration as provided by law: *Provided*, That the secretary of administration shall make a full report on such repairs and expenditures to the director of the budget and the director of legislative research.

(h) (1) On July 1, 2015, the director of accounts and reports shall record a debit to the state treasurer's receivables for the children's initiatives fund and shall record a corresponding credit to the children's initiatives fund in an amount certified by the director of the budget, which shall be equal to 50% of the amount estimated by the director of the budget to be transferred and credited to the children's initiatives fund during the fiscal year ending June 30, 2016, except that such amount shall be proportionally adjusted during fiscal year 2016 with respect to any change in the moneys to be transferred and credited to the children's initiatives fund during fiscal year 2016. Among other appropriate factors, the director of the budget shall take into consideration the estimated and actual receipts and interest earnings of the Kansas endowment for youth fund for fiscal year 2015 and fiscal year 2016 in determining the amount to be certified under this subsection. All moneys transferred and credited

to the children's initiatives fund during fiscal year 2016 shall reduce the amount debited and credited to the children's initiatives fund under this subsection.

(2) On June 30, 2016, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the children's initiatives fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the children's initiatives fund during fiscal year 2016.

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

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

(i) (1) On July 1, 2015, the director of accounts and reports shall record a debit to the state treasurer's receivables for the state economic development initiatives fund and shall record a corresponding credit to the state economic development initiatives fund in an amount certified by the director of the budget which shall be equal to 50% of the amount estimated by the director of the budget to be transferred and credited to the state economic development initiatives fund during the fiscal year ending June 30, 2016, except that such amount shall be proportionally adjusted during fiscal year 2016 with respect to any change in the moneys to be transferred and credited to the state economic development initiatives fund during fiscal year 2016. All moneys transferred and credited to the state economic development initiatives fund during fiscal year 2016 shall reduce the amount debited and credited to the state economic development initiatives fund under this subsection.

(2) On June 30, 2016, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the state economic development initiatives fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the state economic development initiatives fund during fiscal year 2016.

(3) The director of accounts and reports shall notify the state trea-

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

(j) (1) On July 1, 2015, the director of accounts and reports shall record a debit to the state treasurer's receivables for the correctional institutions building fund and shall record a corresponding credit to the correctional institutions building fund in an amount certified by the director of the budget which shall be equal to 80% of the amount estimated by the director of the budget to be transferred and credited to the correctional institutions building fund during the fiscal year ending June 30, 2016, except that such amount shall be proportionally adjusted during fiscal year 2016 with respect to any change in the moneys to be transferred and credited to the correctional institutions building fund during fiscal year 2016. All moneys transferred and credited to the correctional institutions building fund during fiscal year 2016 shall reduce the amount debited and credited to the correctional institutions building fund under this subsection.

(2) On June 30, 2016, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the correctional institutions building fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the correctional institutions building fund during fiscal year 2016.

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

(k) (1) On July 1, 2015, the director of accounts and reports shall record a debit to the state treasurer's receivables for the Kansas endowment for youth fund and shall record a corresponding credit to the Kansas endowment for youth fund in an amount certified by the director of the budget which shall be equal to 75% of the amount approved for expenditure by the children's cabinet during the fiscal year ending June 30, 2016, as certified by the director of the budget. All moneys received and credited to the Kansas endowment for youth fund during fiscal year 2016 shall reduce the amount debited and credited to the Kansas endowment for youth fund under this subsection.

(2) On June 30, 2016, the director of accounts and reports shall adjust

the amounts debited and credited to the state treasurer’s receivables and to the Kansas endowment for youth fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the Kansas endowment for youth fund during fiscal year 2016.

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

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

(l) During the fiscal year ending June 30, 2016, the secretary of administration, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2016, from the state general fund for the department of administration to another item of appropriation for fiscal year 2016 from the state general fund for the department of administration. The secretary of administration shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(m) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2016, the following:

SIBF — state building insurance ..... \$236,250  
*Provided*, That, notwithstanding the provisions of K.S.A. 76-6b05, and amendments thereto, expenditures may be made by the above agency from the SIBF — state building insurance account of the state institutions building fund for state building insurance premiums.

(n) There is appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 2016, the following:

CIBF — state building insurance ..... \$255,000  
*Provided*, That, notwithstanding the provisions of K.S.A. 76-6b09, and amendments thereto, expenditures may be made by the above agency

from the CIBF — state building insurance account of the correctional institutions building fund for state building insurance premiums.

(o) On July 1, 2015, or as soon thereafter as moneys are available during the fiscal year ending June 30, 2016, the director of accounts and reports shall transfer an amount or amounts from the appropriate federal fund or funds of the Kansas department for aging and disability services to the older Americans act long-term care ombudsman federal fund of the department of administration: *Provided*, That the aggregate of such amount or amounts transferred during fiscal year 2016 shall be equal to and shall not exceed the older Americans act Title VII: ombudsman award and 4.38% of the Kansas older Americans act Title III: part B supportive services award.

(p) (1) On July 1, 2015, notwithstanding the provisions of any other statute, the director of accounts and reports shall record a debit to the state treasurer's receivables for the state general fund and shall record a corresponding credit to the state general fund in the net amount equal to \$32,689,900 minus the amount transferred on or before June 30, 2015, pursuant to section 112(p)(8)(E) of chapter 136 of the 2013 Session Laws of Kansas, to finance the cost of the 27<sup>th</sup> payroll chargeable to the fiscal year ending June 30, 2006, for state agencies.

(2) On or before September 1, 2015, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the state general fund pursuant to this subsection (p), to reflect all moneys actually transferred and credited to the state general fund during fiscal year 2016.

(3) (A) (i) Prior to August 15, 2015, the director of the budget shall determine and certify to the director of accounts and reports the amount reappropriated in each account of the state general fund of a state agency, other than any regents agency, from the state general fund that has a specific expenditure limitation prescribed for fiscal year 2016 and that is in excess of the amount authorized under the approved budget of expenditures to be expended from such reappropriated amount for fiscal year 2016.

(ii) On or before June 30, 2016, the director of the budget shall determine and certify to the director of accounts and reports the amount reappropriated in each account of the state general fund of a state agency, other than any regents agency, from the state general fund that has no specific expenditure limitation prescribed for the fiscal year, that is in excess of the amount estimated under the approved budget of expenditures to be expended from such reappropriated amount for fiscal year 2016, and that is determined by the director of the budget not to be needed for the purpose for which such amount was originally budgeted, including, but not limited to, actual or projected cost savings as a result of completed, canceled or modified projects, programs or operations.

(iii) As used in paragraphs (i) and (ii) of this subsection (p)(3)(A), “specific expenditure limitation prescribed for the fiscal year” includes any case in which no expenditures may be made from such reappropriated balance except upon approval by the state finance council.

(B) Prior to August 15, 2015, the director of the budget shall determine and certify to the director of accounts and reports the aggregate of all unanticipated lapses of moneys which were appropriated or reappropriated from the state general fund for fiscal year 2015 and which were not reappropriated for fiscal year 2016, as determined by the director of the budget: *Provided*, That, as used in this subsection (p)(3)(B), “unanticipated lapses of moneys” shall not include any amount lapsed from the state general fund pursuant to explicit language in an appropriation act of the 2015 regular session of the legislature or any amount lapsed from the state general fund for which specific reappropriation language was deliberately not included in any appropriation act of the 2015 regular session of the legislature.

(C) Prior to August 15, 2015, the director of the budget shall determine and certify to the director of accounts and reports the aggregate of all amounts of unencumbered balances in accounts of the state general fund that were first encumbered during a fiscal year commencing prior to July 1, 2014, that were released during fiscal year 2015, and that were not specifically reappropriated by an appropriation act of the 2015 regular session of the legislature.

(4) (A) On August 15, 2015, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under subsection (p)(3)(A)(i), the appropriation for fiscal year 2016 for each account of the state general fund that is appropriated or reappropriated for the fiscal year ending June 30, 2016, by this or other appropriation act of the 2015 regular session of the legislature is hereby respectively lapsed by the amount equal to the amount certified under subsection (p)(3)(A)(i).

(B) On June 30, 2016, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under subsection (p)(3)(A)(ii), the appropriation for fiscal year 2016 for each account of the state general fund that is appropriated or reappropriated for the fiscal year ending June 30, 2016, by this or other appropriation act of the 2015 regular session of the legislature is hereby respectively lapsed by the amount equal to the amount certified under subsection (p)(3)(A)(ii).

(5) At the same time as the director of the budget transmits each certification to the director of accounts and reports pursuant to subsection (p)(3), the director of the budget shall transmit a copy of such certification to the director of legislative research.

(6) (A) Prior to August 15, 2015, the state board of regents shall determine and certify to the director of the budget each of the specific



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

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

(C) On August 15, 2015, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under this subsection (p)(6), the appropriation for fiscal year 2016 for each account of the state general fund, state economic development initiatives fund, state water plan fund and children's initiatives fund that is appropriated or reappropriated for the fiscal year ending June 30, 2016, by this or other appropriation act of the 2015 regular session of the legislature is hereby respectively lapsed by the amount equal to the amount certified under this subsection (p)(6).

(7) In determining the amounts to be certified to the director of accounts and reports in accordance with this subsection (p), the director of the budget and the state board of regents shall consider any changed circumstances and unanticipated reductions in expenditures or unanticipated and required expenditures by the state agencies for fiscal year 2016.

(8) (A) On or before September 1, 2015, after receipt of each certification by the director of the budget pursuant to this subsection (p), the director of accounts and reports shall transfer and debit to the 27<sup>th</sup> payroll adjustment account of the state general fund, which is hereby established in the state general fund, by an amount equal to the aggregate of the amounts certified by the director of the budget pursuant to subsection (p)(3) and subsection (p)(6) in accordance with such certifications.

(B) On September 1, 2015, the director of accounts and reports shall transfer the balance of the 27<sup>th</sup> payroll adjustment account of the state

general fund to the master account of the state general fund: *Provided, however,* That the amount transferred shall not exceed the amount of the then outstanding balance of the state treasurer's receivables for the state general fund.

(C) On September 1, 2015, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the 27<sup>th</sup> payroll adjustment account of the state general fund pursuant to this subsection (p), to reflect all moneys actually transferred and credited to the 27<sup>th</sup> payroll adjustment account of the state general fund pursuant to this subsection (p) during fiscal year 2016.

(D) On or before June 30, 2016, after receipt of each certification by the director of the budget pursuant to subsection (p)(3)(A)(ii), the director of accounts and reports shall transfer and debit to the 27<sup>th</sup> payroll adjustment account of the state general fund, which is hereby established in the state general fund, an amount equal to the aggregate of the amounts certified by the director of the budget pursuant to subsection (p)(3)(A)(ii) in accordance with such certifications.

(E) On June 30, 2016, the director of accounts and reports shall transfer the balance of the 27<sup>th</sup> payroll adjustment account of the state general fund to the master account of the state general fund: *Provided, however,* That the amount transferred shall not exceed the amount of the then outstanding balance of the state treasurer's receivables for the state general fund.

(F) On June 30, 2016, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the 27<sup>th</sup> payroll adjustment account of the state general fund pursuant to this subsection (p), to reflect all moneys actually transferred and credited to the 27<sup>th</sup> payroll adjustment account of the state general fund pursuant to this subsection (p) during fiscal year 2016.

(G) On June 30, 2016, the director of accounts and reports shall record a credit to the state treasurer's receivables for the state general fund and shall record a corresponding debit to the state general fund in the amount of the outstanding receivable created to finance the cost of the 27<sup>th</sup> payroll chargeable to the fiscal year ending June 30, 2016.

(H) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the 27<sup>th</sup> payroll adjustment account of the state general fund pursuant to this subsection (p) and all reductions and adjustments thereto made pursuant to this subsection (p). The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the state general fund by the state treasurer in accordance with the notice thereof.

(9) As used in this subsection (p), "regents agency" means the state board of regents, Fort Hays state university, Kansas state university, Kansas state university extension systems and agriculture research programs,

Kansas state university veterinary medical center, Emporia state university, Pittsburg state university, university of Kansas, university of Kansas medical center, and Wichita state university.

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

(A) The health care stabilization fund of the health care stabilization fund board of governors;

(B) any money held in trust in a trust fund or held in trust in any other special revenue fund of any state agency;

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

(D) any account of the Kansas educational building fund or the state institutions building fund; or

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

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

(12) On or after July 1, 2015, notwithstanding the provisions of K.S.A. 75-4209, and amendments thereto, or any other statute, upon specific authorization in an appropriation act of the legislature, the pooled money investment board is authorized and directed to loan an amount of not more than \$6,000,000 to the state general fund to provide financing for any additional amounts required above the moneys otherwise provided by law to repay amounts provided by law to finance the cost of the 27<sup>th</sup> payroll chargeable to the fiscal year 2006 and to provide for an adequate reserve in the 27<sup>th</sup> payroll adjustment account. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for such loan. Such loan shall not bear interest and shall not be deemed to be an indebtedness or debt of the state of Kansas within the meaning of section 6 of article 11 of the con-

stitution of the state of Kansas. Any such loan shall be repaid from the state general fund and any appropriate special revenue funds in the state treasury.

(q) During the fiscal year ending June 30, 2016, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund for the above agency for fiscal year 2016 by this or other appropriation act of the 2015 regular session of the legislature, expenditures may be made by the above agency from the state general fund or from any special revenue fund for fiscal year 2016, for the secretary of administration to fix, charge and collect fees for architectural, engineering and management services provided for capital improvement projects of the state board of regents or any state educational institution, as defined by K.S.A. 76-711, and amendments thereto, for which the department of administration provides such services and which are financed in whole or in part by gifts, bequests or donations made by one or more private individuals or other private entities: *Provided*, That such fees for such services are hereby authorized to be fixed, charged and collected in accordance with the provisions of K.S.A. 75-1269, and amendments thereto, notwithstanding any provisions of K.S.A. 75-1269, and amendments thereto, to the contrary: *Provided further*, That all such fees received shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the architectural services recovery fund.

(r) (1) On July 1, 2015, the director of accounts and reports shall record a debit to the state treasurer's receivables for the expanded lottery act revenues fund and shall record a corresponding credit to the expanded lottery act revenues fund in an amount certified by the director of the budget which shall be equal to the amount estimated by the director of the budget to be transferred and credited to the expanded lottery act revenues fund during the fiscal year ending June 30, 2016, except that such amount shall be proportionally adjusted during fiscal year 2016 with respect to any change in the moneys to be transferred and credited to the expanded lottery act revenues fund during fiscal year 2016. All moneys transferred and credited to the expanded lottery act revenues fund during fiscal year 2016 shall reduce the amount debited and credited to the expanded lottery act revenues fund under this subsection.

(2) On June 30, 2016, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the expanded lottery act revenues fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the expanded lottery act revenues fund during fiscal year 2016.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the expanded lottery act revenues fund pursuant to this subsection and all reductions and adjust-

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

(s) (1) On or before June 30, 2016, the secretary of administration (A) shall determine the amount of moneys appropriated in each account of the state general fund or each special revenue fund appropriated for fiscal year 2016 for the cabinet agency that are not required to be expended or encumbered for an information technology project for the fiscal year ending June 30, 2016, and (B) shall certify each such amount to the director of the budget, accompanied by such other information with respect thereto as may be prescribed by the director of the budget: *Provided*, That, on or before June 30, 2016, the director of the budget shall certify each amount appropriated from the state general fund, which is certified by the secretary of administration pursuant to this section, to the director of accounts and reports and, upon receipt of such certification, the amount so certified is hereby lapsed: *Provided further*, That, on or before June 30, 2016, the director of the budget shall certify each amount appropriated from each special revenue fund, which is certified by the secretary of administration pursuant to this section, to the director of accounts and reports and, upon receipt of such certification, the amount so certified is hereby transferred to the state general fund: *And provided further*, That, at the same time as the director of the budget transmits each such certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research: *And provided further*, That the aggregate of all amounts lapsed from appropriations from the state general fund and amounts transferred from special revenue funds pursuant to this subsection, shall be equal to \$15,000,000 or more.

(2) As used in this section, “cabinet agency” means the (A) department of administration, (B) department of revenue, (C) department of commerce, (D) department of labor, (E) department of health and environment, (F) Kansas department for aging and disability services, (G) Kansas department for children and families, (H) department of corrections, (I) adjutant general, (J) Kansas highway patrol, (K) Kansas department of agriculture, (L) Kansas department of wildlife, parks and tourism, and (M) department of transportation.

(t) On July 1, 2015, or as soon thereafter as moneys are available therefore, the director of accounts and reports shall transfer \$133,081 from the expanded lottery act revenues fund in the public broadcasting digital conversion debt service account to the state general fund.

(u) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$300,000 from the

purchasing fees fund of the department of administration to the state general fund.

Sec. 81.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures ..... \$5,474,044

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$2,000: *Provided further*, That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, in addition to other positions within the department of administration in the unclassified service as prescribed by law, expenditures may be made from the operating expenditures account for three employees in the unclassified service under the Kansas civil service act.

Budget analysis ..... \$1,488,485

*Provided*, That any unencumbered balance in the budget analysis account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, in addition to other positions within the department of administration in the unclassified service as prescribed by law, expenditures may be made from the budget analysis account for eight employees in the unclassified service under the Kansas civil service act: *And provided further*, That expenditures from this account for official hospitality shall not exceed \$1,000.

Long-term care ombudsman ..... \$242,514

*Provided*, That any unencumbered balance in the long-term care ombudsman account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That expenditures from this account for official hospitality shall not exceed \$1,000.

KPERS bonds debt service ..... \$65,317,724

(b) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2017, the following:

KPERS bond debt service ..... \$33,057,308

Public broadcasting digital conversion debt service..... \$574,944

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds or indirect cost recoveries authorized by law shall not exceed the following:

Federal cash management fund.....	No limit
State leave payment reserve fund.....	No limit
Building and ground fund.....	No limit
General fees fund.....	No limit

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

Human resource information systems cost recovery fund .....	No limit
Budget fees fund.....	No limit

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

Purchasing fees fund.....	No limit
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*Provided*, That expenditures may be made from the purchasing fees fund for operating expenditures of the division of purchases, including training seminars and official hospitality: *Provided further*, That the director of purchases is hereby authorized to fix, charge and collect fees for operating expenditures incurred to reproduce and disseminate purchasing information, administer vendor applications, administer state contracts and conduct training seminars, including official hospitality: *And provided further*, That such fees shall be fixed in order to recover all or part of such operating expenses: *And provided further*, That all fees received for such operating expenses shall be deposited in the state treasury in accordance

with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the purchasing fees fund.

Architectural services fee fund ..... No limit

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

Budget equipment conversion fund..... No limit

Conversion of materials and equipment fund ..... No limit

Architectural services equipment conversion fund..... No limit

Property contingency fund..... No limit

Flood control emergency – federal fund ..... No limit

INK special revenue fund..... No limit

FICA reimbursements medical residents fund..... No limit

State buildings operating fund..... No limit

*Provided*, That the secretary of administration is hereby authorized to fix, charge and collect a real estate property leasing services fee at a reasonable rate per square foot of space leased by state agencies as approved by the secretary of administration under K.S.A. 75-3765, and amendments thereto, to recover the costs incurred by the department of administration in providing services to state agencies relating to leases of real property: *Provided further*, That each state agency that is party to a lease of real property that is approved by the secretary of administration under K.S.A. 75-3765, and amendments thereto, shall remit to the secretary of administration the real estate property leasing services fee upon receipt of the billing therefor: *And provided further*, That all moneys received for real estate property leasing services fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration: *And provided further*, That the net proceeds from the sale of all or any part of the Topeka state hospital property, as defined by subsection (a) of K.S.A. 2014 Supp. 75-37,123, and amendments thereto, shall be deposited in the state treasury and credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration: *And provided further*, That the secretary of administration is hereby author-



ized to fix, charge and collect a surcharge against all state agency leased square footage in Shawnee county including both state-owned and privately-owned buildings: *And provided further*, That all moneys received for such surcharge shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration.

Accounting services recovery fund ..... No limit

*Provided*, That expenditures may be made from the accounting services recovery fund for the operating expenditures, including official hospitality, of the department of administration: *Provided further*, That the secretary of administration is hereby authorized to fix, charge and collect fees for services or sales provided by the department of administration which are not specifically authorized by any other statute: *And provided further*, That all fees received for such services or sales shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the accounting services recovery fund.

Architectural services recovery fund ..... No limit

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

Motor pool service fund ..... No limit

Intragovernmental printing service fund ..... No limit

Intragovernmental printing service depreciation reserve fund ..... No limit

Municipal accounting and training services recovery fund ..... No limit

*Provided*, That expenditures may be made from the municipal accounting and training services recovery fund to provide general ledger, payroll reporting, utilities billing, data processing, and accounting services to municipalities and to provide training programs conducted for municipal government personnel, including official hospitality: *Provided further*, That the director of accounts and reports is hereby authorized to fix, charge and collect fees for such services and programs: *And provided further*, That such fees shall be fixed to cover all or part of the operating

expenditures incurred in providing such services and programs, including official hospitality: *And provided further*, That all fees received for such services and programs, including official hospitality, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the municipal accounting and training services recovery fund.

Canceled warrants payment fund.....	No limit
State emergency fund .....	No limit
Bid and contract deposit fund .....	No limit
Federal withholding tax clearing fund.....	No limit
State gaming revenues fund.....	No limit
Construction defects recovery fund.....	No limit
Facilities conservation improvement fund .....	No limit
State revolving fund services fee fund .....	No limit
Conversion of materials and equipment – recycling program fund .....	No limit
Curtis office building maintenance reserve fund .....	No limit
Equipment lease purchase program administration clearing fund.....	No limit
Suspense fund .....	No limit
Electronic funds transfer suspense fund .....	No limit
Surplus property program fund – on budget.....	No limit
Surplus property program fund – off budget .....	No limit
Older Americans act long-term care ombudsman federal fund .....	No limit
Long-term care ombudsman gift and grant fund.....	No limit
Title XIX – long-term care ombudsman medical assistance program federal fund.....	No limit
Wireless enhanced 911 grant fund .....	No limit
Landon state office building repair expense fund .....	No limit
MacVicar avenue assessment expense fund .....	No limit
Bioscience development fund.....	No limit
Docking state office building rehab, repair and razing fund .....	No limit

*Provided*, That expenditures shall be made from the Docking state office building rehab, repair and razing fund only for demolition of the Docking state office building and related reconstruction, relocation, and renovation of the power plant.

Digital imaging program fund .....	No limit
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*Provided*, That expenditures may be made from the digital imaging program fund for grants to state agencies for digital document imaging projects.

(d) In addition to the other purposes for which expenditures may be made by the department of administration from the moneys appropriated

from the state general fund or from any special revenue fund or funds for fiscal year 2017 as authorized by this act or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures may be made by the department of administration from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2017 to raze building no. 3 (Docking state office building). However, no expenditures may be made from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2017 by the department of administration to sell, lease, transfer or otherwise convey the land on which building no. 3 (Docking state office building) is situated.

(e) On July 1, 2016, the director of accounts and reports shall transfer \$210,000 from the state highway fund to the state general fund for the purpose of reimbursing the state general fund for the cost of providing purchasing services to the department of transportation.

(f) During the fiscal year ending June 30, 2017, the secretary of administration is hereby authorized to approve refinancing of equipment being financed by state agencies through the department's equipment financing program. Such refinancing project is hereby approved for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto.

(g) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated in any capital improvement account of any special revenue fund or in any capital improvement account of the state general fund for the above agency for fiscal year 2017 by this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures may be made by the above agency from any such capital improvement account of any special revenue fund or any such capital improvement account of the state general fund for fiscal year 2017 for the purpose of making emergency repairs to any facility that is under the charge, care, management or control of the department of administration as provided by law: *Provided*, That the secretary of administration shall make a full report on such repairs and expenditures to the director of the budget and the director of legislative research.

(h) (1) On July 1, 2016, the director of accounts and reports shall record a debit to the state treasurer's receivables for the children's initiatives fund and shall record a corresponding credit to the children's initiatives fund in an amount certified by the director of the budget, which shall be equal to 50% of the amount estimated by the director of the budget to be transferred and credited to the children's initiatives fund during the fiscal year ending June 30, 2017, except that such amount shall be proportionally adjusted during fiscal year 2017 with respect to any change in the moneys to be transferred and credited to the children's initiatives fund during fiscal year 2017. Among other appropriate factors, the director of the budget shall take into consideration the estimated and

actual receipts and interest earnings of the Kansas endowment for youth fund for fiscal year 2016 and fiscal year 2017 in determining the amount to be certified under this subsection. All moneys transferred and credited to the children's initiatives fund during fiscal year 2017 shall reduce the amount debited and credited to the children's initiatives fund under this subsection.

(2) On June 30, 2017, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the children's initiatives fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the children's initiatives fund during fiscal year 2017.

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

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

(i) (1) On July 1, 2016, the director of accounts and reports shall record a debit to the state treasurer's receivables for the state economic development initiatives fund and shall record a corresponding credit to the state economic development initiatives fund in an amount certified by the director of the budget which shall be equal to 50% of the amount estimated by the director of the budget to be transferred and credited to the state economic development initiatives fund during the fiscal year ending June 30, 2017, except that such amount shall be proportionally adjusted during fiscal year 2017 with respect to any change in the moneys to be transferred and credited to the state economic development initiatives fund during fiscal year 2017. All moneys transferred and credited to the state economic development initiatives fund during fiscal year 2017 shall reduce the amount debited and credited to the state economic development initiatives fund under this subsection.

(2) On June 30, 2017, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the state economic development initiatives fund pursuant to this sub-

section, to reflect all moneys actually transferred and credited to the state economic development initiatives fund during fiscal year 2017.

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

(j) (1) On July 1, 2016, the director of accounts and reports shall record a debit to the state treasurer's receivables for the correctional institutions building fund and shall record a corresponding credit to the correctional institutions building fund in an amount certified by the director of the budget which shall be equal to 80% of the amount estimated by the director of the budget to be transferred and credited to the correctional institutions building fund during the fiscal year ending June 30, 2017, except that such amount shall be proportionally adjusted during fiscal year 2017 with respect to any change in the moneys to be transferred and credited to the correctional institutions building fund during fiscal year 2017. All moneys transferred and credited to the correctional institutions building fund during fiscal year 2017 shall reduce the amount debited and credited to the correctional institutions building fund under this subsection.

(2) On June 30, 2017, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the correctional institutions building fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the correctional institutions building fund during fiscal year 2017.

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

(k) (1) On July 1, 2016, the director of accounts and reports shall record a debit to the state treasurer's receivables for the Kansas endowment for youth fund and shall record a corresponding credit to the Kansas endowment for youth fund in an amount certified by the director of the budget which shall be equal to 75% of the amount approved for expenditure by the children's cabinet during the fiscal year ending June 30, 2017, as certified by the director of the budget. All moneys received and credited to the Kansas endowment for youth fund during fiscal year 2017 shall

reduce the amount debited and credited to the Kansas endowment for youth fund under this subsection.

(2) On June 30, 2017, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer’s receivables and to the Kansas endowment for youth fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the Kansas endowment for youth fund during fiscal year 2017.

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

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

(l) During the fiscal year ending June 30, 2017, the secretary of administration, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2017, from the state general fund for the department of administration to another item of appropriation for fiscal year 2017 from the state general fund for the department of administration. The secretary of administration shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(m) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2017, the following:

SIBF — state building insurance ..... \$240,000

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

(n) There is appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 2017, the following:

CIBF — state building insurance ..... \$260,000

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

(o) On July 1, 2016, or as soon thereafter as moneys are available during the fiscal year ending June 30, 2017, the director of accounts and reports shall transfer an amount or amounts from the appropriate federal fund or funds of the Kansas department for aging and disability services to the older Americans act long-term care ombudsman federal fund of the department of administration: *Provided*, That the aggregate of such amount or amounts transferred during fiscal year 2017 shall be equal to and shall not exceed the older Americans act Title VII: ombudsman award and 4.38% of the Kansas older Americans act Title III: part B supportive services award.

(p) (1) On July 1, 2016, notwithstanding the provisions of any other statute, the director of accounts and reports shall record a debit to the state treasurer’s receivables for the state general fund and shall record a corresponding credit to the state general fund in the net amount equal to \$32,689,900 minus the amount transferred on or before June 30, 2016, pursuant to section 55(p)(8)(E) of this act, to finance the cost of the 27<sup>th</sup> payroll chargeable to the fiscal year ending June 30, 2006, for state agencies.

(2) On or before September 1, 2016, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer’s receivables and to the state general fund pursuant to this subsection (p), to reflect all moneys actually transferred and credited to the state general fund during fiscal year 2017.

(3) (A) (i) Prior to August 15, 2016, the director of the budget shall determine and certify to the director of accounts and reports the amount reappropriated in each account of the state general fund of a state agency, other than any regents agency, from the state general fund that has a specific expenditure limitation prescribed for fiscal year 2017 and that is in excess of the amount authorized under the approved budget of expenditures to be expended from such reappropriated amount for fiscal year 2017.

(ii) On or before June 30, 2017, the director of the budget shall determine and certify to the director of accounts and reports the amount reappropriated in each account of the state general fund of a state agency, other than any regents agency, from the state general fund that has no specific expenditure limitation prescribed for the fiscal year, that is in excess of the amount estimated under the approved budget of expenditures to be expended from such reappropriated amount for fiscal year 2017, and that is determined by the director of the budget not to be

needed for the purpose for which such amount was originally budgeted, including, but not limited to, actual or projected cost savings as a result of completed, canceled or modified projects, programs or operations.

(iii) As used in paragraphs (i) and (ii) of this subsection (p)(3)(A), “specific expenditure limitation prescribed for the fiscal year” includes any case in which no expenditures may be made from such reappropriated balance except upon approval by the state finance council.

(B) Prior to August 15, 2016, the director of the budget shall determine and certify to the director of accounts and reports the aggregate of all unanticipated lapses of moneys which were appropriated or reappropriated from the state general fund for fiscal year 2016 and which were not reappropriated for fiscal year 2017, as determined by the director of the budget: *Provided*, That, as used in this subsection (p)(3)(B), “unanticipated lapses of moneys” shall not include any amount lapsed from the state general fund pursuant to explicit language in an appropriation act of the 2015 or 2016 regular session of the legislature or any amount lapsed from the state general fund for which specific reappropriation language was deliberately not included in any appropriation act of the 2015 or 2016 regular session of the legislature.

(C) Prior to August 15, 2016, the director of the budget shall determine and certify to the director of accounts and reports the aggregate of all amounts of unencumbered balances in accounts of the state general fund that were first encumbered during a fiscal year commencing prior to July 1, 2015, that were released during fiscal year 2016, and that were not specifically reappropriated by an appropriation act of the 2015 or 2016 regular session of the legislature.

(4) (A) On August 15, 2016, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under subsection (p)(3)(A)(i), the appropriation for fiscal year 2017 for each account of the state general fund that is appropriated or reappropriated for the fiscal year ending June 30, 2017, by this or other appropriation act of the 2015 or 2016 regular session of the legislature is hereby respectively lapsed by the amount equal to the amount certified under subsection (p)(3)(A)(i).

(B) On June 30, 2017, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under subsection (p)(3)(A)(ii), the appropriation for fiscal year 2017 for each account of the state general fund that is appropriated or reappropriated for the fiscal year ending June 30, 2017, by this or other appropriation act of the 2015 or 2016 regular session of the legislature is hereby respectively lapsed by the amount equal to the amount certified under subsection (p)(3)(A)(ii).

(5) At the same time as the director of the budget transmits each certification to the director of accounts and reports pursuant to subsection



(p)(3), the director of the budget shall transmit a copy of such certification to the director of legislative research.

(6) (A) Prior to August 15, 2016, the state board of regents shall determine and certify to the director of the budget each of the specific amounts from the amounts appropriated from the state general fund or from the moneys appropriated and available in the special revenue funds for each of the regents agencies to be transferred to and debited to the 27<sup>th</sup> payroll adjustment account of the state general fund by the director of accounts and reports pursuant to this subsection (p): *Provided*, That the aggregate of all such amounts certified to the director of the budget shall be an amount that is equal to or more than \$1,184,054. The certification by the state board of regents shall specify the amount in each account of the state general fund or in each special revenue fund, or account thereof, that is designated by the state board of regents pursuant to this subsection for each of the regents agencies to be transferred to and debited to the 27<sup>th</sup> payroll adjustment account in the state general fund by the director of accounts and reports pursuant to this subsection (p). At the same time as such certification is transmitted to the director of the budget, the state board of regents shall transmit a copy of such certification to the director of legislative research.

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

(C) On August 15, 2016, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under this subsection (p)(6), the appropriation for fiscal year 2017 for each account of the state general fund, state economic development initiatives fund, state water plan fund and children's initiatives fund that is appropriated or reappropriated for the fiscal year ending June 30, 2017, by this or other appropriation act of the 2015 or 2016 regular session of the legislature is hereby respectively lapsed by the amount equal to the amount certified under this subsection (p)(6).

(7) In determining the amounts to be certified to the director of accounts and reports in accordance with this subsection (p), the director of the budget and the state board of regents shall consider any changed circumstances and unanticipated reductions in expenditures or unanticipated and required expenditures by the state agencies for fiscal year 2017.

(8) (A) On or before September 1, 2016, after receipt of each certification by the director of the budget pursuant to this subsection (p), the director of accounts and reports shall transfer and debit to the 27<sup>th</sup> payroll adjustment account of the state general fund, which is hereby established in the state general fund, by an amount equal to the aggregate of the

amounts certified by the director of the budget pursuant to subsection (p)(3) and subsection (p)(6) in accordance with such certifications.

(B) On September 1, 2016, the director of accounts and reports shall transfer the balance of the 27<sup>th</sup> payroll adjustment account of the state general fund to the master account of the state general fund: *Provided, however,* That the amount transferred shall not exceed the amount of the then outstanding balance of the state treasurer's receivables for the state general fund.

(C) On September 1, 2016, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the 27<sup>th</sup> payroll adjustment account of the state general fund pursuant to this subsection (p), to reflect all moneys actually transferred and credited to the 27<sup>th</sup> payroll adjustment account of the state general fund pursuant to this subsection (p) during fiscal year 2017.

(D) On or before June 30, 2017, after receipt of each certification by the director of the budget pursuant to subsection (p)(3)(A)(ii), the director of accounts and reports shall transfer and debit to the 27<sup>th</sup> payroll adjustment account of the state general fund, which is hereby established in the state general fund, an amount equal to the aggregate of the amounts certified by the director of the budget pursuant to subsection (p)(3)(A)(ii) in accordance with such certifications.

(E) On June 30, 2017, the director of accounts and reports shall transfer the balance of the 27<sup>th</sup> payroll adjustment account of the state general fund to the master account of the state general fund: *Provided, however,* That the amount transferred shall not exceed the amount of the then outstanding balance of the state treasurer's receivables for the state general fund.

(F) On June 30, 2017, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the 27<sup>th</sup> payroll adjustment account of the state general fund pursuant to this subsection (p), to reflect all moneys actually transferred and credited to the 27<sup>th</sup> payroll adjustment account of the state general fund pursuant to this subsection (p) during fiscal year 2017.

(G) On June 30, 2017, the director of accounts and reports shall record a credit to the state treasurer's receivables for the state general fund and shall record a corresponding debit to the state general fund in the amount of the outstanding receivable created to finance the cost of the 27<sup>th</sup> payroll chargeable to the fiscal year ending June 30, 2006.

(H) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the 27<sup>th</sup> payroll adjustment account of the state general fund pursuant to this subsection (p) and all reductions and adjustments thereto made pursuant to this subsection (p). The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records

kept and maintained for the state general fund by the state treasurer in accordance with the notice thereof.

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

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

(A) The health care stabilization fund of the health care stabilization fund board of governors;

(B) any money held in trust in a trust fund or held in trust in any other special revenue fund of any state agency;

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

(D) any account of the Kansas educational building fund or the state institutions building fund; or

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

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

(12) On or after July 1, 2016, notwithstanding the provisions of K.S.A. 75-4209, and amendments thereto, or any other statute, upon specific authorization in an appropriation act of the legislature, the pooled money investment board is authorized and directed to loan an amount of not more than \$6,000,000 to the state general fund to provide financing for any additional amounts required above the moneys otherwise provided by law to repay amounts provided by law to finance the cost of the 27<sup>th</sup> payroll chargeable to the fiscal year 2006 and to provide for an adequate reserve in the 27<sup>th</sup> payroll adjustment account. The pooled money in-

vestment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for such loan. Such loan shall not bear interest and shall not be deemed to be an indebtedness or debt of the state of Kansas within the meaning of section 6 of article 11 of the constitution of the state of Kansas. Any such loan shall be repaid from the state general fund and any appropriate special revenue funds in the state treasury.

(q) During the fiscal year ending June 30, 2017, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund for the above agency for fiscal year 2017 by this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures may be made by the above agency from the state general fund or from any special revenue fund for fiscal year 2017, for the secretary of administration to fix, charge and collect fees for architectural, engineering and management services provided for capital improvement projects of the state board of regents or any state educational institution, as defined by K.S.A. 76-711, and amendments thereto, for which the department of administration provides such services and which are financed in whole or in part by gifts, bequests or donations made by one or more private individuals or other private entities: *Provided*, That such fees for such services are hereby authorized to be fixed, charged and collected in accordance with the provisions of K.S.A. 75-1269, and amendments thereto, notwithstanding any provisions of K.S.A. 75-1269, and amendments thereto, to the contrary: *Provided further*, That all such fees received shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the architectural services recovery fund.

(r) (1) On July 1, 2016, the director of accounts and reports shall record a debit to the state treasurer's receivables for the expanded lottery act revenues fund and shall record a corresponding credit to the expanded lottery act revenues fund in an amount certified by the director of the budget which shall be equal to the amount estimated by the director of the budget to be transferred and credited to the expanded lottery act revenues fund during the fiscal year ending June 30, 2017, except that such amount shall be proportionally adjusted during fiscal year 2017 with respect to any change in the moneys to be transferred and credited to the expanded lottery act revenues fund during fiscal year 2017. All moneys transferred and credited to the expanded lottery act revenues fund during fiscal year 2017 shall reduce the amount debited and credited to the expanded lottery act revenues fund under this subsection.

(2) On June 30, 2017, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the expanded lottery act revenues fund pursuant to this subsection, to

reflect all moneys actually transferred and credited to the expanded lottery act revenues fund during fiscal year 2017.

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

(s) (1) On or before June 30, 2017, the secretary of administration (A) shall determine the amount of moneys appropriated in each account of the state general fund or each special revenue fund appropriated for fiscal year 2017 for the cabinet agency that are not required to be expended or encumbered for an information technology project for the fiscal year ending June 30, 2017, and (B) shall certify each such amount to the director of the budget, accompanied by such other information with respect thereto as may be prescribed by the director of the budget: *Provided*, That, on or before June 30, 2017, the director of the budget shall certify each amount appropriated from the state general fund, which is certified by the secretary of administration pursuant to this section, to the director of accounts and reports and, upon receipt of such certification, the amount so certified is hereby lapsed: *Provided further*, That, on or before June 30, 2017, the director of the budget shall certify each amount appropriated from each special revenue fund, which is certified by the secretary of administration pursuant to this section, to the director of accounts and reports and, upon receipt of such certification, the amount so certified is hereby transferred to the state general fund: *And provided further*, That, at the same time as the director of the budget transmits each such certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research: *And provided further*, That the aggregate of all amounts lapsed from appropriations from the state general fund and amounts transferred from special revenue funds pursuant to this subsection, shall be equal to \$15,000,000 or more.

(2) As used in this section, "cabinet agency" means the (A) department of administration, (B) department of revenue, (C) department of commerce, (D) department of labor, (E) department of health and environment, (F) Kansas department for aging and disability services, (G) Kansas department for children and families, (H) department of corrections, (I) adjutant general, (J) Kansas highway patrol, (K) Kansas department of agriculture, (L) Kansas department of wildlife, parks and tourism, and (M) department of transportation.

(t) On July 1, 2016, or as soon thereafter as moneys are available therefore, the director of accounts and reports shall transfer \$134,082

from the expanded lottery act revenues fund in the public broadcasting digital conversion debt service account to the state general fund.

Sec. 82.

OFFICE OF INFORMATION TECHNOLOGY SERVICES

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Information technology fund.....	No limit
<i>Provided</i> , That any moneys collected from a fee increase for information services recommended by the governor shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the information technology fund.	
Information technology reserve fund.....	No limit
Public safety broadband services fund .....	No limit
CJIS Byrne Grant — federal fund .....	No limit
GIS contracting services fund.....	No limit
State and local implementation grant — federal fund .....	No limit

Sec. 83.

OFFICE OF INFORMATION TECHNOLOGY SERVICES

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Information technology fund.....	No limit
<i>Provided</i> , That any moneys collected from a fee increase for information services recommended by the governor shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the information technology fund.	
Information technology reserve fund.....	No limit
Public safety broadband services fund .....	No limit
CJIS Byrne Grant — federal fund .....	No limit
GIS contracting services fund.....	No limit
State and local implementation grant — federal fund .....	No limit

Sec. 84.

OFFICE OF ADMINISTRATIVE HEARINGS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Administrative hearings office fund.....	No limit
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*Provided*, That expenditures from the administrative hearings office fund for official hospitality shall not exceed \$100.

Sec. 85.

OFFICE OF ADMINISTRATIVE HEARINGS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Administrative hearings office fund..... No limit

*Provided*, That expenditures from the administrative hearings office fund for official hospitality shall not exceed \$100.

Sec. 86.

STATE BOARD OF TAX APPEALS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures ..... \$806,429

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Duplicating fees fund..... \$4,000

BOTA filing fee fund..... \$1,009,375

(c) On July 1, 2015, the COTA filing fee fund of the state board of tax appeals is hereby redesignated as the BOTA filing fee fund of the state board of tax appeals.

Sec. 87.

STATE BOARD OF TAX APPEALS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures ..... \$798,281

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such

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

Duplicating fees fund.....	\$4,000
BOTA filing fee fund.....	\$1,073,173

Sec. 88.

DEPARTMENT OF REVENUE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures .....	\$13,550,878
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*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$1,500.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Sand royalty fund .....	No limit
Division of vehicles operating fund .....	\$46,570,956

*Provided*, That all receipts collected under authority of K.S.A. 74-2012, and amendments thereto, shall be credited to the division of vehicles operating fund: *Provided further*, That any expenditure from the division of vehicles operating fund of the department of revenue to reimburse the audit services fund of the division of post audit for a financial-compliance audit in an amount certified by the legislative post auditor shall be in addition to any expenditure limitation imposed on the division of vehicles operating fund for the fiscal year ending June 30, 2016: *And provided further*, That, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or of any other statute, expenditures may be made from this fund for the administration and operation of the department of revenue.

Vehicle dealers and manufacturers fee fund .....	No limit
Kansas qualified agricultural ethyl alcohol producer incentive fund .....	No limit
Kansas qualified biodiesel fuel producer incentive fund ...	No limit
Division of vehicles modernization fund .....	No limit
Kansas retail dealer incentive fund.....	No limit
Local report fee fund.....	No limit
Conversion of materials and equipment fund .....	No limit
Forfeited property fee fund .....	No limit
Setoff services revenue fund .....	No limit
Publications fee fund .....	No limit



State bingo regulation fund.....	No limit
Child support enforcement contractual agreement fund...	No limit
County treasurers' vehicle licensing fee fund.....	No limit
Tax amnesty recovery fund .....	No limit
Reappraisal reimbursement fund .....	No limit

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

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

Recovery fund for enforcement actions and attorney fees .....	No limit
Federal commercial motor vehicle safety fund.....	No limit
State homeland security program federal fund.....	No limit
Earned income tax credits — TANF — federal fund.....	No limit
Central stores fund.....	No limit

*Provided*, That expenditures may be made from the central stores fund to operate and maintain a central stores activity to sell supplies to other state agencies: *Provided further*, That all moneys received for such supplies shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the central stores fund.

Performance/registration information systems management federal fund.....	No limit
Commercial vehicle information systems/network federal fund .....	No limit
Temporary assistance — needy families federal fund.....	No limit

Highway planning construction federal fund.....	No limit
Immigration MOU federal fund .....	No limit
Commercial drivers licensing state program federal fund .....	No limit
Real ID program federal fund.....	No limit
Microfilming fund .....	No limit

*Provided*, That expenditures may be made from the microfilming fund to operate and maintain a microfilming activity to sell microfilming services to other state agencies: *Provided further*, That all moneys received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the microfilming fund.

Miscellaneous trust bonds fund .....	No limit
Oil and gas valuation depletion trust fund .....	No limit
Liquor excise tax guarantee bond fund .....	No limit
Non-resident contractors cash bond fund.....	No limit
Bond guaranty fund.....	No limit
Interstate motor fuel user cash bond fund .....	No limit
Motor fuel distributor cash bond fund.....	No limit
Special county mineral production tax fund.....	No limit
State emergency fund — business restoration assistance ..	No limit
State emergency fund — southeast Kansas business recovery assistance .....	No limit
County drug tax fund.....	No limit
Escheat proceeds suspense fund.....	No limit
Privilege tax refund fund .....	No limit
Suspense fund .....	No limit
Cigarette tax refund fund .....	No limit
Motor-vehicle fuel tax refund fund .....	No limit
Cereal malt beverage tax refund fund.....	No limit
Income tax refund fund.....	No limit
Sales tax refund fund .....	No limit
Compensating tax refund fund .....	No limit
Alcoholic liquor tax refund fund .....	No limit
Cigarette/tobacco products regulation fund .....	No limit
Motor carrier tax refund fund .....	No limit
Car company tax fund.....	No limit
Protested motor carrier taxes fund.....	No limit
Tobacco products refund fund .....	No limit
Transient guest tax refund fund established by K.S.A. 12-1694a.....	No limit
Interstate motor fuel taxes clearing fund.....	No limit
Motor carrier permits escrow clearing fund.....	No limit
Bingo refund fund.....	No limit

Transient guest tax refund fund established by K.S.A. 12-16,100.....	No limit
Interstate motor fuel taxes refund fund .....	No limit
Interfund clearing fund .....	No limit
Local alcoholic liquor clearing fund.....	No limit
International registration plan distribution clearing fund ..	No limit
Rental motor vehicle excise tax refund fund .....	No limit
International fuel tax agreement clearing fund.....	No limit
Mineral production tax refund fund .....	No limit
Special fuels tax refund fund.....	No limit
LP-gas motor fuels refund fund.....	No limit
Local alcoholic liquor refund fund .....	No limit
Sales tax clearing fund.....	No limit
Rental motor vehicle excise tax clearing fund .....	No limit
VIPS/CAMA technology hardware fund.....	No limit

*Provided*, That, notwithstanding the provisions of K.S.A. 74-2021, and amendments thereto, or of any other statute, expenditures may be made from the VIPS/CAMA technology hardware fund for the purposes of upgrading the VIPS/CAMA computer hardware and software for the state or for the counties and for administration and operation of the department of revenue.

County and city retailers sales tax clearing fund — county and city sales tax.....	No limit
City and county compensating use tax clearing fund .....	No limit
County and city transient guest tax clearing fund .....	No limit
Automated tax systems fund.....	No limit
Dyed diesel fuel fee fund .....	No limit
Electronic databases fee fund.....	No limit

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

Photo fee fund.....	No limit
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*Provided*, That, notwithstanding the provisions of K.S.A. 2014 Supp. 8-299, and amendments thereto, or any other statute, expenditures may be made from the photo fee fund for administration and operation of the driver license program and related support operations in the division of administration of the department of revenue, including costs of admin-

istering the provisions of K.S.A. 8-240, 8-243, 8-267, 8-1324 and 8-1325, and amendments thereto, relating to drivers licenses, instruction permits and identification cards.

Estate tax abatement refund fund.....	No limit
Distinctive license plate fund.....	No limit
Repossessed certificates of title fee fund.....	No limit
Hazmat fee fund.....	No limit
Intra-governmental service fund.....	No limit
Community improvement district sales tax administration fund.....	No limit
Community improvement district sales tax refund fund ...	No limit
Community improvement district sales tax clearing fund..	No limit
Drivers license first responders indicator federal fund .....	No limit
Byrne grant national motor vehicle title information systems federal fund.....	No limit
Enforcing underage drinking federal fund.....	No limit
FDA tobacco program federal fund.....	No limit
Commercial vehicle administrative system fund.....	No limit

(c) On July 1, 2015, October 1, 2015, January 1, 2016, and April 1, 2016, the director of accounts and reports shall transfer \$11,481,784 from the state highway fund of the department of transportation to the division of vehicles operating fund of the department of revenue for the purpose of financing the cost of operation and general expense of the division of vehicles and related operations of the department of revenue.

(d) On August 1, 2015, the director of accounts and reports shall transfer \$77,250 from the accounting services recovery fund of the department of administration to the setoff services revenue fund of the department of revenue for reimbursing costs of recovering amounts owed to state agencies under K.S.A. 75-6201 et seq., and amendments thereto.

(e) On August 1, 2015, the director of accounts and reports shall transfer \$20,400 from the social welfare fund and \$39,600 from the federal child support enforcement fund of the Kansas department for children and families to the child support enforcement contractual agreement fund of the department of revenue to reimburse costs of administrative expenses of child support enforcement activities under the agreement.

(f) On July 1, 2015, the director of accounts and reports shall transfer \$1,341,280 from the division of vehicles operating fund of the department of revenue to the state general fund.

(g) Notwithstanding the provisions of K.S.A. 8-145, and amendments thereto, or of any other statute, for the fiscal year ending June 30, 2016, the state treasurer shall credit \$1 of each division of vehicles modernization surcharge collected and remitted to the secretary of revenue in an amount not to exceed \$1,000,000 to the digital imaging program fund of the department of administration.

(h) Notwithstanding the provisions of K.S.A. 8-145, and amendments thereto, or of any other statute, for the fiscal year ending June 30, 2016, the state treasurer shall credit \$1 of each division of vehicles modernization surcharge collected and remitted to the secretary of revenue in an amount not to exceed \$1,000,000 to the criminal justice information system line fund of the attorney general — Kansas bureau of investigation.

(i) Notwithstanding the provisions of K.S.A. 8-145, and amendments thereto, or of any other statute, for the fiscal year ending June 30, 2016, the state treasurer shall credit \$1 of each division of vehicles modernization surcharge collected and remitted to the secretary of revenue in an amount not to exceed \$1,000,000 to the division of vehicles modernization fund of the department of revenue.

Sec. 89.

DEPARTMENT OF REVENUE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures ..... \$15,137,182

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$1,500.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Sand royalty fund ..... No limit

Division of vehicles operating fund ..... \$45,439,242

*Provided*, That all receipts collected under authority of K.S.A. 74-2012, and amendments thereto, shall be credited to the division of vehicles operating fund: *Provided further*, That any expenditure from the division of vehicles operating fund of the department of revenue to reimburse the audit services fund of the division of post audit for a financial-compliance audit in an amount certified by the legislative post auditor shall be in addition to any expenditure limitation imposed on the division of vehicles operating fund for the fiscal year ending June 30, 2017: *And provided further*, That, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or of any other statute, expenditures may be made from this fund for the administration and operation of the department of revenue.

Vehicle dealers and manufacturers fee fund ..... No limit

Kansas qualified agricultural ethyl alcohol producer incentive fund ..... No limit

Kansas qualified biodiesel fuel producer incentive fund ...	No limit
Division of vehicles modernization fund .....	No limit
Kansas retail dealer incentive fund.....	No limit
Local report fee fund.....	No limit
Conversion of materials and equipment fund .....	No limit
Forfeited property fee fund .....	No limit
Setoff services revenue fund .....	No limit
Publications fee fund .....	No limit
State bingo regulation fund.....	No limit
Child support enforcement contractual agreement fund...	No limit
County treasurers' vehicle licensing fee fund.....	No limit
Tax amnesty recovery fund .....	No limit
Reappraisal reimbursement fund .....	No limit

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

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

Recovery fund for enforcement actions and attorney fees .....	No limit
Federal commercial motor vehicle safety fund.....	No limit
State homeland security program federal fund.....	No limit
Earned income tax credits – TANF – federal fund.....	No limit
Central stores fund.....	No limit

*Provided*, That expenditures may be made from the central stores fund to operate and maintain a central stores activity to sell supplies to other state agencies: *Provided further*, That all moneys received for such supplies shall be deposited in the state treasury in accordance with the pro-

visions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the central stores fund.

Performance/registration information systems management federal fund.....	No limit
Commercial vehicle information systems/network federal fund .....	No limit
Temporary assistance – needy families federal fund .....	No limit
Highway planning construction federal fund.....	No limit
Immigration MOU federal fund .....	No limit
Commercial drivers licensing state program federal fund .....	No limit
Real ID program federal fund.....	No limit
Microfilming fund .....	No limit

*Provided*, That expenditures may be made from the microfilming fund to operate and maintain a microfilming activity to sell microfilming services to other state agencies: *Provided further*, That all moneys received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the microfilming fund.

Miscellaneous trust bonds fund .....	No limit
Oil and gas valuation depletion trust fund .....	No limit
Liquor excise tax guarantee bond fund .....	No limit
Non-resident contractors cash bond fund.....	No limit
Bond guaranty fund .....	No limit
Interstate motor fuel user cash bond fund .....	No limit
Motor fuel distributor cash bond fund.....	No limit
Special county mineral production tax fund.....	No limit
State emergency fund – business restoration assistance ....	No limit
State emergency fund – southeast Kansas business recovery assistance .....	No limit
County drug tax fund.....	No limit
Escheat proceeds suspense fund.....	No limit
Privilege tax refund fund .....	No limit
Suspense fund .....	No limit
Cigarette tax refund fund .....	No limit
Motor-vehicle fuel tax refund fund .....	No limit
Cereal malt beverage tax refund fund.....	No limit
Income tax refund fund.....	No limit
Sales tax refund fund .....	No limit
Compensating tax refund fund .....	No limit
Alcoholic liquor tax refund fund .....	No limit
Cigarette/tobacco products regulation fund .....	No limit
Motor carrier tax refund fund .....	No limit
Car company tax fund.....	No limit

Protested motor carrier taxes fund.....	No limit
Tobacco products refund fund .....	No limit
Transient guest tax refund fund established by K.S.A. 12-1694a.....	No limit
Interstate motor fuel taxes clearing fund.....	No limit
Motor carrier permits escrow clearing fund.....	No limit
Bingo refund fund.....	No limit
Transient guest tax refund fund established by K.S.A. 12-16,100.....	No limit
Interstate motor fuel taxes refund fund .....	No limit
Interfund clearing fund .....	No limit
Local alcoholic liquor clearing fund.....	No limit
International registration plan distribution clearing fund ..	No limit
Rental motor vehicle excise tax refund fund .....	No limit
International fuel tax agreement clearing fund.....	No limit
Mineral production tax refund fund .....	No limit
Special fuels tax refund fund.....	No limit
LP-gas motor fuels refund fund.....	No limit
Local alcoholic liquor refund fund .....	No limit
Sales tax clearing fund.....	No limit
Rental motor vehicle excise tax clearing fund .....	No limit
VIPS/CAMA technology hardware fund.....	No limit

*Provided*, That, notwithstanding the provisions of K.S.A. 74-2021, and amendments thereto, or of any other statute, expenditures may be made from the VIPS/CAMA technology hardware fund for the purposes of upgrading the VIPS/CAMA computer hardware and software for the state or for the counties and for administration and operation of the department of revenue.

County and city retailers sales tax clearing fund – county and city sales tax.....	No limit
City and county compensating use tax clearing fund .....	No limit
County and city transient guest tax clearing fund .....	No limit
Automated tax systems fund.....	No limit
Dyed diesel fuel fee fund .....	No limit
Electronic databases fee fund.....	No limit

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



in such database systems and for the administration and operation of the department of revenue.

Photo fee fund..... No limit

*Provided, That, notwithstanding the provisions of K.S.A. 2014 Supp. 8-299, and amendments thereto, or any other statute, expenditures may be made from the photo fee fund for administration and operation of the driver license program and related support operations in the division of administration of the department of revenue, including costs of administering the provisions of K.S.A. 8-240, 8-243, 8-267, 8-1324 and 8-1325, and amendments thereto, relating to drivers licenses, instruction permits and identification cards.*

Estate tax abatement refund fund..... No limit

Distinctive license plate fund..... No limit

Repossessed certificates of title fee fund..... No limit

Hazmat fee fund..... No limit

Intra-governmental service fund..... No limit

Community improvement district sales tax administration fund..... No limit

Community improvement district sales tax refund fund ... No limit

Community improvement district sales tax clearing fund.. No limit

Drivers license first responders indicator federal fund ..... No limit

Byrne grant national motor vehicle title information systems federal fund..... No limit

Enforcing underage drinking federal fund..... No limit

FDA tobacco program federal fund..... No limit

Commercial vehicle administrative system fund..... No limit

(c) On July 1, 2016, October 1, 2016, January 1, 2017, and April 1, 2017, the director of accounts and reports shall transfer \$11,481,784 from the state highway fund of the department of transportation to the division of vehicles operating fund of the department of revenue for the purpose of financing the cost of operation and general expense of the division of vehicles and related operations of the department of revenue.

(d) On August 1, 2016, the director of accounts and reports shall transfer \$77,250 from the accounting services recovery fund of the department of administration to the setoff services revenue fund of the department of revenue for reimbursing costs of recovering amounts owed to state agencies under K.S.A. 75-6201 et seq., and amendments thereto.

(e) On August 1, 2016, the director of accounts and reports shall transfer \$20,400 from the social welfare fund and \$39,600 from the federal child support enforcement fund of the Kansas department for children and families to the child support enforcement contractual agreement fund of the department of revenue to reimburse costs of administrative expenses of child support enforcement activities under the agreement.

(f) On July 1, 2016, the director of accounts and reports shall transfer

\$2,172,408 from the division of vehicles operating fund of the department of revenue to the state general fund.

(g) Notwithstanding the provisions of K.S.A. 8-145, and amendments thereto, or of any other statute, for the fiscal year ending June 30, 2017, the state treasurer shall credit \$1 of each division of vehicles modernization surcharge collected and remitted to the secretary of revenue in an amount not to exceed \$1,000,000 to the digital imaging program fund of the department of administration.

(h) Notwithstanding the provisions of K.S.A. 8-145, and amendments thereto, or of any other statute, for the fiscal year ending June 30, 2017, the state treasurer shall credit \$1 of each division of vehicles modernization surcharge collected and remitted to the secretary of revenue in an amount not to exceed \$1,000,000 to the criminal justice information system line fund of the attorney general — Kansas bureau of investigation.

(i) Notwithstanding the provisions of K.S.A. 8-145, and amendments thereto, or of any other statute, for the fiscal year ending June 30, 2017, the state treasurer shall credit \$1 of each division of vehicles modernization surcharge collected and remitted to the secretary of revenue in an amount not to exceed \$1,000,000 to the division of vehicles modernization fund of the department of revenue.

Sec. 90.

KANSAS LOTTERY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Lottery prize payment fund .....	No limit
Lottery operating fund .....	No limit
<i>Provided</i> , That expenditures from the lottery operating fund for official hospitality shall not exceed \$5,000.	
Expanded lottery receipts fund.....	No limit
Lottery gaming facility manager fund .....	No limit
Expanded lottery act revenues fund .....	\$0

(b) Notwithstanding the provisions of K.S.A. 74-8711, and amendments thereto, and subject to the provisions of this subsection, (1) an amount of not less than \$2,300,000 shall be certified by the executive director of the Kansas lottery to the director of accounts and reports on or before July 15, 2015, and (2) an amount of not less than \$4,700,000 shall be certified by the executive director of the Kansas lottery to the director of accounts and reports on or before August 15, 2015, and on or before the 15th of each month thereafter through June 15, 2016: *Provided*, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the lottery

operating fund to the state gaming revenues fund and shall credit such amount to the state gaming revenues fund for the fiscal year ending June 30, 2016: *Provided, however,* That, after the date that an amount of \$54,000,000 has been transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2016 pursuant to this subsection, the executive director of the Kansas lottery shall continue to certify amounts to the director of accounts and reports on or before the 15th of each month through June 15, 2016, except that the amounts certified after such date shall not be subject to the minimum amount of \$4,700,000: *Provided further,* That the amounts certified by the executive director of the Kansas lottery to the director of accounts and reports, after the date an amount of \$54,000,000 has been transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2016 pursuant to this subsection, shall be determined by the executive director so that an aggregate of all amounts certified pursuant to this subsection for fiscal year 2016 is equal to or more than \$74,700,000: *And provided further,* That the aggregate of all amounts transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2016 pursuant to this subsection shall be equal to or more than \$74,700,000: *And provided further,* That the transfers prescribed by this subsection shall be the maximum amount possible while maintaining an adequate cash balance necessary to make expenditures for prize payments and operating costs: *And provided further,* That the transfers prescribed by this subsection shall be made in lieu of transfers under subsection (d) of K.S.A. 74-8711, and amendments thereto, for fiscal year 2016.

(c) Notwithstanding the provisions of K.S.A. 79-4801, and amendments thereto, or any other statute and in addition to the requirements of subsection (b) of this section, on or after June 15, 2016, upon certification by the executive director of the lottery, the director of accounts and reports shall transfer from the lottery operating fund to the state gaming revenues fund the amount of total profit attributed to the special veterans benefits game under K.S.A. 2014 Supp. 74-8724, and amendments thereto, during fiscal year 2016: *Provided,* That the director of accounts and reports shall transfer immediately thereafter such amount of total profit attributed to the special veterans benefits game from the state gaming revenues fund to the state general fund: *Provided further,* That, on or before June 25, 2016, the executive director of the lottery shall certify to the director of accounts and reports the amount equal to the amount of total profit attributed to the special veterans benefits game under K.S.A. 2014 Supp. 74-8724, and amendments thereto, during fiscal year 2016: *And provided further,* That, at the same time as such certification is transmitted to the director of accounts and reports, the executive director of the lottery shall transmit a copy of such certification to the director of the budget and the director of legislative research.

(d) In addition to the purposes for which expenditures of moneys in

the lottery operating fund may be made, as authorized by provisions of K.S.A. 74-8711, and amendments thereto, moneys in the lottery operating fund may be used for payment of all costs incurred in the operation and administration of the Kansas lottery, the Kansas lottery act, and the Kansas expanded lottery act.

Sec. 91.

KANSAS LOTTERY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Lottery prize payment fund .....	No limit
Lottery operating fund .....	No limit
<i>Provided</i> , That expenditures from the lottery operating fund for official hospitality shall not exceed \$5,000.	
Expanded lottery receipts fund.....	No limit
Lottery gaming facility manager fund .....	No limit
Expanded lottery act revenues fund .....	\$0

(b) Notwithstanding the provisions of K.S.A. 74-8711, and amendments thereto, and subject to the provisions of this subsection, (1) an amount of not less than \$2,300,000 shall be certified by the executive director of the Kansas lottery to the director of accounts and reports on or before July 15, 2016, and (2) an amount of not less than \$4,700,000 shall be certified by the executive director of the Kansas lottery to the director of accounts and reports on or before August 15, 2016, and on or before the 15th of each month thereafter through June 15, 2017: *Provided*, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the lottery operating fund to the state gaming revenues fund and shall credit such amount to the state gaming revenues fund for the fiscal year ending June 30, 2017: *Provided, however*, That, after the date that an amount of \$54,000,000 has been transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2017 pursuant to this subsection, the executive director of the Kansas lottery shall continue to certify amounts to the director of accounts and reports on or before the 15th of each month through June 15, 2017, except that the amounts certified after such date shall not be subject to the minimum amount of \$4,700,000: *Provided further*, That the amounts certified by the executive director of the Kansas lottery to the director of accounts and reports, after the date an amount of \$54,000,000 has been transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2017 pursuant to this subsection, shall be determined by the executive director so that an aggregate of all amounts certified pursuant to this subsection for fiscal

year 2017 is equal to or more than \$75,500,000: *And provided further*, That the aggregate of all amounts transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2017 pursuant to this subsection shall be equal to or more than \$75,500,000: *And provided further*, That the transfers prescribed by this subsection shall be the maximum amount possible while maintaining an adequate cash balance necessary to make expenditures for prize payments and operating costs: *And provided further*, That the transfers prescribed by this subsection shall be made in lieu of transfers under subsection (d) of K.S.A. 74-8711, and amendments thereto, for fiscal year 2017.

(c) Notwithstanding the provisions of K.S.A. 79-4801, and amendments thereto, or any other statute and in addition to the requirements of subsection (b) of this section, on or after June 15, 2017, upon certification by the executive director of the lottery, the director of accounts and reports shall transfer from the lottery operating fund to the state gaming revenues fund the amount of total profit attributed to the special veterans benefits game under K.S.A. 2014 Supp. 74-8724, and amendments thereto, during fiscal year 2017: *Provided*, That the director of accounts and reports shall transfer immediately thereafter such amount of total profit attributed to the special veterans benefits game from the state gaming revenues fund to the state general fund: *Provided further*, That, on or before June 25, 2017, the executive director of the lottery shall certify to the director of accounts and reports the amount equal to the amount of total profit attributed to the special veterans benefits game under K.S.A. 2014 Supp. 74-8724, and amendments thereto, during fiscal year 2017: *And provided further*, That, at the same time as such certification is transmitted to the director of accounts and reports, the executive director of the lottery shall transmit a copy of such certification to the director of the budget and the director of legislative research.

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

Sec. 92.

KANSAS RACING AND GAMING COMMISSION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State racing fund.....	No limit
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*Provided*, That expenditures from the state racing fund for official hospitality shall not exceed \$2,500.

Racing reimbursable expense fund.....	No limit
Racing applicant deposit fund .....	No limit
Kansas horse breeding development fund .....	No limit
Kansas greyhound breeding development fund.....	No limit

*Provided*, That notwithstanding K.S.A. 74-8831, and amendments thereto, all moneys transferred into this fund pursuant to subsection (b) of K.S.A. 2014 Supp. 74-8767, and amendments thereto, shall be deposited to a separate account established for the purpose described in this proviso and moneys in this account shall be expended only to supplement special stake races and to enhance the amount per point paid to owners of Kansas-whelped greyhounds which win live races at Kansas greyhound tracks and pursuant to rules and regulations adopted by the Kansas racing and gaming commission: *Provided further*, That transfers from this account to the live greyhound racing purse supplement fund may be made in accordance with subsection (b) of K.S.A. 2014 Supp. 74-8767, and amendments thereto.

Racing investigative expense fund.....	No limit
Horse fair racing benefit fund .....	No limit
Tribal gaming fund.....	No limit

*Provided*, That expenditures from the tribal gaming fund for official hospitality shall not exceed \$1,500.

Expanded lottery regulation fund.....	No limit
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*Provided*, That expenditures from the expanded lottery regulation fund for official hospitality shall not exceed \$1,500.

Live horse racing purse supplement fund .....	No limit
Live greyhound racing purse supplement fund .....	No limit
Greyhound promotion and development fund .....	No limit
Gaming background investigation fund.....	No limit
Gaming machine examination fund .....	No limit
Education and training fund .....	No limit

*Provided*, That expenditures may be made from the education and training fund for operating expenditures, including official hospitality, incurred for hosting or providing training, in-service workshops and conferences: *Provided further*, That the Kansas racing and gaming commission is hereby authorized to fix, charge and collect fees for hosting or providing training, in-service workshops and conferences: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenditures incurred for hosting or providing such training, in-service workshops and conferences: *And provided further*, That all fees received for hosting or providing such training, in-service workshops and conferences shall be deposited in the state treasury in accord-

ance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the education and training fund.

Illegal gambling enforcement fund..... No limit

*Provided*, That expenditures may be made from the illegal gambling enforcement fund for direct or indirect operating expenditures incurred for investigatory seizure and forfeiture activities, including, but not limited to: (1) Conducting investigations of illegal gambling operations or activities; (2) participating in illegal gaming in order to collect or purchase evidence as part of an undercover investigation into illegal gambling operations; and (3) acquiring information or making contacts leading to illegal gaming activities: *Provided, however*, That all moneys which are expended for any such evidence purchase, information acquisition or similar investigatory purpose or activity from whatever funding source and which are recovered shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the illegal gambling enforcement fund: *Provided further*, That any moneys received or awarded to the Kansas racing and gaming commission for such enforcement activities shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the illegal gambling enforcement fund.

(b) On July 1, 2015, the director of accounts and reports shall transfer \$450,000 from the state general fund to the tribal gaming fund of the Kansas racing and gaming commission.

(c) During the fiscal year ending June 30, 2016, the director of accounts and reports shall transfer one or more amounts certified by the executive director of the state gaming agency from the tribal gaming fund to the state general fund: *Provided*, That all such transfers shall be for the purpose of reimbursing the state general fund for the amount equal to the net amount obtained by subtracting (1) the aggregate of any costs incurred by the state gaming agency during fiscal year 2016 for any arbitration or litigation in connection with the administration and enforcement of tribal-state gaming compacts or the provisions of the tribal gaming oversight act, from (2) the aggregate of the amounts transferred to the tribal gaming fund of the Kansas racing and gaming commission during fiscal year 2016 for the operating expenditures for the state gaming agency and any other expenses incurred in connection with the administration and enforcement of tribal-state gaming compacts or the provisions of the tribal gaming oversight act.

(d) During the fiscal year ending June 30, 2016, all payments for services provided by the Kansas bureau of investigation shall be paid by the Kansas racing and gaming commission in accordance with subsection (b) of K.S.A. 75-5516, and amendments thereto, pursuant to bills which

are presented in a timely manner by the Kansas bureau of investigation for services rendered.

(e) In addition to the other purposes for which expenditures may be made from the moneys appropriated in the tribal gaming fund for fiscal year 2016 for the Kansas racing and gaming commission by this or other appropriation act of the 2015 regular session of the legislature, expenditures may be made from the tribal gaming fund for fiscal year 2016 for the state gaming agency regulatory oversight of class III gaming, including, but not limited to, the regulatory oversight and law enforcement activities of monitoring compliance with tribal-state gaming compacts and conducting investigations of violations of tribal-state gaming compacts, investigations of criminal violations of the laws of this state at tribal gaming facilities, criminal violations of the tribal gaming oversight act, background investigations of applicants and vendors and investigations of other criminal activities related to tribal gaming, which are hereby authorized.

(f) Notwithstanding the provisions of K.S.A. 74-8831, and amendments thereto, or any other statute, the director of accounts and reports shall not make the transfer from the Kansas greyhound breeding development fund of the Kansas racing and gaming commission to the greyhound tourism fund of the department of wildlife, parks and tourism that is directed to be made on or before June 30, 2016, by subsection (b)(1) of K.S.A. 74-8831, and amendments thereto, and shall transfer on or before June 30, 2016, the amount equal to 15% of all moneys credited to the Kansas greyhound breeding development fund during the fiscal year ending June 30, 2016, from the Kansas greyhound breeding development fund to the greyhound promotion and development fund of the Kansas racing and gaming commission.

(g) During the fiscal year ending June 30, 2016, notwithstanding the provisions of any other statute, the Kansas racing and gaming commission is hereby authorized to fix, charge and collect additional fees to recover all or part of the direct and indirect costs or operating expenses incurred or expected to be incurred by the Kansas racing and gaming commission for the regulation of racing activities that are not otherwise recovered from the parimutuel facility licensee under authority of any other statute: *Provided*, That such fees shall be in addition to all taxes and other fees otherwise authorized by law: *Provided further*, That such costs or operating expenses shall include all or part of any auditing, drug testing, accounting, security and law enforcement, licensing of any office or other facility for use by a parimutuel facility licensee, projects to update and upgrade information technology software or facilities of the commission and shall specifically include any general operating expenses that are associated with regulatory activities attributable to the entity upon which any such fee is imposed and all expenses related to reopening any race track or other racing facility: *And provided further*, That all moneys re-



ceived for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state racing fund.

(h) On July 1, 2015, during the fiscal year ending June 30, 2016, notwithstanding the provisions of K.S.A. 74-8803, and amendments thereto, or any other statute, expenditures shall be made by the above agency from any special revenue fund or funds for the purposes of compensation of members of the Kansas racing and gaming commission for performing the duties and functions of the commission, based on the daily rate of \$88.66 as provided in K.S.A. 46-137a, and amendments thereto. The members of the commission shall continue to be paid subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3223, and amendments thereto.

Sec. 93.

KANSAS RACING AND GAMING COMMISSION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State racing fund..... No limit

*Provided*, That expenditures from the state racing fund for official hospitality shall not exceed \$2,500.

Racing reimbursable expense fund..... No limit

Racing applicant deposit fund ..... No limit

Kansas horse breeding development fund..... No limit

Kansas greyhound breeding development fund..... No limit

*Provided*, That notwithstanding K.S.A. 74-8831, and amendments thereto, all moneys transferred into this fund pursuant to subsection (b) of K.S.A. 2014 Supp. 74-8767, and amendments thereto, shall be deposited to a separate account established for the purpose described in this proviso and moneys in this account shall be expended only to supplement special stake races and to enhance the amount per point paid to owners of Kansas-whelped greyhounds which win live races at Kansas greyhound tracks and pursuant to rules and regulations adopted by the Kansas racing and gaming commission: *Provided further*, That transfers from this account to the live greyhound racing purse supplement fund may be made in accordance with subsection (b) of K.S.A. 2014 Supp. 74-8767, and amendments thereto.

Racing investigative expense fund..... No limit

Horse fair racing benefit fund..... No limit

Tribal gaming fund..... No limit

*Provided*, That expenditures from the tribal gaming fund for official hospitality shall not exceed \$1,500.

Expanded lottery regulation fund..... No limit

*Provided*, That expenditures from the expanded lottery regulation fund for official hospitality shall not exceed \$1,500.

Live horse racing purse supplement fund ..... No limit

Live greyhound racing purse supplement fund ..... No limit

Greyhound promotion and development fund ..... No limit

Gaming background investigation fund..... No limit

Gaming machine examination fund..... No limit

Education and training fund ..... No limit

*Provided*, That expenditures may be made from the education and training fund for operating expenditures, including official hospitality, incurred for hosting or providing training, in-service workshops and conferences: *Provided further*, That the Kansas racing and gaming commission is hereby authorized to fix, charge and collect fees for hosting or providing training, in-service workshops and conferences: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenditures incurred for hosting or providing such training, in-service workshops and conferences: *And provided further*, That all fees received for hosting or providing such training, in-service workshops and conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the education and training fund.

Illegal gambling enforcement fund..... No limit

*Provided*, That expenditures may be made from the illegal gambling enforcement fund for direct or indirect operating expenditures incurred for investigatory seizure and forfeiture activities, including, but not limited to: (1) Conducting investigations of illegal gambling operations or activities; (2) participating in illegal gaming in order to collect or purchase evidence as part of an undercover investigation into illegal gambling operations; and (3) acquiring information or making contacts leading to illegal gaming activities: *Provided, however*, That all moneys which are expended for any such evidence purchase, information acquisition or similar investigatory purpose or activity from whatever funding source and which are recovered shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the illegal gambling enforcement fund: *Provided further*, That any moneys received or awarded to the Kansas racing and gaming commission for such enforcement activities shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the illegal gambling enforcement fund.

(b) On July 1, 2016, the director of accounts and reports shall transfer \$450,000 from the state general fund to the tribal gaming fund of the Kansas racing and gaming commission.

(c) During the fiscal year ending June 30, 2017, the director of accounts and reports shall transfer one or more amounts certified by the executive director of the state gaming agency from the tribal gaming fund to the state general fund: *Provided*, That all such transfers shall be for the purpose of reimbursing the state general fund for the amount equal to the net amount obtained by subtracting (1) the aggregate of any costs incurred by the state gaming agency during fiscal year 2017 for any arbitration or litigation in connection with the administration and enforcement of tribal-state gaming compacts or the provisions of the tribal gaming oversight act, from (2) the aggregate of the amounts transferred to the tribal gaming fund of the Kansas racing and gaming commission during fiscal year 2017 for the operating expenditures for the state gaming agency and any other expenses incurred in connection with the administration and enforcement of tribal-state gaming compacts or the provisions of the tribal gaming oversight act.

(d) During the fiscal year ending June 30, 2017, all payments for services provided by the Kansas bureau of investigation shall be paid by the Kansas racing and gaming commission in accordance with subsection (b) of K.S.A. 75-5516, and amendments thereto, pursuant to bills which are presented in a timely manner by the Kansas bureau of investigation for services rendered.

(e) In addition to the other purposes for which expenditures may be made from the moneys appropriated in the tribal gaming fund for fiscal year 2017 for the Kansas racing and gaming commission by this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures may be made from the tribal gaming fund for fiscal year 2017 for the state gaming agency regulatory oversight of class III gaming, including, but not limited to, the regulatory oversight and law enforcement activities of monitoring compliance with tribal-state gaming compacts and conducting investigations of violations of tribal-state gaming compacts, investigations of criminal violations of the laws of this state at tribal gaming facilities, criminal violations of the tribal gaming oversight act, background investigations of applicants and vendors and investigations of other criminal activities related to tribal gaming, which are hereby authorized.

(f) Notwithstanding the provisions of K.S.A. 74-8831, and amendments thereto, or any other statute, the director of accounts and reports shall not make the transfer from the Kansas greyhound breeding development fund of the Kansas racing and gaming commission to the greyhound tourism fund of the department of wildlife, parks and tourism that is directed to be made on or before June 30, 2017, by subsection (b)(1) of K.S.A. 74-8831, and amendments thereto, and shall transfer on or

before June 30, 2017, the amount equal to 15% of all moneys credited to the Kansas greyhound breeding development fund during the fiscal year ending June 30, 2017, from the Kansas greyhound breeding development fund to the greyhound promotion and development fund of the Kansas racing and gaming commission.

(g) During the fiscal year ending June 30, 2017, notwithstanding the provisions of any other statute, the Kansas racing and gaming commission is hereby authorized to fix, charge and collect additional fees to recover all or part of the direct and indirect costs or operating expenses incurred or expected to be incurred by the Kansas racing and gaming commission for the regulation of racing activities that are not otherwise recovered from the parimutuel facility licensee under authority of any other statute: *Provided*, That such fees shall be in addition to all taxes and other fees otherwise authorized by law: *Provided further*, That such costs or operating expenses shall include all or part of any auditing, drug testing, accounting, security and law enforcement, licensing of any office or other facility for use by a parimutuel facility licensee, projects to update and upgrade information technology software or facilities of the commission and shall specifically include any general operating expenses that are associated with regulatory activities attributable to the entity upon which any such fee is imposed and all expenses related to reopening any race track or other racing facility: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state racing fund.

(h) On July 1, 2016, during the fiscal year ending June 30, 2017, notwithstanding the provisions of K.S.A. 74-8803, and amendments thereto, or any other statute, expenditures shall be made by the above agency from any special revenue fund or funds for the purposes of compensation of members of the Kansas racing and gaming commission for performing the duties and functions of the commission, based on the daily rate of \$88.66 as provided in K.S.A. 46-137a, and amendments thereto. The members of the commission shall continue to be paid subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3223, and amendments thereto.

Sec. 94.

DEPARTMENT OF COMMERCE

(a) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2016, the following:

Older Kansans employment program ..... \$242,700

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2015, in the older Kansans employment program account is hereby reappropriated for fiscal year 2016.

Rural opportunity zones program..... \$1,752,475

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2015, in the rural opportunity zones program account is hereby reappropriated for fiscal year 2016.

Senior community service employment program..... \$7,645

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2015, in the senior community service employment program account is hereby reappropriated for fiscal year 2016.

Strong military bases program ..... \$195,461

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2015, in the strong military bases program account is hereby reappropriated for fiscal year 2016.

Governor’s council of economic advisors..... \$178,070

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2015, in the governor’s council of economic advisors account is hereby reappropriated for fiscal year 2016.

Innovation growth program..... \$1,354,061

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2015, in the innovation growth program account is hereby reappropriated for fiscal year 2016.

Creative arts industries commission ..... \$190,046

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2015, in the creative arts industries commission account is hereby reappropriated for fiscal year 2016.

Employment incentive for persons with a disability ..... \$431,712

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2015, in the employment incentive for persons with a disability account is hereby reappropriated for fiscal year 2016.

Operating grant (including official hospitality) ..... \$8,880,913

*Provided*, That any unencumbered balance in the operating grant (including official hospitality) account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That expenditures may be made from the operating grant (including official hospitality) account for certified development companies that have been determined to be qualified for grants by the secretary of commerce, except that expenditures for such grants shall not be made for grants to more than 10 certified development companies that have been determined to be qualified for grants by the secretary of commerce.

Public broadcasting grants ..... \$500,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016,

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

Job creation program fund.....	No limit
Kan-grow engineering fund – KU .....	\$3,500,000
Kan-grow engineering fund – KSU .....	\$3,500,000
Kan-grow engineering fund – WSU .....	\$3,500,000
Kansas creative arts industries commission special gifts fund .....	No limit
Governor’s council of economic advisors private operations fund .....	No limit
Publication and other sales fund.....	No limit
Conversion of equipment and materials fund .....	No limit
Conference registration and disbursement fund.....	No limit
Reimbursement and recovery fund .....	No limit
Community development block grant – federal fund .....	No limit
National main street center fund .....	No limit
IMPACT program services fund.....	No limit
IMPACT program repayment fund.....	No limit
Kansas partnership fund.....	No limit

*Provided*, That the interest rate on any loan made from the Kansas partnership fund shall be annually indexed to the federal discount rate.

General fees fund.....	No limit
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*Provided*, That expenditures may be made from the general fees fund for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of commerce in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary therefor under programs of the department.

Kansas existing industry expansion fund.....	No limit
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*Provided*, That expenditures may be made from the Kansas existing industry expansion fund for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of commerce in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary therefor under the Kansas existing industry expansion program: *Provided further*, That all moneys received by the department of commerce for repayment of loans made under the Kansas existing industry expansion program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas existing industry expansion fund.

Athletic fee fund .....	No limit
WIA adult – federal fund .....	No limit
WIA youth activities – federal fund.....	No limit

WIA dislocated workers – federal fund.....	No limit
Trade adjustment assistance – federal fund .....	No limit
Disabled veterans outreach program – federal fund.....	No limit
Local veterans employment representative program – federal fund .....	No limit
Wagner Peyser employment services – federal fund .....	No limit
Senior community service employment program – federal fund .....	No limit
Indirect cost – federal fund.....	No limit
State affordable airfare fund .....	No limit

*Provided*, That during the fiscal year ending June 30, 2016, notwithstanding the provisions of K.S.A. 2014 Supp. 74-50,150, and amendments thereto, or any other statute, the above agency shall expend the moneys in the state affordable airfare fund as a grant given directly to any city or county which received moneys from the state affordable airfare fund during fiscal year 2015: *Provided further*, That such grants from such fund shall be in the same amount as was received in fiscal year 2015: *And Provided further*, That any city or county which receives such grant shall submit an annual report to the legislature on or before May 1, 2016: *And provided further*, That the annual report shall be delivered and the representatives of each such city or county shall appear in person to the house committee on commerce, labor and economic development, the house committee on appropriations, the senate committee on commerce and the senate committee on ways and means regarding such annual report: *And provided further*, That the secretary of commerce shall conduct an independent review of the financial reports submitted by the city or county and an analysis of the data used by the city or county: *And provided further*, That the secretary of commerce shall submit a report and appear in person to the house committee on commerce, labor and economic development, the house committee on appropriations, the senate committee on commerce and the senate committee on ways and means regarding these matters: *And provided further*, That the secretary of commerce shall develop and implement the necessary procedures to conduct such a review.

Temporary labor certification foreign workers – federal fund .....	No limit
Work opportunity tax credit – federal fund .....	No limit
American job link alliance – federal fund .....	No limit
American job link alliance job corps – federal fund .....	No limit
Child care/development block grant – federal fund .....	No limit
Enterprise facilitation fund .....	No limit
Unemployment insurance – federal fund .....	No limit
State small business credit initiative – federal fund.....	No limit
SBA step grant – federal fund.....	No limit

H-1B technical skills training grant – federal fund.....	No limit
Creative arts industries commission gifts, grants and be- quests – federal fund .....	No limit
State broadband data development – federal fund.....	No limit
Health profession opportunity – federal fund .....	No limit
Kansas creative arts industries commission checkoff fund .....	No limit
Workforce data quality initiative – federal fund.....	No limit
Dislocated worker training national emergency grant — federal fund.....	No limit
Second chance grant — federal fund.....	No limit

(c) The secretary of commerce is hereby authorized to fix, charge and collect fees during the fiscal year ending June 30, 2016, for: (1) The provision and administration of conferences held for the purposes of programs and activities of the department of commerce and for which fees are not specifically prescribed by statute; (2) sale of publications of the department of commerce and for sale of educational and other promotional items and for which fees are not specifically prescribed by statute; and (3) promotional and other advertising and related economic development activities and services provided under economic development programs and activities of the department of commerce: *Provided*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services, conferences, publications and items, advertising and other economic development activities and services provided under economic development programs and activities of the department of commerce for which fees are not specifically prescribed by statute: *Provided further*, That all such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to one or more special revenue fund or funds of the department of commerce as specified by the secretary of commerce: *And provided further*, That expenditures may be made from such special revenue fund or funds of the department of commerce for fiscal year 2016, in accordance with the provisions of this or other appropriation act of the 2015 regular session of the legislature, for operating expenses incurred in providing such services, conferences, publications and items, advertising, programs and activities and for operating expenses incurred in providing similar economic development activities and services provided under economic development programs and activities of the department of commerce.

(d) In addition to the other purposes for which expenditures may be made by the department of commerce from moneys appropriated in any special revenue fund or funds for fiscal year 2016 for the department of commerce as authorized by this or other appropriation act of the 2015 regular session of the legislature, notwithstanding the provisions of any



other statute, expenditures may be made by the department of commerce from moneys appropriated in any special revenue fund or funds for fiscal year 2016 for official hospitality.

(e) On or after July 1, 2015, notwithstanding the provisions of K.S.A. 2014 Supp. 74-50,150, and amendments thereto, or any other statute, the secretary of commerce shall certify to the director of the budget and to the director of accounts and reports a report of the activities of the city or county and the progress attained by the city or county during the fiscal year 2015 to develop and implement the program to provide more air flight options, more competition for air travel and affordable air fares for Kansas, including a regional airport located in western Kansas. At the same time as such certification is transmitted to the director of accounts and reports and the director of the budget, the secretary of commerce shall transmit a copy of such certification to the director of the legislative research department. Upon receipt of such certification from the secretary of commerce, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$5,000,000 from the state highway fund to the state affordable airfare fund of the department of commerce.

(f) Any unencumbered balance of the air service incentive fund account of the state economic development initiatives fund in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

(g) During the fiscal year ending June 30, 2016, the secretary of commerce, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2016, from the state economic development initiatives fund for the department of commerce to another item of appropriation for fiscal year 2016 from the state economic development initiatives fund for the department of commerce. The secretary of commerce shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(h) On July 1, 2015, the director of accounts and reports shall transfer \$17,000,000 from the economic development initiatives fund to the state general fund.

Sec. 95.

DEPARTMENT OF COMMERCE

(a) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2017, the following:

Older Kansans employment program .....	\$242,563
<i>Provided</i> , That any unencumbered balance in excess of \$100 as of June 30, 2016, in the older Kansans employment program account is hereby reappropriated for fiscal year 2017.	
Rural opportunity zones program.....	\$1,749,879

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2016, in the rural opportunity zones program account is hereby reappropriated for fiscal year 2017.

Senior community service employment program..... \$7,589

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2016, in the senior community service employment program account is hereby reappropriated for fiscal year 2017.

Strong military bases program ..... \$195,222

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2016, in the strong military bases program account is hereby reappropriated for fiscal year 2017.

Governor’s council of economic advisors..... \$177,746

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2016, in the governor’s council of economic advisors account is hereby reappropriated for fiscal year 2017.

Innovation growth program..... \$1,353,181

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2016, in the innovation growth program account is hereby reappropriated for fiscal year 2017.

Creative arts industries commission ..... \$189,089

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2016, in the creative arts industries commission account is hereby reappropriated for fiscal year 2017.

Employment incentive for persons with a disability ..... \$431,587

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2016, in the employment incentive for persons with a disability account is hereby reappropriated for fiscal year 2017.

Operating grant (including official hospitality) ..... \$8,848,267

*Provided*, That any unencumbered balance in the operating grant (including official hospitality) account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That expenditures may be made from the operating grant (including official hospitality) account for certified development companies that have been determined to be qualified for grants by the secretary of commerce, except that expenditures for such grants shall not be made for grants to more than 10 certified development companies that have been determined to be qualified for grants by the secretary of commerce.

Public broadcasting grants ..... \$500,000

*Provided*, That any unencumbered balance in the public broadcasting grants account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(b) There is appropriated for the above agency from the following

special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Job creation program fund.....	No limit
Kan-grow engineering fund – KU .....	\$3,500,000
Kan-grow engineering fund – KSU .....	\$3,500,000
Kan-grow engineering fund – WSU .....	\$3,500,000
Kansas creative arts industries commission special gifts fund .....	No limit
Governor’s council of economic advisors private operations fund .....	No limit
Publication and other sales fund.....	No limit
Conversion of equipment and materials fund .....	No limit
Conference registration and disbursement fund.....	No limit
Reimbursement and recovery fund .....	No limit
Community development block grant – federal fund .....	No limit
National main street center fund .....	No limit
IMPACT program services fund.....	No limit
IMPACT program repayment fund.....	No limit
Kansas partnership fund.....	No limit

*Provided*, That the interest rate on any loan made from the Kansas partnership fund shall be annually indexed to the federal discount rate.

General fees fund.....	No limit
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*Provided*, That expenditures may be made from the general fees fund for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of commerce in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary therefor under programs of the department.

Kansas existing industry expansion fund.....	No limit
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*Provided*, That expenditures may be made from the Kansas existing industry expansion fund for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of commerce in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary therefor under the Kansas existing industry expansion program: *Provided further*, That all moneys received by the department of commerce for repayment of loans made under the Kansas existing industry expansion program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas existing industry expansion fund.

Athletic fee fund .....	No limit
WIA adult – federal fund .....	No limit

WIA youth activities – federal fund.....	No limit
WIA dislocated workers – federal fund.....	No limit
Trade adjustment assistance – federal fund.....	No limit
Disabled veterans outreach program – federal fund.....	No limit
Local veterans employment representative program – federal fund.....	No limit
Wagner Peyser employment services – federal fund.....	No limit
Senior community service employment program – federal fund.....	No limit
Indirect cost – federal fund.....	No limit
Temporary labor certification foreign workers – federal fund.....	No limit
Work opportunity tax credit – federal fund.....	No limit
American job link alliance – federal fund.....	No limit
American job link alliance job corps – federal fund.....	No limit
Child care/development block grant – federal fund.....	No limit
Enterprise facilitation fund.....	No limit
Unemployment insurance – federal fund.....	No limit
State small business credit initiative – federal fund.....	No limit
Creative arts industries commission gifts, grants and bequests – federal fund.....	No limit
Kansas creative arts industries commission checkoff fund.....	No limit
Workforce data quality initiative — federal fund.....	No limit

(c) The secretary of commerce is hereby authorized to fix, charge and collect fees during the fiscal year ending June 30, 2017, for: (1) The provision and administration of conferences held for the purposes of programs and activities of the department of commerce and for which fees are not specifically prescribed by statute; (2) sale of publications of the department of commerce and for sale of educational and other promotional items and for which fees are not specifically prescribed by statute; and (3) promotional and other advertising and related economic development activities and services provided under economic development programs and activities of the department of commerce: *Provided*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services, conferences, publications and items, advertising and other economic development activities and services provided under economic development programs and activities of the department of commerce for which fees are not specifically prescribed by statute: *Provided further*, That all such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to one or more special revenue fund or funds of the department of commerce as specified by the secretary of commerce: *And provided further*, That expenditures may

be made from such special revenue fund or funds of the department of commerce for fiscal year 2017, in accordance with the provisions of this or other appropriation act of the 2015 or 2016 regular session of the legislature, for operating expenses incurred in providing such services, conferences, publications and items, advertising, programs and activities and for operating expenses incurred in providing similar economic development activities and services provided under economic development programs and activities of the department of commerce.

(d) In addition to the other purposes for which expenditures may be made by the department of commerce from moneys appropriated in any special revenue fund or funds for fiscal year 2017 for the department of commerce as authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, notwithstanding the provisions of any other statute, expenditures may be made by the department of commerce from moneys appropriated in any special revenue fund or funds for fiscal year 2017 for official hospitality.

(e) On or after July 1, 2016, notwithstanding the provisions of K.S.A. 2014 Supp. 74-50,150, and amendments thereto, or any other statute, the secretary of commerce shall certify to the director of the budget and to the director of accounts and reports a report of the activities of the city or county and the progress attained by the city or county during the fiscal year 2016 to develop and implement the program to provide more air flight options, more competition for air travel and affordable air fares for Kansas, including a regional airport located in western Kansas. At the same time as such certification is transmitted to the director of accounts and reports and the director of the budget, the secretary of commerce shall transmit a copy of such certification to the director of the legislative research department.

(f) Any unencumbered balance of the air service incentive fund account of the state economic development initiatives fund in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(g) During the fiscal year ending June 30, 2017, the secretary of commerce, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2017, from the state economic development initiatives fund for the department of commerce to another item of appropriation for fiscal year 2017 from the state economic development initiatives fund for the department of commerce. The secretary of commerce shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(h) On July 1, 2016, the director of accounts and reports shall transfer \$17,000,000 from the economic development initiatives fund to the state general fund.

Sec. 96.

KANSAS HOUSING RESOURCES CORPORATION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State housing trust fund ..... No limit

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

Sec. 97.

KANSAS HOUSING RESOURCES CORPORATION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State housing trust fund ..... No limit

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

Sec. 98.

DEPARTMENT OF LABOR

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures ..... \$314,903

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That in addition to the other purposes for which expenditures may be made by the above agency from this account for the fiscal year ending June 30, 2016, expenditures may be made from this account for the costs incurred for court reporting under K.S.A. 72-5413 et seq., and 75-4321 et seq., and amendments thereto: *And provided further*, That expenditures from this account for official hospitality by the secretary of labor shall not exceed \$2,000.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Workmen’s compensation fee fund .....	\$13,283,591
Occupational health and safety – federal fund .....	No limit
Employment security interest assessment fund .....	No limit
Special employment security fund.....	No limit
Employment security administration fund.....	No limit
Wage claims assignment fee fund .....	No limit
Employment security computer systems institute fund.....	No limit
Department of labor special projects fund .....	No limit
Federal indirect cost offset fund.....	\$107,116
Employment security fund.....	No limit
Labor force statistics federal fund.....	No limit
Compensation and working conditions federal fund.....	No limit
Employment services Wagner-Peyser funded activities federal fund.....	No limit
Dispute resolution fund.....	No limit

*Provided*, That all moneys received by the secretary of labor for reimbursement of expenditures for the costs incurred for mediation under K.S.A. 72-5427, and amendments thereto, and for fact-finding under K.S.A. 72-5428, and amendments thereto, shall be deposited in the state treasury and credited to the dispute resolution fund: *Provided further*, That expenditures may be made from this fund to pay the costs incurred for mediation under K.S.A. 72-5427, and amendments thereto, and for fact-finding under K.S.A. 72-5428, and amendments thereto, subject to full reimbursement therefor by the board of education and the professional employees’ organization involved in such mediation and fact-finding procedures.

Indirect cost fund.....	No limit
Workforce data quality initiative — federal fund.....	No limit

(c) In addition to the other purposes for which expenditures may be made by the department of labor from the employment security fund for fiscal year 2016 as authorized by this or other appropriation act of the 2015 regular session of the legislature, expenditures may be made by the department of labor for fiscal year 2016 from the employment security fund from moneys made available to the state under section 903(d) of the federal social security act, as amended, for payment of debt service on a bond issued for the rewrite of the unemployment insurance benefit system: *Provided*, That expenditures from the employment security fund during fiscal year 2016 of moneys made available to the state under section 903(d) of the federal social security act, as amended, for payment of such debt service shall not exceed \$2,640,750.

Sec. 99.

DEPARTMENT OF LABOR

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures ..... \$313,065

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That in addition to the other purposes for which expenditures may be made by the above agency from this account for the fiscal year ending June 30, 2017, expenditures may be made from this account for the costs incurred for court reporting under K.S.A. 72-5413 et seq., and 75-4321 et seq., and amendments thereto: *And provided further*, That expenditures from this account for official hospitality by the secretary of labor shall not exceed \$2,000.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Workmen’s compensation fee fund .....	\$14,648,647
Occupational health and safety – federal fund .....	No limit
Employment security interest assessment fund .....	No limit
Special employment security fund.....	No limit
Employment security administration fund.....	No limit
Wage claims assignment fee fund .....	No limit
Employment security computer systems institute fund.....	No limit
Department of labor special projects fund .....	No limit
Federal indirect cost offset fund.....	\$110,730
Employment security fund.....	No limit
Labor force statistics federal fund.....	No limit
Compensation and working conditions federal fund.....	No limit
Employment services Wagner-Peyser funded activities federal fund.....	No limit
Dispute resolution fund.....	No limit

*Provided*, That all moneys received by the secretary of labor for reimbursement of expenditures for the costs incurred for mediation under K.S.A. 72-5427, and amendments thereto, and for fact-finding under K.S.A. 72-5428, and amendments thereto, shall be deposited in the state treasury and credited to the dispute resolution fund: *Provided further*, That expenditures may be made from this fund to pay the costs incurred for mediation under K.S.A. 72-5427, and amendments thereto, and for fact-finding under K.S.A. 72-5428, and amendments thereto, subject to full reimbursement therefor by the board of education and the professional employees’ organization involved in such mediation and fact-finding procedures.

Indirect cost fund.....	No limit
Workforce data quality initiative – federal fund.....	No limit



Sec. 100.

KANSAS COMMISSION ON VETERANS AFFAIRS OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures — administration ..... \$563,215

*Provided*, That any unencumbered balance in the operating expenditures – administration account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Operating expenditures – veteran services..... \$1,396,948

*Provided*, That any unencumbered balance in the operating expenditures – veteran services account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$1,500.

Operations – state veterans cemeteries ..... \$550,338

*Provided*, That any unencumbered balance in the operations – state veterans cemeteries account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That expenditures from this account for official hospitality shall not exceed \$1,200.

Operating expenditures – Kansas soldiers’ home ..... \$1,724,395

*Provided*, That any unencumbered balance in the operating expenditures – Kansas soldiers’ home account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Operating expenditures – Kansas veterans’ home ..... \$1,690,788

*Provided*, That any unencumbered balance in the operating expenditures – Kansas veterans’ home account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Scratch lotto – Kansas veterans’ home ..... \$100,060

Scratch lotto – veterans services ..... \$538,516

Scratch lotto – Kansas soldiers’ home ..... \$177,716

Scratch lotto – veterans cemeteries ..... \$225,840

Veterans claim assistance program – service grants..... \$600,000

*Provided*, That any unencumbered balance in the veterans claim assistance program – service grants account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That expenditures from the veterans claim assistance program – service grants account shall be made only for the purpose of awarding service grants to veterans service organizations for the purpose of aiding veterans in obtaining federal benefits: *Provided, however*, That no expenditures shall be made by the Kansas commission on veterans affairs office from the veterans claim assistance program – service grants account for operating expenditures or overhead for administering the grants in accordance with the provisions of K.S.A. 73-1234, and amendments thereto.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Soldiers' home fee fund .....	\$1,876,107
Soldiers' home benefit fund .....	No limit
Soldiers' home work therapy fund.....	No limit
Soldiers' home medicare fund .....	No limit
Soldiers' home medicaid fund .....	No limit
Soldiers' home canteen fund .....	No limit
Veterans' home medicare fund.....	No limit
Veterans' home medicaid fund .....	No limit
Veterans' home fee fund .....	\$2,424,485
Veterans' home canteen fund.....	No limit
Veterans' home benefit fund .....	No limit
Soldiers' home outpatient clinic fund .....	No limit
State veterans cemeteries fee fund.....	No limit
State veterans cemeteries donations and contributions fund .....	No limit
Outpatient clinic patient federal reimbursement fund – federal .....	No limit
VA burial reimbursement fund – federal.....	No limit
Federal domiciliary per diem fund.....	\$1,493,981
Federal long term care per diem fund.....	\$6,840,838
Commission on veterans affairs federal fund .....	\$183,498
Kansas veterans memorials fund .....	No limit
Vietnam war era veterans' recognition award fund .....	No limit
Kansas hometown heroes fund .....	No limit

(c) (1) During the fiscal year ending June 30, 2016, notwithstanding the provisions of K.S.A. 73-1231, 75-3728g, 76-1906 or 76-1953, and amendments thereto, or K.S.A. 2014 Supp. 73-1233, and amendments thereto, or any other statute, the director of the Kansas commission on veterans affairs office, with the approval of the director of the budget, may transfer moneys that are credited to a special revenue fund of the Kansas commission on veterans affairs office to another special revenue fund of the Kansas commission on veterans affairs office. The director of the Kansas commission on veterans affairs office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(2) As used in this subsection (c), "special revenue fund" means the soldiers' home fee fund, veterans' home fee fund, soldiers' home outpatient clinic fund, soldiers' home benefit fund, soldiers' home work therapy fund, veterans' home canteen fund, soldiers' home canteen fund, veter-

ans' home benefit fund, Persian Gulf War veterans health initiative fund, state veterans cemeteries fee fund, state veterans cemeteries donations and contributions fund, and Kansas veterans memorials fund.

(d) During the fiscal year ending June 30, 2016, the director of the Kansas commission on veterans affairs office, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2016, from the state general fund for the Kansas commission on veterans affairs office or any institution or facility under the general supervision and management of the Kansas commission on veterans affairs office to another item of appropriation for fiscal year 2016 from the state general fund for the Kansas commission on veterans affairs office or any institution or facility under the general supervision and management of the Kansas commission on veterans affairs office. The director of the Kansas commission on veterans affairs office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) During the fiscal year ending June 30, 2016, the director of the Kansas commission on veterans affairs office, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2016, from the state general fund for the Kansas commission on veterans affairs office to the Vietnam war era veterans' recognition award fund. The director of the Kansas commission on veterans affairs office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(f) During the fiscal year ending June 30, 2016, expenditures from the soldiers' home fee fund, veterans' home fee fund, federal domiciliary per diem fund, and federal long term care per diem fund shall not exceed the limitation established for fiscal year 2016 by this or other appropriation act of the 2015 or 2016 session of the legislature except upon specific authorization by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto.

Sec. 101.

KANSAS COMMISSION ON VETERANS AFFAIRS OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures — administration .....	\$556,942
<i>Provided</i> , That any unencumbered balance in the operating expenditures – administration account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.	
Operating expenditures – veteran services.....	\$1,381,012

*Provided*, That any unencumbered balance in the operating expenditures – veteran services account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$1,500.

Operations – state veterans cemeteries ..... \$578,069

*Provided*, That any unencumbered balance in the operations – state veterans cemeteries account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That expenditures from this account for official hospitality shall not exceed \$1,200.

Operating expenditures – Kansas soldiers’ home ..... \$1,709,549

*Provided*, That any unencumbered balance in the operating expenditures – Kansas soldiers’ home account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Operating expenditures – Kansas veterans’ home ..... \$1,647,952

*Provided*, That any unencumbered balance in the operating expenditures – Kansas veterans’ home account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Scratch lotto – Kansas veterans’ home ..... \$100,060

Scratch lotto – veterans services ..... \$478,238

Scratch lotto – Kansas soldiers’ home ..... \$131,645

Scratch lotto – veterans cemeteries ..... \$250,840

Veterans claim assistance program – service grants..... \$600,000

*Provided*, That any unencumbered balance in the veterans claim assistance program – service grants account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That expenditures from the veterans claim assistance program – service grants account shall be made only for the purpose of awarding service grants to veterans service organizations for the purpose of aiding veterans in obtaining federal benefits: *Provided, however*, That no expenditures shall be made by the Kansas commission on veterans affairs office from the veterans claim assistance program – service grants account for operating expenditures or overhead for administering the grants in accordance with the provisions of K.S.A. 73-1234, and amendments thereto.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Soldiers’ home fee fund ..... \$1,816,726

Soldiers’ home benefit fund ..... No limit

Soldiers’ home work therapy fund..... No limit

Soldiers’ home medicare fund ..... No limit

Soldiers’ home medicaid fund ..... No limit

Soldiers' home canteen fund .....	No limit
Veterans' home medicare fund .....	No limit
Veterans' home medicaid fund .....	No limit
Veterans' home fee fund .....	\$2,581,461
Veterans' home canteen fund .....	No limit
Veterans' home benefit fund .....	No limit
Soldiers' home outpatient clinic fund .....	No limit
State veterans cemeteries fee fund .....	No limit
State veterans cemeteries donations and contributions fund .....	No limit
Outpatient clinic patient federal reimbursement fund – federal .....	No limit
VA burial reimbursement fund – federal .....	No limit
Federal domiciliary per diem fund .....	\$1,459,145
Federal long term care per diem fund .....	\$6,121,833
Commission on veterans affairs federal fund .....	\$194,846
Kansas veterans memorials fund .....	No limit
Vietnam war era veterans' recognition award fund .....	No limit
Kansas hometown heroes fund .....	No limit

(c) (1) During the fiscal year ending June 30, 2017, notwithstanding the provisions of K.S.A. 73-1231, 75-3728g, 76-1906 or 76-1953, and amendments thereto, or K.S.A. 2014 Supp. 73-1233, and amendments thereto, or any other statute, the director of the Kansas commission on veterans affairs office, with the approval of the director of the budget, may transfer moneys that are credited to a special revenue fund of the Kansas commission on veterans affairs office to another special revenue fund of the Kansas commission on veterans affairs office. The director of the Kansas commission on veterans affairs office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(2) As used in this subsection (c), “special revenue fund” means the soldiers' home fee fund, veterans' home fee fund, soldiers' home outpatient clinic fund, soldiers' home benefit fund, soldiers' home work therapy fund, veterans' home canteen fund, soldiers' home canteen fund, veterans' home benefit fund, Persian Gulf War veterans health initiative fund, state veterans cemeteries fee fund, state veterans cemeteries donations and contributions fund, and Kansas veterans memorials fund.

(d) During the fiscal year ending June 30, 2017, the director of the Kansas commission on veterans affairs office, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2017, from the state general fund for the Kansas commission on veterans affairs office or any institution or facility under the general supervision and management of the Kansas commission on veterans affairs office to another item of appropriation for

fiscal year 2017 from the state general fund for the Kansas commission on veterans affairs office or any institution or facility under the general supervision and management of the Kansas commission on veterans affairs office. The director of the Kansas commission on veterans affairs office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) During the fiscal year ending June 30, 2017, the director of the Kansas commission on veterans affairs office, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2017, from the state general fund for the Kansas commission on veterans affairs office to the Vietnam war era veterans' recognition award fund. The executive director of the Kansas commission on veterans affairs office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(f) During the fiscal year ending June 30, 2017, expenditures from the soldiers' home fee fund, veterans' home fee fund, federal domiciliary per diem fund, and federal long term care per diem fund shall not exceed the limitation established for fiscal year 2017 by this or other appropriation act of the 2015 or 2016 session of the legislature except upon specific authorization by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto.

Sec. 102.

DEPARTMENT OF HEALTH AND ENVIRONMENT —  
DIVISION OF PUBLIC HEALTH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures (including official hospitality)..... \$3,718,551

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Operating expenditures (including official hospitality) –  
health ..... \$1,909,890

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) – health account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Vaccine purchases ..... \$659,607

*Provided*, That any unencumbered balance in the vaccine purchases account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Aid to local units ..... \$4,805,709

*Provided*, That any unencumbered balance in the aid to local units account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That all expenditures from this account for state financial assistance to local health departments shall be in accordance with the formula prescribed by K.S.A. 65-241 through 65-246, and amendments thereto.

Aid to local units – primary health projects ..... \$7,948,690

*Provided*, That any unencumbered balance in the aid to local units – primary health projects account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That prescription support expenditures shall be made from the aid to local units – primary health projects account for: (1) Purchase of drug inventory under section 340B of the federal public health service act for community health center grantees and federally qualified health center look-alikes who qualify; (2) increasing access to prescription drugs by subsidizing a portion of the costs for the benefit of patients at section 340B participating clinics on a sliding fee scale; and (3) expanding access to prescription medication assistance programs by making expenditures to support operating costs of assistance programs at not-for-profit or publicly-funded primary care clinics, including federally qualified community health centers and federally qualified health center look-alikes, as defined by 42 U.S.C. § 330, that provide comprehensive primary health care services, offer sliding fee discounts based upon household income and serve any person regardless of ability to pay: *And provided further*, That policies determining patient eligibility due to income or insurance status may be determined by each community but must be clearly documented and posted.

Aid to local units – women’s wellness ..... \$94,296

*Provided*, That any unencumbered balance in the aid to local units – women’s wellness account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That all expenditures from the aid to local units – women’s wellness account shall be in accordance with grant agreements entered into by the secretary of health and environment and grant recipients.

Immunization programs ..... \$447,418

*Provided*, That any unencumbered balance in the immunization programs account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Breast cancer screening program ..... \$219,336

*Provided*, That any unencumbered balance in the breast cancer screening program account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Ryan White matching funds..... \$47,682

*Provided*, That any unencumbered balance in the Ryan White matching funds account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Pregnancy maintenance initiative..... \$338,846

*Provided*, That any unencumbered balance in the pregnancy maintenance initiative account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Cerebral palsy posture seating..... \$105,537

*Provided*, That any unencumbered balance in the cerebral palsy posture seating account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

PKU treatment ..... \$199,274

*Provided*, That any unencumbered balance in the PKU treatment account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Teen pregnancy prevention activities..... \$338,846

*Provided*, That any unencumbered balance in the teen pregnancy prevention activities account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Medical assistance – federal fund..... No limit

Substance abuse and mental health services administration – federal fund..... No limit

Breast and cervical cancer program and detection – federal fund ..... No limit

Health and environment training fee fund – health ..... No limit

*Provided*, That expenditures may be made from the health and environment training fee fund – health for acquisition and distribution of division of public health program literature and films and for participation in or conducting training seminars for training employees of the division of public health of the department of health and environment, for training recipients of state aid from the division of public health of the department of health and environment and for training representatives of industries affected by rules and regulations of the department of health and environment relating to the division of public health: *Provided further*, That the secretary of health and environment is hereby authorized to fix, charge and collect fees in order to recover costs incurred for such acqui-



sition and distribution of literature and films and for the operation of such seminars: *And provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the health and environment training fee fund – health: *And provided further*, That, in addition to the other purposes for which expenditures may be made by the department of health and environment for the division of public health from moneys appropriated from the health and environment training fee fund – health for fiscal year 2016, expenditures may be made by the department of health and environment from the health and environment training fee fund – health for fiscal year 2016 for agency operations for the division of public health.

Health facilities review fund.....	No limit
Insurance statistical plan fund.....	No limit
Health and environment publication fee fund – health ....	No limit

*Provided*, That expenditures from the health and environment publication fee fund – health shall be made only for the purpose of paying the expenses of publishing documents as required by K.S.A. 75-5662, and amendments thereto.

District coroners fund.....	No limit
Sponsored project overhead fund – health.....	No limit
Tuberculosis elimination and laboratory – federal fund ....	No limit
Maternity centers and child care facilities licensing fee fund .....	No limit
Child care and development block grant – federal fund ...	No limit
Federal supplemental funding for tobacco prevention and control – federal fund .....	No limit
Coordinated chronic disease prevention and health promotion program – federal fund.....	No limit
Office of rural health – federal fund.....	No limit
Emergency medical services for children – federal fund...	No limit
Primary care offices – federal fund .....	No limit
Injury intervention – federal fund.....	No limit
Oral health workforce activities – federal fund.....	No limit
Rural hospital flex program – federal fund .....	No limit
Hospital bioterrorism preparedness – federal fund.....	No limit
Kansas coalition against sexual and domestic violence – federal fund.....	No limit
ARRA migrant health – federal fund.....	No limit
ARRA child care development – federal fund.....	No limit
ARRA Kansas health information exchange project – federal fund .....	No limit
ARRA epidemiology and lab capacity – federal fund.....	No limit

ARRA women infants and children – federal fund .....	No limit
ARRA primary care offices – federal fund.....	No limit
ARRA collaborative component I – federal fund.....	No limit
ARRA collaborative component III – federal fund .....	No limit
ARRA ambulatory surgical center ASC/HAI medicare – federal fund.....	No limit
ARRA prevention of healthcare associated infections – federal fund .....	No limit
Medicare – federal fund.....	No limit
<i>Provided, That transfers of moneys from the medicare – federal fund to the state fire marshal may be made during fiscal year 2015 pursuant to a contract which is hereby authorized to be entered into by the secretary of health and environment and the state fire marshal to provide fire and safety inspections for hospitals.</i>	
Migrant health program – federal fund.....	No limit
Refugee health – federal fund.....	No limit
Strengthen public health immunization infrastructure – federal fund.....	No limit
Healthy homes and lead poisoning prevention – federal fund .....	No limit
Children’s mercy hospital lead program – federal fund ....	No limit
Women, infants and children health program – federal fund .....	No limit
WIC health program fund – senior farmer’s market – federal .....	No limit
Immunization and vaccines for children grants – federal fund .....	No limit
Home visiting grant – federal fund .....	No limit
Preventive health block grant – federal fund .....	No limit
Maternal and child health block grant – federal fund.....	No limit
National center for health statistics – federal fund.....	No limit
Title X family planning services program – federal fund...	No limit
Comprehensive STD prevention systems – federal fund ..	No limit
Children with special health care needs – federal fund ....	No limit
Make a difference information network – federal fund ....	No limit
Ryan White Title II – federal fund.....	No limit
Bicycle helmet distribution – federal fund.....	No limit
Bicycle helmet revolving fund .....	No limit
SSA fee fund .....	No limit
Lead certification cooperation agreement – federal fund..	No limit
Childhood lead poisoning prevention program – federal fund .....	No limit
State implementation projects for prevention of secondary conditions – federal fund.....	No limit

Title IV-E – federal fund.....	No limit
HIV prevention projects – federal fund .....	No limit
HIV/AIDS surveillance – federal fund.....	No limit
Infants & toddlers Title 1 – federal fund.....	No limit
Universal newborn hearing screening – federal fund .....	No limit
State loan repayment program – federal fund.....	No limit
Opt-out testing initiative – federal fund .....	No limit
Kansas system for early registration of volunteers – federal fund .....	No limit
Cardiovascular health programs – federal fund .....	No limit
Adult lead surveillance data – federal fund.....	No limit
Medical reserve corps contract – federal fund .....	No limit
Trauma fund .....	No limit

*Provided*, That expenditures may be made by the department of health and environment for fiscal year 2016 from the trauma fund of the department of health and environment – division of public health for the stroke prevention project: *Provided further*, That expenditures from the trauma fund for official hospitality shall not exceed \$3,000.

Homeland security – federal fund.....	No limit
Homeland security real ID – federal fund.....	No limit
Special education state grants – federal fund.....	No limit
Refugee assistance – federal fund .....	No limit
Personal responsibility education program – federal fund .....	No limit
Mammography quality standards act – federal fund.....	No limit
Kansas vital records for quality improvement – federal fund .....	No limit
Kansas early detection works breast & cervical cancer screening services – federal fund .....	No limit
Kansas public health approaches for ensuring quitline capacity – federal fund.....	No limit
Diagnostic x-ray program – federal fund .....	No limit
HRSA small hospital improvement grant program – federal fund .....	No limit
State indoor radon grant – federal fund .....	No limit
HUD lead hazard control program of Kansas City – federal fund .....	No limit
Gifts, grants and donations fund – health.....	No limit
Special bequest fund – health .....	No limit
Civil registration and health statistics fee fund .....	No limit
Power generating facility fee fund.....	No limit
Nuclear safety emergency preparedness special revenue fund .....	No limit

*Provided*, That all moneys received by the department of health and en-

vironment – division of public health from the nuclear safety emergency management fee fund of the adjutant general shall be credited to the nuclear safety emergency preparedness special revenue fund of the department of health and environment – division of public health: *Provided further*, That expenditures from the nuclear safety emergency preparedness special revenue fund for official hospitality shall not exceed \$1,000.

Radiation control operations fee fund..... No limit

*Provided*, That expenditures from the radiation control operations fee fund for official hospitality shall not exceed \$2,000.

Lead-based paint hazard fee fund..... No limit

Strengthening public health infrastructure – federal fund ..... No limit

Improving minority health – federal fund ..... No limit

Abstinence education – federal fund ..... No limit

Affordable care act – federal fund..... No limit

Carbon monoxide detector/fire injury prevention – federal fund ..... No limit

Health information exchange – federal fund..... No limit

Kansas newborn screening fund ..... No limit

Actions to prevent and control diabetes, heart disease, and obesity – federal fund ..... No limit

Healthy start initiative – federal fund ..... No limit

Immunization capacity building assistance – federal fund ..... No limit

(c) There is appropriated for the above agency from the children’s initiatives fund for the fiscal year ending June 30, 2016, the following:

Healthy start..... \$237,914

*Provided*, That any unencumbered balance in the healthy start account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*, That during the fiscal year ending June 30, 2016, the director of accounts and reports shall withhold 10% of the moneys in the healthy start account of the children’s initiatives fund for fiscal year 2016 until the director of accounts and reports has received certification from the children’s cabinet that all requested information regarding the healthy start programs or grant recipients has been received by the children’s cabinet: *Provided further*, That the director of accounts and reports shall transmit a copy of each such certification to the director of the budget and the director of legislative research: *And provided further*, That upon receipt of such certification, the director of accounts and reports shall release the withheld funds.

Infants and toddlers program ..... \$5,800,000

*Provided*, That any unencumbered balance in the infants and toddlers program account in excess of \$100 as of June 30, 2015, is hereby reap-

propriated for fiscal year 2016: *Provided, however,* That during the fiscal year ending June 30, 2016, the director of accounts and reports shall withhold 10% of the moneys in the infants and toddlers program account of the children’s initiatives fund for fiscal year 2016 until the director of accounts and reports has received certification from the children’s cabinet that all requested information regarding the infants and toddlers programs or grant recipients has been received by the children’s cabinet: *Provided further,* That the director of accounts and reports shall transmit a copy of each such certification to the director of the budget and the director of legislative research: *And provided further,* That upon receipt of such certification, the director of accounts and reports shall release the withheld funds.

Smoking prevention..... \$946,671

*Provided,* That any unencumbered balance in the smoking prevention account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however,* That during the fiscal year ending June 30, 2016, the director of accounts and reports shall withhold 10% of the moneys in the smoking prevention account of the children’s initiatives fund for fiscal year 2016 until the director of accounts and reports has received certification from the children’s cabinet that all requested information regarding the smoking prevention programs or grant recipients has been received by the children’s cabinet: *Provided further,* That the director of accounts and reports shall transmit a copy of each such certification to the director of the budget and the director of legislative research: *And provided further,* That upon receipt of such certification, the director of accounts and reports shall release the withheld funds.

Newborn hearing aid loaner program..... \$47,161

*Provided,* That any unencumbered balance in the newborn hearing aid loaner program account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however,* That during the fiscal year ending June 30, 2016, the director of accounts and reports shall withhold 10% of the moneys in the newborn hearing aid loaner program account of the children’s initiatives fund for fiscal year 2016 until the director of accounts and reports has received certification from the children’s cabinet that all requested information regarding the newborn hearing aid loaner programs or grant recipients has been received by the children’s cabinet: *Provided further,* That the director of accounts and reports shall transmit a copy of each such certification to the director of the budget and the director of legislative research: *And provided further,* That upon receipt of such certification, the director of accounts and reports shall release the withheld funds.

SIDS network grant..... \$96,374

*Provided,* That any unencumbered balance in the SIDS network grant

account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*, That during the fiscal year ending June 30, 2016, the director of accounts and reports shall withhold 10% of the moneys in the SIDS network grant account of the children's initiatives fund for fiscal year 2016 until the director of accounts and reports has received certification from the children's cabinet that all requested information regarding the SIDS network programs or grant recipients has been received by the children's cabinet: *Provided further*, That the director of accounts and reports shall transmit a copy of each such certification to the director of the budget and the director of legislative research: *And provided further*, That upon receipt of such certification, the director of accounts and reports shall release the withheld funds.

(d) On July 1, 2015, and on other occasions during fiscal year 2016 when necessary as determined by the secretary of health and environment, the director of accounts and reports shall transfer amounts specified by the secretary of health and environment, which amounts constitute reimbursements, credits and other amounts received by the department of health and environment for activities related to federal programs, from specified special revenue funds of the department of health and environment – division of public health or of the department of health and environment – division of environment, to the sponsored project overhead fund — health of the department of health and environment — division of public health.

(e) During the fiscal year ending June 30, 2016, the director of accounts and reports shall transfer an amount or amounts specified by the secretary of health and environment from any one or more special revenue funds of the department of health and environment – division of public health, which have available moneys, to the sponsored project overhead fund – health of the department of health and environment – division of public health for expenditures, as the case may be, for administrative expenses.

(f) In addition to the other purposes for which expenditures may be made by the department of health and environment — division of public health from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2016 and from which expenditures may be made for salaries and wages, as authorized by this or other appropriation act of the 2015 regular session of the legislature, expenditures may be made by the department of health and environment – division of public health from such moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2016 for up to four full-time equivalent positions in the unclassified service under the Kansas civil service act in the division of public health: *Provided*, That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, all such additional full-time equivalent positions in the un-

classified service under the Kansas civil service act shall be in addition to other positions within the department of health and environment in the unclassified service as prescribed by law and shall be established by the secretary of health and environment within the position limitation established for the department of health and environment on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for fiscal year 2016 made by this or other appropriation act of the 2015 regular session of the legislature: *Provided, however*, That the authority to establish such additional positions in the unclassified service shall not affect the classified service status of any person who is an employee of the department of health and environment in the classified service under the Kansas civil service act.

(g) During the fiscal year ending June 30, 2016, the amounts transferred by the director of accounts and reports from each of the special revenue funds of the department of health and environment — division of public health to the sponsored project overhead fund – health of the department of health and environment – division of public health pursuant to this section may include amounts not to exceed 25% of the expenditures from such special revenue fund, excepting expenditures for contractual services.

(h) During the fiscal year ending June 30, 2016, the secretary of health and environment, with approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2016 from the state general fund for the department of health and environment – division of public health or the department of health and environment – division of environment to another item of appropriation for fiscal year 2016 from the state general fund for the department of health and environment – division of public health or the department of health and environment – division of environment. The secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(i) In addition to the other purposes for which expenditures may be made by the department of health and environment — division of public health from moneys appropriated from the district coroners fund for fiscal year 2016, as authorized by this or other appropriation act of the 2015 regular session of the legislature, and notwithstanding the provisions of K.S.A. 22a-245, and amendments thereto, or any other statute, expenditures may be made by the department of health and environment – division of public health from such moneys appropriated from the district coroners fund for fiscal year 2016 pursuant to K.S.A. 22a-242, and amendments thereto.

(j) During the fiscal year ending June 30, 2016, subject to any applicable requirements of federal statutes, rules, regulations or guidelines,

any expenditures or grants of money by the department of health and environment — division of public health for family planning services financed in whole or in part from federal title X moneys shall be made subject to the following two priorities: First priority to public entities (state, county, local health departments and health clinics) and, if any moneys remain, then, Second priority to non-public entities which are hospitals or federally qualified health centers that provide comprehensive primary and preventative care in addition to family planning services: *Provided*, That, as used in this subsection “hospitals” shall have the same meaning as defined in K.S.A. 65-425, and amendments thereto, and “federally qualified health center” shall have the same meaning as defined in K.S.A. 65-1669, and amendments thereto.

(k) On July 1, 2015, the director of accounts and reports shall transfer \$200,000 from the health care stabilization fund of the health care stabilization fund board of governors to the health facilities review fund of the department of health and environment for the purpose of financing a review of records of licensed medical care facilities and an analysis of quality of health care services provided to assist in correcting substandard services and to reduce the incidence of liability resulting from the rendering of health care services and implementing the risk management provisions of K.S.A. 65-4922 et seq., and amendments thereto.

(l) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$500,000 from the sponsored project overhead fund — health of the department of health and environment — division of public health to the state general fund.

Sec. 103.

DEPARTMENT OF HEALTH AND ENVIRONMENT —  
DIVISION OF PUBLIC HEALTH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures (including official hospitality)..... \$4,001,547

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Operating expenditures (including official hospitality) –  
health ..... \$1,888,138

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) – health account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Vaccine purchases ..... \$659,607

*Provided*, That any unencumbered balance in the vaccine purchases account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.



Aid to local units ..... \$4,805,709

*Provided*, That any unencumbered balance in the aid to local units account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That all expenditures from this account for state financial assistance to local health departments shall be in accordance with the formula prescribed by K.S.A. 65-241 through 65-246, and amendments thereto.

Aid to local units – primary health projects ..... \$7,570,690

*Provided*, That any unencumbered balance in the aid to local units – primary health projects account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That prescription support expenditures shall be made from the aid to local units – primary health projects account for: (1) Purchase of drug inventory under section 340B of the federal public health service act for community health center grantees and federally qualified health center look-alikes who qualify; (2) increasing access to prescription drugs by subsidizing a portion of the costs for the benefit of patients at section 340B participating clinics on a sliding fee scale; and (3) expanding access to prescription medication assistance programs by making expenditures to support operating costs of assistance programs at not-for-profit or publicly-funded primary care clinics, including federally qualified community health centers and federally qualified health center look-alikes, as defined by 42 U.S.C. § 330, that provide comprehensive primary health care services, offer sliding fee discounts based upon household income and serve any person regardless of ability to pay: *And provided further*, That policies determining patient eligibility due to income or insurance status may be determined by each community but must be clearly documented and posted.

Aid to local units – women’s wellness ..... \$94,296

*Provided*, That any unencumbered balance in the aid to local units – women’s wellness account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That all expenditures from the aid to local units – women’s wellness account shall be in accordance with grant agreements entered into by the secretary of health and environment and grant recipients.

Immunization programs ..... \$447,418

*Provided*, That any unencumbered balance in the immunization programs account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Breast cancer screening program ..... \$219,336

*Provided*, That any unencumbered balance in the breast cancer screening program account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Ryan White matching funds..... \$47,682

*Provided*, That any unencumbered balance in the Ryan White matching funds account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Pregnancy maintenance initiative..... \$338,846

*Provided*, That any unencumbered balance in the pregnancy maintenance initiative account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Cerebral palsy posture seating..... \$105,537

*Provided*, That any unencumbered balance in the cerebral palsy posture seating account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

PKU treatment ..... \$199,274

*Provided*, That any unencumbered balance in the PKU treatment account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Teen pregnancy prevention activities..... \$338,846

*Provided*, That any unencumbered balance in the teen pregnancy prevention activities account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Medical assistance – federal fund..... No limit

Substance abuse and mental health services administration – federal fund..... No limit

Breast and cervical cancer program and detection – federal fund ..... No limit

Health and environment training fee fund – health ..... No limit

*Provided*, That expenditures may be made from the health and environment training fee fund – health for acquisition and distribution of division of public health program literature and films and for participation in or conducting training seminars for training employees of the division of public health of the department of health and environment, for training recipients of state aid from the division of public health of the department of health and environment and for training representatives of industries affected by rules and regulations of the department of health and environment relating to the division of public health: *Provided further*, That the secretary of health and environment is hereby authorized to fix, charge and collect fees in order to recover costs incurred for such acqui-

sition and distribution of literature and films and for the operation of such seminars: *And provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the health and environment training fee fund – health: *And provided further*, That, in addition to the other purposes for which expenditures may be made by the department of health and environment for the division of public health from moneys appropriated from the health and environment training fee fund – health for fiscal year 2017, expenditures may be made by the department of health and environment from the health and environment training fee fund – health for fiscal year 2017 for agency operations for the division of public health.

Health facilities review fund.....	No limit
Insurance statistical plan fund.....	No limit
Health and environment publication fee fund – health ....	No limit
<i>Provided</i> , That expenditures from the health and environment publication fee fund – health shall be made only for the purpose of paying the expenses of publishing documents as required by K.S.A. 75-5662, and amendments thereto.	
District coroners fund.....	No limit
Sponsored project overhead fund – health.....	No limit
Tuberculosis elimination and laboratory – federal fund ....	No limit
Maternity centers and child care facilities licensing fee fund .....	No limit
Child care and development block grant – federal fund ...	No limit
Federal supplemental funding for tobacco prevention and control – federal fund .....	No limit
Coordinated chronic disease prevention and health promotion program – federal fund.....	No limit
Office of rural health – federal fund.....	No limit
Emergency medical services for children – federal fund...	No limit
Primary care offices – federal fund .....	No limit
Injury intervention – federal fund.....	No limit
Oral health workforce activities – federal fund.....	No limit
Rural hospital flex program – federal fund .....	No limit
Hospital bioterrorism preparedness – federal fund.....	No limit
Kansas coalition against sexual and domestic violence – federal fund.....	No limit
ARRA migrant health – federal fund.....	No limit
ARRA child care development – federal fund.....	No limit
ARRA Kansas health information exchange project – federal fund .....	No limit
ARRA epidemiology and lab capacity – federal fund.....	No limit

ARRA women infants and children – federal fund .....	No limit
ARRA primary care offices – federal fund.....	No limit
ARRA collaborative component I – federal fund.....	No limit
ARRA collaborative component III – federal fund .....	No limit
ARRA ambulatory surgical center ASC/HAI medicare – federal fund.....	No limit
ARRA prevention of healthcare associated infections – federal fund .....	No limit
Medicare – federal fund.....	No limit
<i>Provided, That transfers of moneys from the medicare – federal fund to the state fire marshal may be made during fiscal year 2017 pursuant to a contract which is hereby authorized to be entered into by the secretary of health and environment and the state fire marshal to provide fire and safety inspections for hospitals.</i>	
Migrant health program – federal fund.....	No limit
Refugee health – federal fund.....	No limit
Strengthen public health immunization infrastructure – federal fund.....	No limit
Healthy homes and lead poisoning prevention – federal fund .....	No limit
Children’s mercy hospital lead program – federal fund ....	No limit
Women, infants and children health program – federal fund .....	No limit
WIC health program fund – senior farmer’s market – federal .....	No limit
Immunization and vaccines for children grants – federal fund .....	No limit
Home visiting grant – federal fund .....	No limit
Preventive health block grant – federal fund .....	No limit
Maternal and child health block grant – federal fund.....	No limit
National center for health statistics – federal fund.....	No limit
Title X family planning services program – federal fund...	No limit
Comprehensive STD prevention systems – federal fund ..	No limit
Children with special health care needs – federal fund ....	No limit
Make a difference information network – federal fund ....	No limit
Ryan White Title II – federal fund.....	No limit
Bicycle helmet distribution – federal fund.....	No limit
Bicycle helmet revolving fund .....	No limit
SSA fee fund .....	No limit
Lead certification cooperation agreement – federal fund..	No limit
Childhood lead poisoning prevention program – federal fund .....	No limit
State implementation projects for prevention of secondary conditions – federal fund.....	No limit

Title IV-E – federal fund.....	No limit
HIV prevention projects – federal fund .....	No limit
HIV/AIDS surveillance – federal fund.....	No limit
Infants & toddlers Title 1 – federal fund.....	No limit
Universal newborn hearing screening – federal fund .....	No limit
State loan repayment program – federal fund.....	No limit
Opt-out testing initiative – federal fund .....	No limit
Kansas system for early registration of volunteers – federal fund .....	No limit
Cardiovascular health programs – federal fund .....	No limit
Adult lead surveillance data – federal fund.....	No limit
Medical reserve corps contract – federal fund .....	No limit
Trauma fund .....	No limit

*Provided*, That expenditures may be made by the department of health and environment for fiscal year 2017 from the trauma fund of the department of health and environment – division of public health for the stroke prevention project: *Provided further*, That expenditures from the trauma fund for official hospitality shall not exceed \$3,000.

Homeland security – federal fund.....	No limit
Homeland security real ID – federal fund.....	No limit
Special education state grants – federal fund.....	No limit
Refugee assistance – federal fund .....	No limit
Personal responsibility education program – federal fund .....	No limit
Mammography quality standards act – federal fund.....	No limit
Kansas vital records for quality improvement – federal fund .....	No limit
Kansas early detection works breast & cervical cancer screening services – federal fund .....	No limit
Kansas public health approaches for ensuring quitline capacity – federal fund.....	No limit
Diagnostic x-ray program – federal fund .....	No limit
HRSA small hospital improvement grant program – federal fund .....	No limit
State indoor radon grant – federal fund .....	No limit
HUD lead hazard control program of Kansas City – federal fund .....	No limit
Gifts, grants and donations fund – health.....	No limit
Special bequest fund – health .....	No limit
Civil registration and health statistics fee fund .....	No limit
Power generating facility fee fund.....	No limit
Nuclear safety emergency preparedness special revenue fund .....	No limit

*Provided*, That all moneys received by the department of health and en-

vironment – division of public health from the nuclear safety emergency management fee fund of the adjutant general shall be credited to the nuclear safety emergency preparedness special revenue fund of the department of health and environment – division of public health: *Provided further*, That expenditures from the nuclear safety emergency preparedness special revenue fund for official hospitality shall not exceed \$1,000.

Radiation control operations fee fund..... No limit  
*Provided*, That expenditures from the radiation control operations fee fund for official hospitality shall not exceed \$2,000.

Lead-based paint hazard fee fund..... No limit

Strengthening public health infrastructure – federal fund ..... No limit

Improving minority health – federal fund ..... No limit

Abstinence education – federal fund ..... No limit

Affordable care act – federal fund..... No limit

Carbon monoxide detector/fire injury prevention – federal fund ..... No limit

Health information exchange – federal fund..... No limit

Kansas newborn screening fund ..... No limit

Actions to prevent and control diabetes, heart disease, and obesity — federal fund..... No limit

Healthy start initiative — federal fund..... No limit

Immunization capacity building assistance — federal fund ..... No limit

(c) There is appropriated for the above agency from the children’s initiatives fund for the fiscal year ending June 30, 2017, the following:

Healthy start..... \$237,914

*Provided*, That any unencumbered balance in the healthy start account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*, That during the fiscal year ending June 30, 2017, the director of accounts and reports shall withhold 10% of the moneys in the healthy start account of the children’s initiatives fund for fiscal year 2017 until the director of accounts and reports has received certification from the children’s cabinet that all requested information regarding the healthy start programs or grant recipients has been received by the children’s cabinet: *Provided further*, That the director of accounts and reports shall transmit a copy of each such certification to the director of the budget and the director of legislative research: *And provided further*, That upon receipt of such certification, the director of accounts and reports shall release the withheld funds.

Infants and toddlers program ..... \$5,800,000

*Provided*, That any unencumbered balance in the infants and toddlers program account in excess of \$100 as of June 30, 2016, is hereby reap-

propriated for fiscal year 2017: *Provided, however,* That during the fiscal year ending June 30, 2017, the director of accounts and reports shall withhold 10% of the moneys in the infants and toddlers program account of the children’s initiatives fund for fiscal year 2017 until the director of accounts and reports has received certification from the children’s cabinet that all requested information regarding the infants and toddlers programs or grant recipients has been received by the children’s cabinet: *Provided further,* That the director of accounts and reports shall transmit a copy of each such certification to the director of the budget and the director of legislative research: *And provided further,* That upon receipt of such certification, the director of accounts and reports shall release the withheld funds.

Smoking prevention..... \$946,671

*Provided,* That any unencumbered balance in the smoking prevention account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however,* That during the fiscal year ending June 30, 2017, the director of accounts and reports shall withhold 10% of the moneys in the smoking prevention account of the children’s initiatives fund for fiscal year 2017 until the director of accounts and reports has received certification from the children’s cabinet that all requested information regarding the smoking prevention programs or grant recipients has been received by the children’s cabinet: *Provided further,* That the director of accounts and reports shall transmit a copy of each such certification to the director of the budget and the director of legislative research: *And provided further,* That upon receipt of such certification, the director of accounts and reports shall release the withheld funds.

Newborn hearing aid loaner program..... \$47,161

*Provided,* That any unencumbered balance in the newborn hearing aid loaner program account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however,* That during the fiscal year ending June 30, 2017, the director of accounts and reports shall withhold 10% of the moneys in the newborn hearing aid loaner program account of the children’s initiatives fund for fiscal year 2017 until the director of accounts and reports has received certification from the children’s cabinet that all requested information regarding the newborn hearing aid loaner programs or grant recipients has been received by the children’s cabinet: *Provided further,* That the director of accounts and reports shall transmit a copy of each such certification to the director of the budget and the director of legislative research: *And provided further,* That upon receipt of such certification, the director of accounts and reports shall release the withheld funds.

SIDS network grant..... \$96,374

*Provided,* That any unencumbered balance in the SIDS network grant

account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*, That during the fiscal year ending June 30, 2017, the director of accounts and reports shall withhold 10% of the moneys in the SIDS network grant account of the children's initiatives fund for fiscal year 2017 until the director of accounts and reports has received certification from the children's cabinet that all requested information regarding the SIDS network programs or grant recipients has been received by the children's cabinet: *Provided further*, That the director of accounts and reports shall transmit a copy of each such certification to the director of the budget and the director of legislative research: *And provided further*, That upon receipt of such certification, the director of accounts and reports shall release the withheld funds.

(d) On July 1, 2016, and on other occasions during fiscal year 2017 when necessary as determined by the secretary of health and environment, the director of accounts and reports shall transfer amounts specified by the secretary of health and environment, which amounts constitute reimbursements, credits and other amounts received by the department of health and environment for activities related to federal programs, from specified special revenue funds of the department of health and environment – division of public health or of the department of health and environment – division of environment, to the sponsored project overhead fund — health of the department of health and environment — division of public health.

(e) During the fiscal year ending June 30, 2016, the director of accounts and reports shall transfer an amount or amounts specified by the secretary of health and environment from any one or more special revenue funds of the department of health and environment – division of public health, which have available moneys, to the sponsored project overhead fund – health of the department of health and environment – division of public health for expenditures, as the case may be, for administrative expenses.

(f) In addition to the other purposes for which expenditures may be made by the department of health and environment — division of public health from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2017 and from which expenditures may be made for salaries and wages, as authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures may be made by the department of health and environment – division of public health from such moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2017 for up to four full-time equivalent positions in the unclassified service under the Kansas civil service act in the division of public health: *Provided*, That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, all such additional full-time equivalent positions in the unclassified service under the Kansas civil service act shall



be in addition to other positions within the department of health and environment in the unclassified service as prescribed by law and shall be established by the secretary of health and environment within the position limitation established for the department of health and environment on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for fiscal year 2017 made by this or other appropriation act of the 2015 or 2016 regular session of the legislature: *Provided, however*, That the authority to establish such additional positions in the unclassified service shall not affect the classified service status of any person who is an employee of the department of health and environment in the classified service under the Kansas civil service act.

(g) During the fiscal year ending June 30, 2017, the amounts transferred by the director of accounts and reports from each of the special revenue funds of the department of health and environment — division of public health to the sponsored project overhead fund – health of the department of health and environment – division of public health pursuant to this section may include amounts not to exceed 25% of the expenditures from such special revenue fund, excepting expenditures for contractual services.

(h) During the fiscal year ending June 30, 2017, the secretary of health and environment, with approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2017 from the state general fund for the department of health and environment – division of public health or the department of health and environment – division of environment to another item of appropriation for fiscal year 2017 from the state general fund for the department of health and environment – division of public health or the department of health and environment – division of environment. The secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(i) In addition to the other purposes for which expenditures may be made by the department of health and environment — division of public health from moneys appropriated from the district coroners fund for fiscal year 2017, as authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, and notwithstanding the provisions of K.S.A. 22a-245, and amendments thereto, or any other statute, expenditures may be made by the department of health and environment — division of public health from such moneys appropriated from the district coroners fund for fiscal year 2017 pursuant to K.S.A. 22a-242, and amendments thereto.

(j) During the fiscal year ending June 30, 2017, subject to any applicable requirements of federal statutes, rules, regulations or guidelines, any expenditures or grants of money by the department of health and

environment — division of public health for family planning services financed in whole or in part from federal title X moneys shall be made subject to the following two priorities: First priority to public entities (state, county, local health departments and health clinics) and, if any moneys remain, then, Second priority to non-public entities which are hospitals or federally qualified health centers that provide comprehensive primary and preventative care in addition to family planning services: *Provided*, That, as used in this subsection “hospitals” shall have the same meaning as defined in K.S.A. 65-425, and amendments thereto, and “federally qualified health center” shall have the same meaning as defined in K.S.A. 65-1669, and amendments thereto.

(k) On July 1, 2016, the director of accounts and reports shall transfer \$200,000 from the health care stabilization fund of the health care stabilization fund board of governors to the health facilities review fund of the department of health and environment for the purpose of financing a review of records of licensed medical care facilities and an analysis of quality of health care services provided to assist in correcting substandard services and to reduce the incidence of liability resulting from the rendering of health care services and implementing the risk management provisions of K.S.A. 65-4922 et seq., and amendments thereto.

Sec. 104.

DEPARTMENT OF HEALTH AND ENVIRONMENT —  
DIVISION OF HEALTH CARE FINANCE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Health policy operating expenditures ..... \$10,051,271

*Provided*, That any unencumbered balance in the health policy operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That expenditures shall be made from the health policy operating expenditures account of the above agency for the drug utilization review board to perform an annual review of the approved exemptions to the current single source limit by program.

Other medical assistance ..... \$661,573,849

*Provided*, That any unencumbered balance in the other medical assistance account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That expenditures may be made from the other medical assistance account by the above agency for the purpose of implementing or expanding any prior authorization project: *And provided further*, That an evaluation of the automated implementation, savings obtained from implementation, and other outcomes of the implementation or expansion shall be submitted to the Robert G. (Bob) Bethell joint committee on home and community based services

and KanCare oversight prior to the start of the regular session of the legislature in 2016.

Children’s health insurance program ..... \$17,293,612

*Provided*, That any unencumbered balance in the children’s health insurance program account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Office of the inspector general ..... \$79,635

*Provided*, That any unencumbered balance in the office of the inspector general account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Preventive health care program fund..... \$1,505,983

Cafeteria benefits fund..... No limit

*Provided*, That expenditures from the cafeteria benefits fund for the fiscal year ending June 30, 2016, for salaries and wages and other operating expenditures shall not exceed \$4,375,362.

State workers compensation self-insurance fund ..... No limit

*Provided*, That expenditures from the state workers compensation self-insurance fund for the fiscal year ending June 30, 2016, for salaries and wages and other operating expenditures shall not exceed \$4,090,512.

Dependent care assistance program fund..... No limit

*Provided*, That expenditures from the dependent care assistance program fund for the fiscal year ending June 30, 2016, for salaries and wages and other operating expenditures shall not exceed \$3,026,787.

Non-state employer group benefit fund ..... \$144,346

Division of health care finance special revenue fund..... No limit

*Provided*, That expenditures from the division of health care finance special revenue fund for the fiscal year ending June 30, 2016, for official hospitality shall not exceed \$1,000.

Health committee insurance fund..... No limit

Health care database fee fund..... No limit

Association assistance plan fund..... No limit

Medical programs fee fund ..... \$87,782,913

Medical assistance fee fund..... No limit

Health benefits administration clearing fund – remit admin service org..... No limit

*Provided*, That expenditures from the health benefits administration clearing fund – remit admin service org for the fiscal year ending June

30, 2016, for salaries and wages and other operating expenditures shall not exceed \$7,880,402.

Health insurance premium reserve fund.....	No limit
Other state fees fund.....	No limit
Health care access improvement fund.....	No limit
Children’s health insurance program federal fund.....	No limit
State planning – health care – uninsured fund.....	No limit
Medicaid infrastructure grant – disability employment federal fund.....	No limit
HIV care formula grant federal fund.....	No limit
Medical assistance program federal fund.....	No limit
Quality care fund.....	\$0
Quality based community assessment fund.....	No limit
Refugee and entrant assistance – state administered programs fund.....	No limit
KEES interagency transfer fund.....	No limit
Energy assistance block grant.....	No limit
Supplemental nutrition assistance program — admin.....	No limit
Temporary assistance for needy families .....	No limit
Title IV-E — adoption assistance.....	No limit

(c) During the fiscal year ending June 30, 2016, any moneys donated or granted to the division of health care finance of the department of health and environment and any federal funds received as match to such donations or grants by the division of health care finance of the department of health and environment for the fiscal year ending June 30, 2016, shall only be expended by the division of health care finance of the department of health and environment to assist the clearinghouse in reducing any backlogs or waiting lists, unless otherwise specified by the donor or grantor: *Provided*, That any donated or granted moneys, and the matching moneys received therefor from the federal centers for medicare and medicaid services, shall not be used to supplant or replace funds already budgeted for the clearinghouse or to restore any other reductions in funding to the clearinghouse or the agency, unless otherwise specified by the donor or grantor.

(d) During the fiscal year ending June 30, 2016, no expenditures shall be made by the secretary of health and environment from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 for the purpose of implementing a program under KanCare health homes for persons with chronic conditions, unless the legislature expressly consents to implementation of such program and expenditures therefor.

(e) In addition to the other purposes for which expenditures may be made by the department of health and environment — division of health care finance from the moneys appropriated from the state general fund

or from any special revenue fund or funds for fiscal year 2016 authorized by this or other appropriation act of the 2015 regular session of the legislature, expenditures shall be made by the department of health and environment – division of health care finance from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 to submit a report regarding the implementation of the executive reorganization order No. 43 to the legislature: *Provided*, That such report shall be submitted on or before January 1, 2017: *Provided further*, That such report shall include an evaluation of whether the transfer of the eligibility for medicaid services determination is effective in administering the program, utilizing the personnel and whether the payment error rate measurement (PERM) is decreased after the transfer.

(f) In addition to the other purposes for which expenditures may be made by the department of health and environment — division of health care finance from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 as authorized by this act or other appropriation act of the 2015 regular session of the legislature, expenditures shall be made by the department of health and environment – division of health care finance from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 to conduct an audit of revenues and disbursements of the health care access improvement fund for the fiscal year ending June 30, 2015: *Provided*, That the health care access improvement panel shall provide a report in accordance with the provisions of K.S.A. 2014 Supp. 65-6218, and amendments thereto, to the 2016 legislature no later than February 15, 2016, with a plan to address the long-term sustainability of the health care access improvement program with funding only from the assessment revenues defined in K.S.A. 2014 Supp. 65-6207(g), and amendments thereto, other than for working capital needs.

Sec. 105.

DEPARTMENT OF HEALTH AND ENVIRONMENT —  
 DIVISION OF HEALTH CARE FINANCE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Health policy operating expenditures ..... \$10,874,322

*Provided*, That any unencumbered balance in the health policy operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That expenditures shall be made from the health policy operating expenditures account of the above agency for the drug utilization review board to perform an annual review of the approved exemptions to the current single source limit by program.

Other medical assistance ..... \$676,570,074

*Provided*, That any unencumbered balance in the other medical assis-

tance account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That expenditures may be made from the other medical assistance account by the above agency for the purpose of implementing or expanding any prior authorization project: *And provided further*, That an evaluation of the automated implementation, savings obtained from implementation, and other outcomes of the implementation or expansion shall be submitted to the Robert G. (Bob) Bethell joint committee on home and community based services and KanCare oversight prior to the start of the regular session of the legislature in 2017.

Children’s health insurance program ..... \$17,293,612

*Provided*, That any unencumbered balance in the children’s health insurance program account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Office of the inspector general ..... \$78,945

*Provided*, That any unencumbered balance in the office of the inspector general account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Preventive health care program fund..... \$1,517,593

Cafeteria benefits fund..... No limit

*Provided*, That expenditures from the cafeteria benefits fund for the fiscal year ending June 30, 2017, for salaries and wages and other operating expenditures shall not exceed \$3,855,310.

State workers compensation self-insurance fund ..... No limit

*Provided*, That expenditures from the state workers compensation self-insurance fund for the fiscal year ending June 30, 2017, for salaries and wages and other operating expenditures shall not exceed \$3,932,063.

Dependent care assistance program fund..... No limit

*Provided*, That expenditures from the dependent care assistance program fund for the fiscal year ending June 30, 2017, for salaries and wages and other operating expenditures shall not exceed \$2,246,059.

Non-state employer group benefit fund ..... \$143,190

Division of health care finance special revenue fund..... No limit

*Provided*, That expenditures from the division of health care finance special revenue fund for the fiscal year ending June 30, 2017, for official hospitality shall not exceed \$1,000.

Health committee insurance fund..... No limit

Health care database fee fund.....	No limit
Association assistance plan fund.....	No limit
Medical programs fee fund.....	\$79,354,660
Medical assistance fee fund.....	No limit
Health benefits administration clearing fund – remit admin service org.....	No limit

*Provided*, That expenditures from the health benefits administration clearing fund – remit admin service org for the fiscal year ending June 30, 2017, for salaries and wages and other operating expenditures shall not exceed \$7,890,000.

Health insurance premium reserve fund.....	No limit
Other state fees fund.....	No limit
Health care access improvement fund.....	No limit
Children’s health insurance program federal fund.....	No limit
State planning – health care – uninsured fund.....	No limit
Medicaid infrastructure grant – disability employment federal fund.....	No limit
HIV care formula grant federal fund.....	No limit
Medical assistance program federal fund.....	No limit
Quality care fund.....	\$0
Quality based community assessment fund.....	No limit
Refugee and entrant assistance – state administered programs fund.....	No limit
KEES interagency transfer fund.....	No limit
Energy assistance block grant.....	No limit
Supplemental nutrition assistance program – admin.....	No limit
Temporary assistance for needy families.....	No limit
Title IV-E – adoption assistance.....	No limit

(c) During the fiscal year ending June 30, 2017, any moneys donated or granted to the division of health care finance of the department of health and environment and any federal funds received as match to such donations or grants by the division of health care finance of the department of health and environment for the fiscal year ending June 30, 2017, shall only be expended by the division of health care finance of the department of health and environment to assist the clearinghouse in reducing any backlogs or waiting lists, unless otherwise specified by the donor or grantor: *Provided*, That any donated or granted moneys, and the matching moneys received therefor from the federal centers for medicare and medicaid services, shall not be used to supplant or replace funds already budgeted for the clearinghouse or to restore any other reductions in funding to the clearinghouse or the agency, unless otherwise specified by the donor or grantor.

(d) During the fiscal year ending June 30, 2017, no expenditures shall be made by the secretary of health and environment from moneys ap-

propriated from the state general fund or from any special revenue fund or funds for fiscal year 2017 for the purpose of implementing a program under KanCare health homes for persons with chronic conditions, unless the legislature expressly consents to implementation of such program and expenditures therefor.

(e) In addition to the other purposes for which expenditures may be made by the department of health and environment — division of health care finance from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2017 authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures shall be made by the department of health and environment – division of health care finance from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2017 to submit a report regarding the implementation of the executive reorganization order No. 43 to the legislature: *Provided*, That such report shall be submitted on or before January 1, 2017: *Provided further*, That such report shall include an evaluation of whether the transfer of the eligibility for medicaid services determination is effective in administering the program, utilizing the personnel and whether the payment error rate measurement (PERM) is decreased after the transfer.

Sec. 106.

DEPARTMENT OF HEALTH AND ENVIRONMENT —  
DIVISION OF ENVIRONMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures (including official hospitality)..... \$4,293,457

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Mined-land conservation and reclamation fee fund ..... No limit  
Publication fee fund – environment ..... No limit  
Solid waste management fund..... No limit

*Provided*, That expenditures may be made from the solid waste management fund during the fiscal year ending June 30, 2016, for official hospitality: *Provided further*, That such expenditures for official hospitality shall not exceed \$2,500.

Public water supply fee fund..... No limit  
Voluntary cleanup fund ..... No limit



Storage tank fee fund.....	No limit
Air quality fee fund.....	No limit
Hazardous waste collection fund.....	No limit
Health and environment training fee fund – environment .....	No limit

*Provided*, That expenditures may be made from the health and environment training fee fund – environment for acquisition and distribution of division of environment program literature and films and for participation in or conducting training seminars for training employees of the division of environment of the department of health and environment, for training recipients of state aid from the division of environment of the department of health and environment and for training representatives of industries affected by rules and regulations of the department of health and environment relating to the division of environment: *Provided further*, That the secretary of health and environment is hereby authorized to fix, charge and collect fees in order to recover costs incurred for such acquisition and distribution of literature and films and for the operation of such seminars: *And provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the health and environment training fee fund – environment: *And provided further*, That, in addition to the other purposes for which expenditures may be made by the department of health and environment for the division of environment from moneys appropriated from the health and environment training fee fund – environment for fiscal year 2016, expenditures may be made by the department of health and environment from the health and environment training fee fund – environment for fiscal year 2016 for agency operations for the division of environment.

Driving under the influence fund .....	No limit
Waste tire management fund .....	No limit
Health and environment publication fee fund – environment .....	No limit

*Provided*, That expenditures from the health and environment publication fee fund – environment shall be made only for the purpose of paying the expenses of publishing documents as required by K.S.A. 75-5662, and amendments thereto.

Local air quality control authority regulation services fund .....	No limit
Surface mining fee fund .....	No limit
Kansas newborn screening fee fund .....	No limit
Environmental response fund.....	No limit
Sponsored project overhead fund – environment .....	No limit

Chemical control fee fund .....	No limit
QuantiFERON TB laboratory fund.....	No limit
Resource conservation and recovery act – federal fund ....	No limit
Superfund state cooperative agreements – federal fund ...	No limit
Water supply – federal fund.....	No limit
Air quality section 103 – federal fund.....	No limit
EPA – core support – federal fund .....	No limit
Network exchange grant – federal fund .....	No limit
ARRA Kansas clean diesel assistance program grant – federal fund .....	No limit
Performance partnership grants – federal fund.....	No limit
Kansas clean diesel grant – federal fund .....	No limit
Air quality program – federal fund.....	No limit
Section 106 monitoring initiative – federal fund.....	No limit
Air quality section 105 – federal fund.....	No limit
Leaking underground storage tank trust – federal fund....	No limit
Surface mining control and reclamation act – federal fund .....	No limit
Abandoned mined-land – federal fund .....	No limit
Department of defense and state cooperative agreement – federal fund.....	No limit
EPA non-point source – federal fund .....	No limit
Pollution prevention program – federal fund.....	No limit
EPA operator expense reimbursement for drinking water – federal fund.....	No limit
EPA water monitoring – federal fund.....	No limit
Gifts, grants and donations fund – environment.....	No limit
Special bequest fund – environment .....	No limit
Aboveground petroleum storage tank release trust fund...	No limit
Underground petroleum storage tank release trust fund...	No limit
Drycleaning facility release trust fund .....	No limit
Public water supply loan fund .....	No limit
Public water supply loan operations fund.....	No limit
Kansas water pollution control revolving fund.....	No limit

*Provided*, That the proceeds from revenue bonds issued by the Kansas development finance authority to provide matching grant payments under the federal clean water act of 1987 (P.L. 92-500) shall be credited to the Kansas water pollution control revolving fund: *Provided further*, That expenditures from this fund shall be made to provide for the payment of such matching grants.

Kansas water pollution control operations fund.....	No limit
Cost of issuance fund for Kansas water pollution control revolving fund revenue bonds .....	No limit

Surcharge fund for Kansas water pollution control revolving fund revenue bonds.....	No limit
Surcharge operations fund for Kansas water pollution control revolving fund revenue bonds.....	No limit
Debt service reserve fund.....	No limit
Subsurface hydrocarbon storage fund.....	No limit
Natural resources damages trust fund.....	No limit
Hazardous waste management fund.....	No limit
Brownfields revolving loan program – federal fund .....	No limit
Mined-land reclamation fund.....	No limit
Operator outreach training program – federal fund .....	No limit
Underground storage tank – federal fund.....	No limit
EPA underground injection control – federal fund.....	No limit
Laboratory medicaid cost recovery fund – environment ...	No limit
EPA state response program – federal fund .....	No limit
Environmental use control fund .....	No limit
Environmental response remedial activity specific sites — federal fund.....	No limit
Emergency environmental response — nonspecific sites federal fund.....	No limit
Medicare program — environment — federal fund.....	No limit
EPA pollution prevention — federal fund.....	No limit
Inspections Kansas infrastructure projects – federal fund .....	No limit
Marais Des Cygnes targeted watershed project – federal fund .....	No limit
Salt solution mining well plugging fund .....	No limit
UST redevelopment fund .....	No limit
Office of laboratory services operating fund .....	No limit
Risk management fund .....	No limit

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2016, for the state water plan project or projects specified as follows:

Contamination remediation..... \$687,217

*Provided*, That any unencumbered balance in the contamination remediation account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

TMDL initiatives and use attainability analysis..... \$275,053

*Provided*, That any unencumbered balance in the TMDL initiatives and use attainability analysis account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Watershed restoration and protection plan..... \$555,884

*Provided*, That any unencumbered balance in the watershed restoration

and protection plan account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Nonpoint source program..... \$295,406

*Provided*, That any unencumbered balance in the nonpoint source program account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*, That during the fiscal year ending June 30, 2016, the director of accounts and reports shall withhold 10% of the moneys in the children’s mental health waiver account of the children’s initiatives fund for fiscal year 2016 until the director of accounts and reports has received certification from the children’s cabinet that all requested information regarding the children’s mental health waiver programs or grant recipients has been received by the children’s cabinet: *Provided further*, That the director of accounts and reports shall transmit a copy of each such certification to the director of the budget and the director of legislative research: *And provided further*, That upon receipt of such certification, the director of accounts and reports shall release the withheld funds.

(d) During the fiscal year ending June 30, 2016, the secretary of health and environment, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2016 from the state water plan fund for the department of health and environment – division of environment to another item of appropriation for fiscal year 2016 from the state water plan fund for the department of health and environment – division of environment: *Provided*, That the secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research, the chairperson of the house of representatives agriculture and natural resources budget committee and the chairperson of the subcommittee on health and environment/human resources of the senate committee on ways and means.

(e) During the fiscal year ending June 30, 2016, notwithstanding the provisions of K.S.A. 65-3024, and amendments thereto, the director of accounts and reports shall not make the transfers of amounts of interest earnings from the state general fund to the air quality fee fund of the department of health and environment which are directed to be made on or before the 10th day of each month by K.S.A. 65-3024, and amendments thereto.

(f) On July 1, 2015, and on other occasions during fiscal year 2016 when necessary, the director of accounts and reports shall transfer amounts specified by the secretary of health and environment, which amounts constitute reimbursements, credits and other amounts received by the department of health and environment for activities related to federal programs, from specified special revenue fund or funds of the department of health and environment – division of public health or of

the department of health and environment – division of environment, to the sponsored project overhead fund – environment of the department of health and environment – division of environment.

(g) During the fiscal year ending June 30, 2016, the director of accounts and reports shall transfer an amount or amounts specified by the secretary of health and environment from any one or more special revenue fund or funds of the department of health and environment – division of environment, which have available moneys, to the sponsored project overhead fund – environment of the department of health and environment – division of environment or to the sponsored project overhead fund – health of the department of health and environment – division of public health, as the case may be, for expenditures for administrative expenses.

(h) During the fiscal year ending June 30, 2016, the secretary of health and environment, with approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2016 from the state general fund for the department of health and environment – division of public health or the department of health and environment – division of environment to another item of appropriation for fiscal year 2016 from the state general fund for the department of health and environment – division of public health or the department of health and environment – division of environment. The secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(i) During the fiscal year ending June 30, 2016, the amounts transferred by the director of accounts and reports from each of the special revenue funds of the department of health and environment — division of environment to the sponsored project overhead fund – environment of the department of health and environment – division of environment pursuant to this section may include amounts equal to not more than 25% of the expenditures from such special revenue fund, excepting expenditures for contractual services.

(j) On July 1, 2015, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 65-3454a, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$50,000 from the environmental response fund of the department of health and environment – division of environment to the state general fund.

Sec. 107.

DEPARTMENT OF HEALTH AND ENVIRONMENT —  
DIVISION OF ENVIRONMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures (including official hospitality)..... \$4,375,233

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Mined-land conservation and reclamation fee fund .....	No limit
Publication fee fund – environment .....	No limit
Solid waste management fund.....	No limit

*Provided*, That expenditures may be made from the solid waste management fund during the fiscal year ending June 30, 2017, for official hospitality: *Provided further*, That such expenditures for official hospitality shall not exceed \$2,500.

Public water supply fee fund.....	No limit
Voluntary cleanup fund .....	No limit
Storage tank fee fund.....	No limit
Air quality fee fund.....	No limit
Hazardous waste collection fund.....	No limit
Health and environment training fee fund – environment .....	No limit

*Provided*, That expenditures may be made from the health and environment training fee fund – environment for acquisition and distribution of division of environment program literature and films and for participation in or conducting training seminars for training employees of the division of environment of the department of health and environment, for training recipients of state aid from the division of environment of the department of health and environment and for training representatives of industries affected by rules and regulations of the department of health and environment relating to the division of environment: *Provided further*, That the secretary of health and environment is hereby authorized to fix, charge and collect fees in order to recover costs incurred for such acquisition and distribution of literature and films and for the operation of such seminars: *And provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the health and environment training fee fund – environment: *And provided further*, That, in addition to the other purposes for which expenditures may be made by the department of health and environment for the division of environment from moneys appropriated from the health and environment training fee fund – environment for fiscal year 2017, expenditures may be made by the department of

health and environment from the health and environment training fee fund – environment for fiscal year 2017 for agency operations for the division of environment.

Driving under the influence fund .....	No limit
Waste tire management fund .....	No limit
Health and environment publication fee fund – environment .....	No limit

*Provided*, That expenditures from the health and environment publication fee fund – environment shall be made only for the purpose of paying the expenses of publishing documents as required by K.S.A. 75-5662, and amendments thereto.

Local air quality control authority regulation services fund .....	No limit
Surface mining fee fund .....	No limit
Kansas newborn screening fee fund .....	No limit
Environmental response fund.....	No limit
Sponsored project overhead fund – environment .....	No limit
Chemical control fee fund .....	No limit
QuantiFERON TB laboratory fund.....	No limit
Resource conservation and recovery act – federal fund ....	No limit
Superfund state cooperative agreements – federal fund ...	No limit
Water supply – federal fund.....	No limit
Air quality section 103 – federal fund.....	No limit
EPA – core support – federal fund .....	No limit
Network exchange grant – federal fund .....	No limit
ARRA Kansas clean diesel assistance program grant – federal fund .....	No limit
Performance partnership grants – federal fund .....	No limit
Kansas clean diesel grant – federal fund .....	No limit
Air quality program – federal fund.....	No limit
Section 106 monitoring initiative – federal fund.....	No limit
Air quality section 105 – federal fund.....	No limit
Leaking underground storage tank trust – federal fund....	No limit
Surface mining control and reclamation act – federal fund .....	No limit
Abandoned mined-land – federal fund .....	No limit
Department of defense and state cooperative agreement – federal fund.....	No limit
EPA non-point source – federal fund .....	No limit
Pollution prevention program – federal fund .....	No limit
EPA operator expense reimbursement for drinking water – federal fund.....	No limit
EPA water monitoring – federal fund.....	No limit
Gifts, grants and donations fund – environment.....	No limit

Special bequest fund – environment .....	No limit
Aboveground petroleum storage tank release trust fund...	No limit
Underground petroleum storage tank release trust fund...	No limit
Drycleaning facility release trust fund .....	No limit
Public water supply loan fund .....	No limit
Public water supply loan operations fund.....	No limit
Kansas water pollution control revolving fund.....	No limit

*Provided*, That the proceeds from revenue bonds issued by the Kansas development finance authority to provide matching grant payments under the federal clean water act of 1987 (P.L. 92-500) shall be credited to the Kansas water pollution control revolving fund: *Provided further*, That expenditures from this fund shall be made to provide for the payment of such matching grants.

Kansas water pollution control operations fund.....	No limit
Cost of issuance fund for Kansas water pollution control revolving fund revenue bonds .....	No limit
Surcharge fund for Kansas water pollution control revolving fund revenue bonds.....	No limit
Surcharge operations fund for Kansas water pollution control revolving fund revenue bonds.....	No limit
Debt service reserve fund.....	No limit
Subsurface hydrocarbon storage fund.....	No limit
Natural resources damages trust fund.....	No limit
Hazardous waste management fund .....	No limit
Brownfields revolving loan program – federal fund .....	No limit
Mined-land reclamation fund .....	No limit
Operator outreach training program – federal fund .....	No limit
Underground storage tank – federal fund.....	No limit
EPA underground injection control – federal fund.....	No limit
Laboratory medicaid cost recovery fund – environment ...	No limit
EPA state response program – federal fund .....	No limit
Environmental use control fund .....	No limit
Environmental response remedial activity specific sites — federal fund.....	No limit
Emergency environmental response — nonspecific sites federal fund.....	No limit
Medicare program — environment — federal fund.....	No limit
EPA pollution prevention — federal fund.....	No limit
Inspections Kansas infrastructure projects – federal fund .....	No limit
Marais Des Cygnes targeted watershed project – federal fund .....	No limit
Salt solution mining well plugging fund .....	No limit
UST redevelopment fund.....	No limit



Office of laboratory services operating fund .....	No limit
Risk management fund .....	No limit

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2017, for the state water plan project or projects specified as follows:

Contamination remediation.....	\$689,931
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*Provided*, That any unencumbered balance in the contamination remediation account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

TMDL initiatives and use attainability analysis.....	\$276,904
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*Provided*, That any unencumbered balance in the TMDL initiatives and use attainability analysis account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Watershed restoration and protection plan.....	\$555,884
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*Provided*, That any unencumbered balance in the watershed restoration and protection plan account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Nonpoint source program.....	\$300,373
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*Provided*, That any unencumbered balance in the nonpoint source program account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(d) During the fiscal year ending June 30, 2017, the secretary of health and environment, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2017 from the state water plan fund for the department of health and environment – division of environment to another item of appropriation for fiscal year 2017 from the state water plan fund for the department of health and environment – division of environment: *Provided*, That the secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research, the chairperson of the house of representatives agriculture and natural resources budget committee and the chairperson of the subcommittee on health and environment/human resources of the senate committee on ways and means.

(e) During the fiscal year ending June 30, 2017, notwithstanding the provisions of K.S.A. 65-3024, and amendments thereto, the director of accounts and reports shall not make the transfers of amounts of interest earnings from the state general fund to the air quality fee fund of the department of health and environment which are directed to be made on or before the 10th day of each month by K.S.A. 65-3024, and amendments thereto.

(f) On July 1, 2016, and on other occasions during fiscal year 2017 when necessary, the director of accounts and reports shall transfer

amounts specified by the secretary of health and environment, which amounts constitute reimbursements, credits and other amounts received by the department of health and environment for activities related to federal programs, from specified special revenue funds of the department of health and environment — division of public health or of the department of health and environment — division of environment, to the sponsored project overhead fund — environment of the department of health and environment — division of environment.

(g) During the fiscal year ending June 30, 2017, the director of accounts and reports shall transfer an amount or amounts specified by the secretary of health and environment from any one or more special revenue fund or funds of the department of health and environment — division of environment, which have available moneys, to the sponsored project overhead fund – environment of the department of health and environment – division of environment or to the sponsored project overhead fund – health of the department of health and environment – division of public health, as the case may be, for expenditures for administrative expenses.

(h) During the fiscal year ending June 30, 2017, the secretary of health and environment, with approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2017 from the state general fund for the department of health and environment – division of public health or the department of health and environment – division of environment to another item of appropriation for fiscal year 2017 from the state general fund for the department of health and environment – division of public health or the department of health and environment – division of environment. The secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(i) During the fiscal year ending June 30, 2017, the amounts transferred by the director of accounts and reports from each of the special revenue funds of the department of health and environment — division of environment to the sponsored project overhead fund – environment of the department of health and environment – division of environment pursuant to this section may include amounts equal to not more than 25% of the expenditures from such special revenue fund, excepting expenditures for contractual services.

Sec. 108.

**KANSAS DEPARTMENT FOR AGING AND  
DISABILITY SERVICES**

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Administration ..... \$6,047,961

*Provided*, That any unencumbered balance in the administration account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$1,748.

Administration – assessments ..... \$475,480

*Provided*, That any unencumbered balance in the administration – assessments account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Administration – medicaid ..... \$1,087,824

*Provided*, That any unencumbered balance in the administration – medicaid account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Administration – older Americans act match ..... \$100,417

*Provided*, That any unencumbered balance in the administration – older Americans act match account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Senior care act ..... \$2,547,848

*Provided*, That any unencumbered balance in the senior care act account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That each grant agreement with an area agency on aging for a grant from the senior care act account shall require the area agency on aging to submit to the secretary for aging and disability services a report for fiscal year 2015 by the area agency on aging which shall include information about the kinds of services provided and the number of persons receiving each kind of service during fiscal year 2015: *And provided further*, That the secretary for aging and disability services shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the 2016 regular session of the legislature a report of the information contained in such reports from the area agencies on aging on expenditures for fiscal year 2015: *And provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

Program grants – nutrition – state match ..... \$3,845,725

*Provided*, That any unencumbered balance in the program grants – nutrition – state match account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That each grant agreement with an area agency on aging for a grant from the program grants – nutrition – state match account shall require the area agency on aging to submit to the secretary for aging and disability services a report for federal fiscal year 2015 by the area agency on aging which

shall include information about the kinds of services provided and the number of persons receiving each kind of service during federal fiscal year 2015: *And provided further*, That the secretary for aging and disability services shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the 2016 regular session of the legislature a report of the information contained in such reports from the area agencies on aging on expenditures for federal fiscal year 2015: *And provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

LTC – medicaid assistance – NF ..... \$305,621,502

*Provided*, That any unencumbered balance in the LTC – medicaid assistance – NF account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures: *And provided further*, That, notwithstanding the provisions of K.S.A. 2014 Supp. 75-5958, and amendments thereto, or any other statute, and subject to appropriations, the secretary for aging and disability services may provide rate increases for nursing facilities for fiscal year 2016.

LTC – medicaid assistance – PACE ..... \$5,480,489

*Provided*, That any unencumbered balance in the LTC – medicaid assistance – PACE account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That all expenditures made from the LTC – medicaid assistance – PACE account shall be for the PACE program: *And provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

Nursing facilities regulation ..... \$526,907

*Provided*, That any unencumbered balance in the nursing facilities regulation account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Nursing facilities regulation – title XIX..... \$1,440,865

*Provided*, That any unencumbered balance in the nursing facilities regulation – title XIX account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Health occupational credentialing ..... \$596,464

State operations ..... \$10,581,719

*Provided*, That any unencumbered balance in the state operations account in excess of \$100 as of June 30, 2015, is hereby reappropriated to the state operations account for fiscal year 2016: *Provided further*, That expenditures may be made from this account for the purchase of professional liability insurance for physicians and dentists at any institution, as defined by K.S.A. 76-12a01, and amendments thereto.

Alcohol and drug abuse services grants ..... \$2,313,903

*Provided*, That any unencumbered balance in the alcohol and drug abuse services grants account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Mental health and retardation services aid and assistance ..... \$44,975,785

*Provided*, That any unencumbered balance in the mental health and retardation services aid and assistance account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Kansas neurological institute – operating expenditures..... \$9,406,046

*Provided*, That any unencumbered balance in the Kansas neurological institute – operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*, That expenditures from the Kansas neurological institute – operating expenditures account for official hospitality by the superintendent shall not exceed \$150: *Provided further*, That expenditures shall be made from this account to assist residents of the institution to take personally-used items, which were constructed for use by such residents and which are hereby authorized to be transferred to such residents, from the institution to communities when such residents leave the institution to reside in the communities.

Larned state hospital – operating expenditures ..... \$26,088,932

*Provided*, That any unencumbered balance in the Larned state hospital – operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*, That expenditures from the Larned state hospital – operating expenditures account for official hospitality by the superintendent shall not exceed \$150: *Provided further*, That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by Larned state hospital with unified school districts or other public educational services providers: *And provided further*, That such educational services contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto.

Larned state hospital – sexual predator treatment program ..... \$17,511,551

*Provided*, That any unencumbered balance in the Larned state hospital – sexual predator treatment program account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Osawatomie state hospital – operating expenditures ..... \$12,748,821

*Provided*, That any unencumbered balance in the Osawatomie state hospital – operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*, That expenditures from the Osawatomie state hospital – operating expenditures account for official hospitality by the superintendent shall not exceed \$150.

Parsons state hospital and training center – operating expenditures ..... \$9,826,042

*Provided*, That any unencumbered balance in the Parsons state hospital and training center – operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*, That expenditures from the Parsons state hospital and training center – operating expenditures account for official hospitality by the superintendent shall not exceed \$150: *And provided further*, That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by Parsons state hospital and training center with unified school districts or other public educational services providers: *And provided further*, That such educational services contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto: *And provided further*, That expenditures shall be made from this account to assist residents of the institution to take personally-used items, which were constructed for use by such residents and which are hereby authorized to be transferred to such residents, from the institution to communities when such residents leave the institution to reside in the communities.

Parsons state hospital and training center – sexual predator treatment program ..... \$936,147

Community based services..... \$268,455,355

*Provided*, That any unencumbered balance in the community based services account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Community mental health centers supplemental funding..... \$12,250,000

*Provided*, That any unencumbered balance in the community mental health centers supplemental funding account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Larned state hospital – SPTP new crimes reimbursement ..... \$250,000

*Provided*, That any unencumbered balance in the Larned state hospital — SPTP new crimes reimbursement account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Title XIX fund ..... \$46,014,124

*Provided*, That all receipts resulting from payments under title XIX of the federal social security act to any of the institutions under mental health and retardation services may be credited to the title XIX fund:

*Provided further*, That moneys in the title XIX fund may be used for expenditures for contractual services to provide for collecting additional payments under title XVIII and title XIX of the federal social security act and for expenditures for premiums and surcharges required to be paid for physicians’ malpractice insurance.

Kansas neurological institute fee fund ..... \$1,317,402

Kansas neurological institute – foster grandparents program – federal fund ..... No limit

Kansas neurological institute – FGP gifts, grants, donations special fund ..... No limit

Kansas neurological institute – FGP gifts, grants, donations fund ..... No limit

Kansas neurological institute – patient benefit fund..... No limit

Kansas neurological institute – work therapy patient benefit fund..... No limit

Kansas neurological institute – conferences fees fund ..... No limit

*Provided*, That all moneys received as fees for conference activities by Kansas neurological institute shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas neurological institute – conferences fees fund: *Provided further*, That the superintendent of Kansas neurological institute is hereby authorized to fix, charge and collect fees for conference activities sponsored by Kansas neurological institute: *And provided further*, That expenditures may be made from this fund to defray the costs of such conference activities.

Larned state hospital fee fund ..... \$4,445,594

Larned state hospital – elementary and secondary education fund – federal..... No limit

Larned state hospital – national school lunch program – federal ..... No limit

Larned state hospital – medical assistance program – federal ..... No limit

Larned state hospital – vocational education fund – federal .....	No limit
Larned state hospital – motor pool revolving fund.....	No limit
Larned state hospital – work therapy patient benefit fund .....	No limit
Larned state hospital – canteen fund.....	No limit
Larned state hospital – patient benefit fund .....	No limit
Osawatomie state hospital – ECIA fund – federal .....	No limit
Osawatomie state hospital – medical assistance program – federal .....	No limit
Osawatomie state hospital – canteen fund.....	No limit
Osawatomie state hospital – patient benefit fund .....	No limit
Osawatomie state hospital – work therapy patient benefit fund .....	No limit
Osawatomie state hospital – motor pool revolving fund....	No limit
Osawatomie state hospital – cottage revenue and expenditures fund.....	No limit
Osawatomie state hospital – training fee revolving fund ...	No limit

*Provided*, That all moneys received as fees for training activities for Osawatomie state hospital shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Osawatomie state hospital – training fee revolving fund: *Provided further*, That the superintendent of Osawatomie state hospital is hereby authorized to fix, charge and collect fees for training activities at Osawatomie state hospital: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses of such training activities for Osawatomie state hospital.

Osawatomie state hospital fee fund ..... \$8,576,414

*Provided*, That all moneys received as fees for the use of video teleconferencing equipment at Osawatomie state hospital shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the video teleconferencing fee account of the Osawatomie state hospital fee fund: *Provided further*, That all moneys credited to the video teleconferencing fee account shall be used solely for the servicing, technical and program support, maintenance and replacement of associated equipment at Osawatomie state hospital: *And provided further*, That any expenditures from the video teleconferencing fee account shall be in addition to any expenditure limitation imposed on the Osawatomie state hospital fee fund.

Parsons state hospital and training center – medical assistance program – federal .....	No limit
Parsons state hospital and training center – canteen fund .....	No limit



Parsons state hospital and training center – patient benefit fund .....	No limit
Parsons state hospital and training center – work therapy patient benefit fund .....	No limit
Parsons state hospital and training center fee fund .....	\$1,372,386

*Provided*, That all moneys received as fees for the use of video teleconferencing equipment at Parsons state hospital and training center shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the video teleconferencing fee account of the Parsons state hospital and training center fee fund: *Provided further*, That all moneys credited to the video teleconferencing fee account shall be used solely for the servicing, maintenance and replacement of video teleconferencing equipment at Parsons state hospital and training center: *And provided further*, That any expenditures from the video teleconferencing fee account shall be in addition to any expenditure limitation imposed on the Parsons state hospital and training center fee fund.

AoA demonstration lifespan respite project .....	No limit
Community putting prevention to work .....	No limit
Special program for aging IIIB – federal fund .....	No limit
Special program for aging IIIC – federal fund .....	No limit
Special program for aging IIID – federal fund .....	No limit
National family caregiver support program IIIE – federal fund .....	No limit
Special program for aging IV & II – federal fund .....	No limit
Special program for aging VII-2 – federal fund .....	No limit
Special program for aging VII-3 – federal fund .....	No limit
Alzheimer’s disease fund .....	No limit
Survey & certification – federal fund .....	No limit
Center for medicare/medicaid service – federal fund .....	No limit
Money follows the person grant – federal fund .....	No limit
Medicaid assistance program – federal fund .....	No limit

*Provided*, That transfers of moneys from the title XIX fund – federal to the state fire marshal may be made during fiscal year 2016 pursuant to a contract which is hereby authorized to be entered into by the secretary for aging and disability services with the state fire marshal to provide fire and safety inspections for adult care homes and hospitals.

Social service block grant fund .....	\$4,500,000
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*Provided*, That each grant agreement with an area agency on aging for a grant from the social service block grant fund shall require the area agency on aging to submit to the secretary for aging and disability services a report for fiscal year 2015 by the area agency on aging which shall include information about the kinds of services provided and the number of persons receiving each kind of service during fiscal year 2015: *Provided fur-*

*ther*, That the secretary for aging and disability services shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the 2016 regular session of the legislature a report of the information contained in such reports from the area agencies on aging on expenditures for fiscal year 2015: *And provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this fund shall be placed in appropriate services which are determined to be the most economical services available.

Nutrition service incentive program fund – federal.....	No limit
National bioterrorism hospital preparedness program – federal fund.....	No limit
Senior citizen nutrition check-off fund .....	No limit
Conferences and workshops attendance and publications fees fund.....	No limit

*Provided*, That the secretary for aging and disability services is hereby authorized to fix, charge and collect conference and workshop attendance fees for conferences and workshops sponsored by the Kansas department for aging and disability services and fees for copies of publications: *Provided further*, That such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the conferences and workshops attendance and publications fees fund: *And provided further*, That expenditures may be made from this fund to defray all or part of the costs of such conferences and workshops including official hospitality and of such publications.

Health policy nursing facility quality care fund .....	No limit
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*Provided*, That the secretary for aging and disability services, acting as the agent of the secretary of health and environment, is hereby authorized to collect the quality care assessment under K.S.A. 2014 Supp. 75-7435, and amendments thereto, and notwithstanding the provisions of K.S.A. 2014 Supp. 75-7435, and amendments thereto, all moneys received for such quality care assessments shall be deposited in the state treasury to the credit of the health policy nursing facility quality care fund: *Provided further*, That all moneys in the health policy nursing facility quality care fund shall be used to finance initiatives to maintain or improve the quantity and quality of skilled nursing care in skilled nursing care facilities in Kansas in accordance with K.S.A. 2014 Supp. 75-7435, and amendments thereto.

State licensure fee fund.....	No limit
General fees fund.....	No limit

*Provided*, That the secretary for aging and disability services is hereby authorized to collect (1) fees from the sale of surplus property, (2) fees

charged for searching, copying and transmitting copies of public records, (3) fees paid by employees for personal long distance calls, postage, faxed messages, copies and other authorized uses of state property, and (4) other miscellaneous fees: *Provided further*, That such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further*, That expenditures shall be made from this fund to meet the obligations of the Kansas department for aging and disability services, or to benefit and meet the mission of the Kansas department for aging and disability services.

Gifts and donations fund ..... No limit  
*Provided*, That the secretary for aging and disability services is hereby authorized to receive gifts and donations of money for services to senior citizens or purposes related thereto: *Provided further*, That such gifts and donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the gifts and donations fund.

Medical resources and collection fund..... No limit  
*Provided*, That all moneys received or collected by the secretary for aging and disability services due to medicaid overpayments shall be deposited in the state treasury and in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the medical resources and collection fund: *Provided further*, That expenditures from such fund shall be made for medicaid program-related expenses and used to reduce state general fund outlays for the medicaid program: *And provided further*, That all moneys received or collected by the secretary for aging and disability services due to civil monetary penalty assessments against adult care homes shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the medical resources and collection fund: *And provided further*, That expenditures from such fund shall be made to protect the health or property of adult care home residents as required by federal law.

- SHICK fund – grants – federal..... No limit
- Senior services fund..... No limit
- Long-term care loan and grant fund..... No limit
- Intergovernmental transfer administration fund ..... \$0
- Non-government grant fund..... No limit
- Health facilities review fund..... No limit
- Medicare enrollment assistance program fund – federal... No limit
- Medical assistance program – federal fund..... No limit
- Children’s health insurance federal fund..... No limit
- DADS social welfare fund ..... No limit
- Other state fees fund ..... No limit

Substance abuse/mental health services federal fund .....	No limit
Community mental health block grant federal fund.....	No limit
Prevention/treatment substance abuse federal fund.....	No limit
Problem gambling and addictions grant fund.....	No limit
Alternatives to psych. resid. treatment facilities for children federal fund.....	No limit
Substance abuse performance outcome grant federal fund .....	No limit
ADAS data collection grant federal fund.....	No limit
Money follows the person rebalancing demonstration fed- eral fund .....	No limit
Temporary assistance for needy families – fed funds .....	No limit
Public health/social services emergency response federal fund .....	No limit
Assistance in transition from homelessness federal fund...	No limit
Developmental disabilities basic support federal fund.....	No limit
Olmstead fellowship program.....	No limit
Medicare fund .....	No limit
Medicare fund – oasis .....	No limit
Nonfederal reimbursements fund .....	No limit

*Provided*, That all nonfederal reimbursements received by the Kansas department for aging and disability services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and credited to the nonfederal reimbursements fund.

Mental health grants – state highway fund ..... \$9,750,000

*Provided*, That on July 1, 2015, October 1, 2015, January 1, 2016, and April 1, 2016, or as soon after each date as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$2,437,500 from the state highway fund of the department of transportation to the mental health grants — state highway fund of the Kansas department for aging and disability services.

Safe and supportive schools ..... No limit

(c) There is appropriated for the above agency from the children’s initiatives fund for the fiscal year ending June 30, 2016, the following:

Children’s mental health waiver..... \$3,800,000

*Provided*, That any unencumbered balance in the children’s mental health waiver account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*, That during the fiscal year ending June 30, 2016, the director of accounts and reports shall withhold 10% of the moneys in the children’s mental health waiver account of the children’s initiatives fund for fiscal year 2016 until the director of accounts and reports has received certification from the chil-

dren's cabinet that all requested information regarding the children's mental health waiver programs or grant recipients has been received by the children's cabinet: *Provided further*, That the director of accounts and reports shall transmit a copy of each such certification to the director of the budget and the director of legislative research: *And provided further*, That upon receipt of such certification, the director of accounts and reports shall release the withheld funds.

(d) On July 1, 2015, the superintendent of Osawatometie state hospital, upon the approval of the director of accounts and reports, shall transfer an amount specified by the superintendent from the Osawatometie state hospital — canteen fund to the Osawatometie state hospital — patient benefit fund.

(e) On July 1, 2015, the superintendent of Parsons state hospital, upon approval from the director of accounts and reports, shall transfer an amount specified by the superintendent from the Parsons state hospital and training center — canteen fund to the Parsons state hospital and training center — patient benefit fund.

(f) On July 1, 2015, the superintendent of Larned state hospital, upon approval of the director of accounts and reports, shall transfer an amount specified by the superintendent from the Larned state hospital — canteen fund to the Larned state hospital — patient benefit fund.

(g) During the fiscal year ending June 30, 2016, no moneys paid by the Kansas department for aging and disability services from the mental health and retardation services aid and assistance account of the state general fund shall be expended by the entity receiving such moneys to pay membership dues and fees to any entity that does not provide the Kansas department for aging and disability services, the legislative division of post audit, or another state agency, access to its financial records upon request for such access.

(h) During the fiscal year ending June 30, 2016, the secretary for aging and disability services, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2016 from the state general fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability services to another item of appropriation for fiscal year 2016 from the state general fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability services. The secretary for aging and disability services shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(i) During the fiscal year ending June 30, 2016, the secretary for aging and disability services, with the approval of the director of the budget,

may transfer any part of any item of appropriation for fiscal year 2016 from the state institutions building fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability services to another item of appropriation for fiscal year 2016 from the state institutions building fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability services. The secretary for aging and disability services shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(j) In addition to the other purposes for which expenditures may be made by the Kansas department for children and families from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2016 for the Kansas department for children and families and in addition to the other purposes for which expenditures may be made by the department of health and environment – division of public health from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2016 for the department of health and environment – division of public health, as authorized by this or other appropriation act of the 2015 regular session of the legislature, expenditures may be made by the secretary for children and families and the secretary of health and environment for fiscal year 2016 to enter into a contract with the secretary for aging and disability services, which is hereby authorized and directed to be entered into by such secretaries, to provide for the secretary for aging and disability services to perform the powers, duties, functions and responsibilities prescribed by and to conduct investigations pursuant to K.S.A. 39-1404, and amendments thereto, in conjunction with the performance of such powers, duties, functions, responsibilities and investigations by the secretary for children and families and the secretary of health and environment under such statute, with respect to reports of abuse, neglect or exploitation of residents or reports of residents in need of protective services on behalf of the secretary for children and families or the secretary of health and environment, as the case may be, in accordance with and pursuant to K.S.A. 39-1404, and amendments thereto, during fiscal year 2016: *Provided*, That, in addition to the other purposes for which expenditures may be made by the Kansas department for aging and disability services from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2016 for the Kansas department for aging and disability services, as authorized by this or other appropriation act of the 2015 regular session of the legislature, expenditures shall be made by the secretary for aging and disability services for fiscal year 2016 to provide for the performance of such powers, duties, functions and responsibilities and to conduct such investigations: *Provided further*, That, the words and phrases used in this

subsection shall have the meanings respectively ascribed thereto by K.S.A. 39-1401, and amendments thereto.

(k) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$550,000 from the problem gambling and addictions grant fund of the Kansas department for aging and disability services to the domestic violence grant fund of the governor's department.

(l) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$150,000 from the problem gambling and addictions grant fund of the Kansas department for aging and disability services to the child advocacy center grants fund of the governor's department.

(m) In addition to the other purposes for which expenditures may be made by the Kansas department for aging and disability services from moneys appropriated from the state general fund or in any special revenue fund or funds for fiscal year 2016 for the Kansas department for aging and disability services as authorized by this act or other appropriation act of the 2015 regular session of the legislature, notwithstanding the provisions of any other statute, expenditures shall be made by the Kansas department for aging and disability services from moneys appropriated from the state general fund or in any special revenue fund or funds for fiscal year 2016 to provide continuing services to those individuals with developmental disabilities and physical disabilities who were removed from the waiting list and receiving services during fiscal year 2016.

(n) During the fiscal year ending June 30, 2016, in addition to the other purposes for which expenditures may be made by the Kansas department for aging and disability services from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2016 for the Kansas department for aging and disability services as authorized by this or other appropriation act of the 2015 regular session of the legislature, expenditures shall be made by the secretary for aging and disability services for fiscal year 2016 to fix, charge and collect fees from parents for services provided to their children by an institution or program of the Kansas department for aging and disability services: *Provided*, That all moneys received by the Kansas department for aging and disability services for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the DADS social welfare fund.

(o) During the fiscal year ending June 30, 2016, in addition to other purposes for which expenditures may be made by the Kansas department for aging and disability services from moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2016 by this or any other appropriation act of the 2015 regular session of the legislature, expenditures shall be made by the Kan-

sas department for aging and disability services from the state general fund or from any special revenue fund or funds for fiscal year 2016, to extend contract provisions that were in effect for the fiscal year ending June 30, 2015 for the national alliance for mental illness, keys for networking, and Kansas families partnerships to provide mental health education, outreach and advocacy services, and substance use treatment and for families together to provide parent training, education and support for families of individuals with disabilities: *Provided*, That the contract extension shall not be mandatory if the agency provides written notification to the current recipients of the contracts for the fiscal year ending June 30, 2015, of the recipients of the new contracts selected for the fiscal year ending June 30, 2016: *Provided further*, That the notification shall occur at least 30 days prior to the end of the contracts with the existing recipients: *And provided further*, That in the event the contract extension is required, the extension shall be renewable monthly at the current monthly rate for a period not to exceed six months and shall expire no later than December 30, 2015.

(p) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$94,993 from the problem gambling and addictions grant fund of the Kansas department for aging and disability services to the state general fund.

(q) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$287,007 from the problem gambling and addictions grant fund of the Kansas department for aging and disability services to the DADS social welfare fund of the Kansas department for aging and disability services.

(r) On June 30, 2016, notwithstanding the provisions of K.S.A. 2014 Supp. 79-4805, and amendments thereto, or any other statute, the director of accounts and reports shall transfer the amount of any unencumbered balance in the problem gambling and addictions grant fund of the Kansas department for aging and disability services to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the problem gambling and addictions grant fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the problem gambling and addictions grant fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the Kansas department for aging and disability services by other state agencies which receive appropriations from the state general fund to provide such services.



Sec. 109.

KANSAS DEPARTMENT FOR AGING AND  
DISABILITY SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Administration ..... \$6,049,984

*Provided*, That any unencumbered balance in the administration account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$1,748.

Administration – assessments ..... \$478,190

*Provided*, That any unencumbered balance in the administration – assessments – Level I care account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Administration – medicaid ..... \$1,124,837

*Provided*, That any unencumbered balance in the administration – medicaid account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Administration – older Americans act match ..... \$102,072

*Provided*, That any unencumbered balance in the administration – older Americans act match account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Senior care act ..... \$2,547,848

*Provided*, That any unencumbered balance in the senior care act account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That each grant agreement with an area agency on aging for a grant from the senior care act account shall require the area agency on aging to submit to the secretary for aging and disability services a report for fiscal year 2016 by the area agency on aging which shall include information about the kinds of services provided and the number of persons receiving each kind of service during fiscal year 2016: *And provided further*, That the secretary for aging and disability services shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the 2017 regular session of the legislature a report of the information contained in such reports from the area agencies on aging on expenditures for fiscal year 2016: *And provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

Program grants – nutrition – state match ..... \$3,845,725

*Provided*, That any unencumbered balance in the program grants – nutrition – state match account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That each grant agreement with an area agency on aging for a grant from the program grants – nutrition – state match account shall require the area agency on aging to submit to the secretary for aging and disability services a report for federal fiscal year 2016 by the area agency on aging which shall include information about the kinds of services provided and the number of persons receiving each kind of service during federal fiscal year 2016: *And provided further*, That the secretary for aging and disability services shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the 2017 regular session of the legislature a report of the information contained in such reports from the area agencies on aging on expenditures for federal fiscal year 2016: *And provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

LTC – medicaid assistance – NF ..... \$305,121,668

*Provided*, That any unencumbered balance in the LTC – medicaid assistance – NF account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures: *And provided further*, That, notwithstanding the provisions of K.S.A. 2014 Supp. 75-5958, and amendments thereto, or any other statute, and subject to appropriations, the secretary for aging and disability services may provide rate increases for nursing facilities for fiscal year 2017.

LTC – medicaid assistance – PACE ..... \$5,616,689

*Provided*, That any unencumbered balance in the LTC – medicaid assistance – PACE account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That all expenditures made from the LTC – medicaid assistance – PACE account shall be for the PACE program: *And provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

Nursing facilities regulation ..... \$541,034

*Provided*, That any unencumbered balance in the nursing facilities reg-

ulation account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Nursing facilities regulation – title XIX..... \$1,465,153

*Provided*, That any unencumbered balance in the nursing facilities regulation – title XIX account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Health occupational credentialing..... \$602,445

State operations ..... \$10,715,469

*Provided*, That any unencumbered balance in the state operations account in excess of \$100 as of June 30, 2016, is hereby reappropriated to the state operations account for fiscal year 2017: *Provided further*, That expenditures may be made from this account for the purchase of professional liability insurance for physicians and dentists at any institution, as defined by K.S.A. 76-12a01, and amendments thereto.

Alcohol and drug abuse services grants..... \$2,313,903

*Provided*, That any unencumbered balance in the alcohol and drug abuse services grants account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Mental health and retardation services aid and assistance ..... \$41,426,288

*Provided*, That any unencumbered balance in the mental health and retardation services aid and assistance account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Kansas neurological institute – operating expenditures..... \$10,251,771

*Provided*, That any unencumbered balance in the Kansas neurological institute – operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*, That expenditures from the Kansas neurological institute – operating expenditures account for official hospitality by the superintendent shall not exceed \$150: *Provided further*, That expenditures shall be made from this account to assist residents of the institution to take personally-used items, which were constructed for use by such residents and which are hereby authorized to be transferred to such residents, from the institution to communities when such residents leave the institution to reside in the communities.

Larned state hospital – operating expenditures ..... \$27,348,732

*Provided*, That any unencumbered balance in the Larned state hospital – operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*, That expenditures from the Larned state hospital – operating expenditures account for official hospitality by the superintendent shall not exceed \$150: *Provided further*, That expenditures may be made from this account

for educational services contracts which are hereby authorized to be negotiated and entered into by Larned state hospital with unified school districts or other public educational services providers: *And provided further*, That such educational services contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto.

Larned state hospital – sexual predator treatment program ..... \$20,207,788

*Provided*, That any unencumbered balance in the Larned state hospital – sexual predator treatment program account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Osawatomie state hospital – operating expenditures ..... \$13,763,917

*Provided*, That any unencumbered balance in the Osawatomie state hospital – operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*, That expenditures from the Osawatomie state hospital – operating expenditures account for official hospitality by the superintendent shall not exceed \$150.

Parsons state hospital and training center – operating expenditures ..... \$10,637,561

*Provided*, That any unencumbered balance in the Parsons state hospital and training center – operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*, That expenditures from the Parsons state hospital and training center – operating expenditures account for official hospitality by the superintendent shall not exceed \$150: *And provided further*, That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by Parsons state hospital and training center with unified school districts or other public educational services providers: *And provided further*, That such educational services contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto: *And provided further*, That expenditures shall be made from this account to assist residents of the institution to take personally-used items, which were constructed for use by such residents and which are hereby authorized to be transferred to such residents, from the institution to communities when such residents leave the institution to reside in the communities.

Parsons state hospital and training center – sexual predator treatment program ..... \$956,418  
Community based services..... \$268,455,355

*Provided*, That any unencumbered balance in the community based serv-

ices account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Community mental health centers supplemental funding..... \$12,250,000

Provided, That any unencumbered balance in the community mental health centers supplemental funding account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Larned state hospital – SPTP new crimes reimbursement ..... \$250,000

Provided, That any unencumbered balance in the Larned state hospital – SPTP new crimes reimbursement account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Title XIX fund ..... \$45,668,027

Provided, That all receipts resulting from payments under title XIX of the federal social security act to any of the institutions under mental health and retardation services may be credited to the title XIX fund:

Provided further, That moneys in the title XIX fund may be used for expenditures for contractual services to provide for collecting additional payments under title XVIII and title XIX of the federal social security act and for expenditures for premiums and surcharges required to be paid for physicians’ malpractice insurance.

Kansas neurological institute fee fund ..... \$1,302,962

Kansas neurological institute – foster grandparents program – federal fund..... No limit

Kansas neurological institute – FGP gifts, grants, donations special fund..... No limit

Kansas neurological institute – FGP gifts, grants, donations fund..... No limit

Kansas neurological institute – patient benefit fund..... No limit

Kansas neurological institute – work therapy patient benefit fund..... No limit

Kansas neurological institute – conferences fees fund..... No limit

Provided, That all moneys received as fees for conference activities by Kansas neurological institute shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas neurological institute – conferences fees fund: Provided further, That the superintendent of Kansas neurological institute is hereby authorized to fix, charge and collect fees for conference activities sponsored by Kansas neurological institute: And

*provided further*, That expenditures may be made from this fund to defray the costs of such conference activities.

Larned state hospital fee fund.....	\$4,438,013
Larned state hospital – elementary and secondary education fund – federal.....	No limit
Larned state hospital – national school lunch program – federal.....	No limit
Larned state hospital – medical assistance program – federal.....	No limit
Larned state hospital – vocational education fund – federal.....	No limit
Larned state hospital – motor pool revolving fund.....	No limit
Larned state hospital – work therapy patient benefit fund.....	No limit
Larned state hospital – canteen fund.....	No limit
Larned state hospital – patient benefit fund.....	No limit
Osawatomie state hospital – ECIA fund – federal.....	No limit
Osawatomie state hospital – medical assistance program – federal.....	No limit
Osawatomie state hospital – canteen fund.....	No limit
Osawatomie state hospital – patient benefit fund.....	No limit
Osawatomie state hospital – work therapy patient benefit fund.....	No limit
Osawatomie state hospital – motor pool revolving fund....	No limit
Osawatomie state hospital – cottage revenue and expenditures fund.....	No limit
Osawatomie state hospital – training fee revolving fund ...	No limit

*Provided*, That all moneys received as fees for training activities for Osawatomie state hospital shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Osawatomie state hospital – training fee revolving fund: *Provided further*, That the superintendent of Osawatomie state hospital is hereby authorized to fix, charge and collect fees for training activities at Osawatomie state hospital: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses of such training activities for Osawatomie state hospital.

Osawatomie state hospital fee fund.....	\$8,497,648
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*Provided*, That all moneys received as fees for the use of video teleconferencing equipment at Osawatomie state hospital shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the video teleconferencing fee account of the Osawatomie state hospital fee fund: *Provided further*, That all moneys credited to the video teleconferencing fee account shall be used solely for the servicing, technical and program sup-

port, maintenance and replacement of associated equipment at Osawatomie state hospital: *And provided further*, That any expenditures from the video teleconferencing fee account shall be in addition to any expenditure limitation imposed on the Osawatomie state hospital fee fund.

Parsons state hospital and training center – medical assistance program – federal .....	No limit
Parsons state hospital and training center – canteen fund .....	No limit
Parsons state hospital and training center – patient benefit fund .....	No limit
Parsons state hospital and training center – work therapy patient benefit fund .....	No limit
Parsons state hospital and training center fee fund .....	\$1,372,386

*Provided*, That all moneys received as fees for the use of video teleconferencing equipment at Parsons state hospital and training center shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the video teleconferencing fee account of the Parsons state hospital and training center fee fund: *Provided further*, That all moneys credited to the video teleconferencing fee account shall be used solely for the servicing, maintenance and replacement of video teleconferencing equipment at Parsons state hospital and training center: *And provided further*, That any expenditures from the video teleconferencing fee account shall be in addition to any expenditure limitation imposed on the Parsons state hospital and training center fee fund.

AoA demonstration lifespan respite project .....	No limit
Community putting prevention to work .....	No limit
Special program for aging IIIB – federal fund .....	No limit
Special program for aging IIIC – federal fund .....	No limit
Special program for aging IIID – federal fund .....	No limit
National family caregiver support program IIIE – federal fund .....	No limit
Special program for aging IV & II – federal fund .....	No limit
Special program for aging VII-2 – federal fund .....	No limit
Special program for aging VII-3 – federal fund .....	No limit
Alzheimer’s disease fund .....	No limit
Survey & certification – federal fund .....	No limit
Center for medicare/medicaid service – federal fund .....	No limit
Money follows the person grant – federal fund .....	No limit
Medicaid assistance program – federal fund .....	No limit

*Provided*, That transfers of moneys from the title XIX fund – federal to the state fire marshal may be made during fiscal year 2017 pursuant to a contract which is hereby authorized to be entered into by the secretary

for aging and disability services with the state fire marshal to provide fire and safety inspections for adult care homes and hospitals.

Social service block grant fund ..... \$4,500,000

*Provided*, That each grant agreement with an area agency on aging for a grant from the social service block grant fund shall require the area agency on aging to submit to the secretary for aging and disability services a report for fiscal year 2016 by the area agency on aging which shall include information about the kinds of services provided and the number of persons receiving each kind of service during fiscal year 2016: *Provided further*, That the secretary for aging and disability services shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the 2017 regular session of the legislature a report of the information contained in such reports from the area agencies on aging on expenditures for fiscal year 2016: *And provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this fund shall be placed in appropriate services which are determined to be the most economical services available.

Nutrition service incentive program fund – federal..... No limit

National bioterrorism hospital preparedness program – federal fund..... No limit

Senior citizen nutrition check-off fund ..... No limit

Conferences and workshops attendance and publications fees fund..... No limit

*Provided*, That the secretary for aging and disability services is hereby authorized to fix, charge and collect conference and workshop attendance fees for conferences and workshops sponsored by the Kansas department for aging and disability services and fees for copies of publications: *Provided further*, That such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the conferences and workshops attendance and publications fees fund: *And provided further*, That expenditures may be made from this fund to defray all or part of the costs of such conferences and workshops including official hospitality and of such publications.

Health policy nursing facility quality care fund ..... No limit

*Provided*, That the secretary for aging and disability services, acting as the agent of the secretary of health and environment, is hereby authorized to collect the quality care assessment under K.S.A. 2014 Supp. 75-7435, and amendments thereto, and notwithstanding the provisions of K.S.A. 2014 Supp. 75-7435, and amendments thereto, all moneys received for such quality care assessments shall be deposited in the state treasury to the credit of the health policy nursing facility quality care fund: *Provided*



*further*, That all moneys in the health policy nursing facility quality care fund shall be used to finance initiatives to maintain or improve the quantity and quality of skilled nursing care in skilled nursing care facilities in Kansas in accordance with K.S.A. 2014 Supp. 75-7435, and amendments thereto.

State licensure fee fund..... No limit  
General fees fund..... No limit

*Provided*, That the secretary for aging and disability services is hereby authorized to collect (1) fees from the sale of surplus property, (2) fees charged for searching, copying and transmitting copies of public records, (3) fees paid by employees for personal long distance calls, postage, faxed messages, copies and other authorized uses of state property, and (4) other miscellaneous fees: *Provided further*, That such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further*, That expenditures shall be made from this fund to meet the obligations of the Kansas department for aging and disability services, or to benefit and meet the mission of the Kansas department for aging and disability services.

Gifts and donations fund ..... No limit

*Provided*, That the secretary for aging and disability services is hereby authorized to receive gifts and donations of money for services to senior citizens or purposes related thereto: *Provided further*, That such gifts and donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the gifts and donations fund.

Medical resources and collection fund..... No limit

*Provided*, That all moneys received or collected by the secretary for aging and disability services due to medicaid overpayments shall be deposited in the state treasury and in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the medical resources and collection fund: *Provided further*, That expenditures from such fund shall be made for medicaid program-related expenses and used to reduce state general fund outlays for the medicaid program: *And provided further*, That all moneys received or collected by the secretary for aging and disability services due to civil monetary penalty assessments against adult care homes shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the medical resources and collection fund: *And provided further*, That expenditures from such fund shall be made to protect the health or property of adult care home residents as required by federal law.

SHICK fund – grants – federal..... No limit

Senior services fund.....	No limit
Long-term care loan and grant fund.....	No limit
Intergovernmental transfer administration fund .....	\$0
Non-government grant fund.....	No limit
Health facilities review fund.....	No limit
Medicare enrollment assistance program fund – federal...	No limit
Medical assistance program – federal fund.....	No limit
Children’s health insurance federal fund.....	No limit
DADS social welfare fund .....	No limit
Other state fees fund .....	No limit
Substance abuse/mental health services federal fund .....	No limit
Community mental health block grant federal fund.....	No limit
Prevention/treatment substance abuse federal fund.....	No limit
Problem gambling and addictions grant fund.....	No limit
Alternatives to psych. resid. treatment facilities for children federal fund.....	No limit
Substance abuse performance outcome grant federal fund .....	No limit
ADAS data collection grant federal fund.....	No limit
Money follows the person rebalancing demonstration fed- eral fund .....	No limit
Temporary assistance for needy families – fed funds .....	No limit
Public health/social services emergency response federal fund .....	No limit
Assistance in transition from homelessness federal fund...	No limit
Developmental disabilities basic support federal fund.....	No limit
Olmstead fellowship program.....	No limit
Medicare fund .....	No limit
Medicare fund – oasis .....	No limit
Nonfederal reimbursements fund .....	No limit

*Provided*, That all nonfederal reimbursements received by the Kansas department for aging and disability services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and credited to the nonfederal reimbursements fund.

Mental health grants – state highway fund ..... \$9,750,000

*Provided*, That on July 1, 2016, October 1, 2016, January 1, 2017, and April 1, 2017, or as soon after each date as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$2,437,500 from the state highway fund of the department of transportation to the mental health grants — state highway fund of the Kansas department for aging and disability services.

(c) There is appropriated for the above agency from the children’s initiatives fund for the fiscal year ending June 30, 2017, the following:

Children’s mental health waiver..... \$3,800,000

*Provided*, That any unencumbered balance in the children’s mental health waiver account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*, That during the fiscal year ending June 30, 2017, the director of accounts and reports shall withhold 10% of the moneys in the children’s mental health waiver account of the children’s initiatives fund for fiscal year 2017 until the director of accounts and reports has received certification from the children’s cabinet that all requested information regarding the children’s mental health waiver programs or grant recipients has been received by the children’s cabinet: *Provided further*, That the director of accounts and reports shall transmit a copy of each such certification to the director of the budget and the director of legislative research: *And provided further*, That upon receipt of such certification, the director of accounts and reports shall release the withheld funds.

(d) On July 1, 2016, the superintendent of Osawatomie state hospital, upon the approval of the director of accounts and reports, shall transfer an amount specified by the superintendent from the Osawatomie state hospital — canteen fund to the Osawatomie state hospital — patient benefit fund.

(e) On July 1, 2016, the superintendent of Parsons state hospital, upon approval from the director of accounts and reports, shall transfer an amount specified by the superintendent from the Parsons state hospital and training center — canteen fund to the Parsons state hospital and training center — patient benefit fund.

(f) On July 1, 2016, the superintendent of Larned state hospital, upon approval of the director of accounts and reports, shall transfer an amount specified by the superintendent from the Larned state hospital — canteen fund to the Larned state hospital — patient benefit fund.

(g) During the fiscal year ending June 30, 2017, no moneys paid by the Kansas department for aging and disability services from the mental health and retardation services aid and assistance account of the state general fund shall be expended by the entity receiving such moneys to pay membership dues and fees to any entity that does not provide the Kansas department for aging and disability services, the legislative division of post audit, or another state agency, access to its financial records upon request for such access.

(h) During the fiscal year ending June 30, 2017, the secretary for aging and disability services, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2017 from the state general fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability services to another item of appropriation for fiscal year 2017 from the state

general fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability services. The secretary for aging and disability services shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(i) During the fiscal year ending June 30, 2017, the secretary for aging and disability services, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2017 from the state institutions building fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability services to another item of appropriation for fiscal year 2017 from the state institutions building fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability services. The secretary for aging and disability services shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(j) In addition to the other purposes for which expenditures may be made by the Kansas department for children and families from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2017 for the Kansas department for children and families and in addition to the other purposes for which expenditures may be made by the department of health and environment – division of public health from moneys appropriated from the state general fund or any special revenue fund for fiscal year 2017 for the department of health and environment – division of public health, as authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures may be made by the secretary for children and families and the secretary of health and environment for fiscal year 2017 to enter into a contract with the secretary for aging and disability services, which is hereby authorized and directed to be entered into by such secretaries, to provide for the secretary for aging and disability services to perform the powers, duties, functions and responsibilities prescribed by and to conduct investigations pursuant to K.S.A. 39-1404, and amendments thereto, in conjunction with the performance of such powers, duties, functions, responsibilities and investigations by the secretary for children and families and the secretary of health and environment under such statute, with respect to reports of abuse, neglect or exploitation of residents or reports of residents in need of protective services on behalf of the secretary for children and families or the secretary of health and environment, as the case may be, in accordance with and pursuant to K.S.A. 39-1404, and amendments thereto, during fiscal year 2017: *Provided*, That, in addition to the other purposes for which expenditures may be made by the Kansas

department for aging and disability services from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2017 for the Kansas department for aging and disability services, as authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures shall be made by the secretary for aging and disability services for fiscal year 2017 to provide for the performance of such powers, duties, functions and responsibilities and to conduct such investigations: *Provided further*, That, the words and phrases used in this subsection shall have the meanings respectively ascribed thereto by K.S.A. 39-1401, and amendments thereto.

(k) On July 1, 2016, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$550,000 from the problem gambling and addictions grant fund of the Kansas department for aging and disability services to the domestic violence grant fund of the governor's department.

(l) On July 1, 2016, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$150,000 from the problem gambling and addictions grant fund of the Kansas department for aging and disability services to the child advocacy center grants fund of the governor's department.

(m) In addition to the other purposes for which expenditures may be made by the Kansas department for aging and disability services from moneys appropriated from the state general fund or in any special revenue fund or funds for fiscal year 2017 for the Kansas department for aging and disability services as authorized by this act or other appropriation act of the 2015 or 2016 regular session of the legislature, notwithstanding the provisions of any other statute, expenditures shall be made by the Kansas department for aging and disability services from moneys appropriated from the state general fund or in any special revenue fund or funds for fiscal year 2017 to provide continuing services to those individuals with developmental disabilities and physical disabilities who were removed from the waiting list and receiving services during fiscal year 2017.

(n) During the fiscal year ending June 30, 2017, in addition to the other purposes for which expenditures may be made by the Kansas department for aging and disability services from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2017 for the Kansas department for aging and disability services as authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures shall be made by the secretary for aging and disability services for fiscal year 2017 to fix, charge and collect fees from parents for services provided to their children by an institution or program of the Kansas department for aging and disability services: *Provided*, That all moneys received by the Kansas department for aging and disability services for such fees shall be deposited in the state treasury

in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the DADS social welfare fund.

(o) On July 1, 2016, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$94,993 from the problem gambling and addictions grant fund of the Kansas department for aging and disability services to the state general fund.

(p) On July 1, 2016, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$287,007 from the problem gambling and addictions grant fund of the Kansas department for aging and disability services to the DADS social welfare fund of the Kansas department for aging and disability services.

(q) On June 30, 2017, notwithstanding the provisions of K.S.A. 2014 Supp. 79-4805, and amendments thereto, or any other statute, the director of accounts and reports shall transfer the amount of any unencumbered balance in the problem gambling and addictions grant fund of the Kansas department for aging and disability services to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the problem gambling and addictions grant fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the problem gambling and addictions grant fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the Kansas department for aging and disability services by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 110.

KANSAS DEPARTMENT FOR CHILDREN AND FAMILIES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

State operations (including official hospitality) ..... \$100,508,080

*Provided*, That any unencumbered balance in the state operations (including official hospitality) account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Youth services aid and assistance ..... \$119,261,255

*Provided*, That any unencumbered balance in the youth services aid and assistance account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Vocational rehabilitation aid and assistance ..... \$3,342,633

*Provided*, That any unencumbered balance in the vocational rehabilitation aid and assistance account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That expenditures may be made from this account for the acquisition of durable medical

equipment and assistive technology devices: *And provided further*, That expenditures may be made from this account by the secretary for children and families for the purchase of worker’s compensation insurance for consumers of vocational rehabilitation services and assessments at work sites and job tryout sites throughout the state.

Cash assistance ..... \$11,190,124

*Provided*, That any unencumbered balance in the cash assistance account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Nonfederal reimbursements fund ..... No limit

*Provided*, That all nonfederal reimbursements received by the Kansas department for children and families shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and credited to the nonfederal reimbursements fund.

Social services clearing fund..... No limit

Social welfare fund ..... No limit

Other state fees fund ..... No limit

Child welfare services state grants federal fund..... No limit

Social services block grant – federal fund..... No limit

Child care/development block grant federal fund ..... No limit

Temporary assistance to needy families federal fund ..... No limit

Promoting safe/stable families federal fund ..... No limit

Title IV-E foster care federal fund..... No limit

Medical assistance program federal fund..... No limit

Rehabilitation services – vocational rehabilitation federal fund ..... No limit

Enhance child safety – parental substance abuse federal fund ..... No limit

SRS enterprise fund ..... No limit

SRS trust fund ..... No limit

Child support enforcement federal fund ..... No limit

Energy assistance block grant federal fund..... No limit

Family and children trust account – family and children investment fund ..... No limit

*Provided*, That expenditures from the family and children trust account – family and children investment fund for official hospitality shall not exceed \$1,500.

Low-income home energy assistance federal fund..... No limit

Commodity supp food program federal fund..... No limit

Social security – disability insurance federal fund.....	No limit
Supplemental nutrition assistance program federal fund...	No limit
Emergency food assistance program federal fund.....	No limit
Child care and development mandatory and matching federal fund .....	No limit
Community-based child abuse prevention grants federal fund .....	No limit
Chafee education and training vouchers program federal fund .....	No limit
Title IV-E FDF federal fund .....	No limit
Adoption incentive payments federal fund .....	No limit
State sexual assault and domestic violence coalitions grants federal fund.....	No limit
National bioterrorism hospital preparedness program federal fund .....	No limit
Assistance in transition from homelessness federal fund...	No limit
Adoption assistance federal fund.....	No limit
Chafee foster care independence program federal fund ...	No limit
Refugee and entrant assistance federal fund.....	No limit
Head start federal fund .....	No limit
Developmental disabilities basic support federal fund.....	No limit
Children’s justice grants to states federal fund .....	No limit
Child abuse and neglect state grants federal fund .....	No limit
Independent living state grants federal fund.....	No limit
Independent living services for older blind federal fund...	No limit
Supported employment for individuals with severe disabilities federal fund.....	No limit
Rehabilitation training – general training federal fund .....	No limit
CMS research, demonstration and evaluations federal fund .....	No limit
Administrative matching grants for food assistance program federal fund.....	No limit
Temporary assistance for needy families emergency funds federal fund.....	No limit
Rehabilitation services – vocational rehabilitation – ARRA federal fund.....	No limit
Independent living older blind – ARRA federal fund.....	No limit
Prevention fellowship program grant federal fund.....	No limit
Federal Olmstead grant federal fund.....	No limit
Child care discretionary federal fund.....	No limit
Supplemental security income federal fund.....	No limit
Child support enforcement research federal fund .....	No limit
Child abuse and neglect discretionary federal fund.....	No limit
SNAP employment and training pilot fund.....	No limit



(c) There is appropriated for the above agency from the children’s initiatives fund for the fiscal year ending June 30, 2016, the following:

Children’s cabinet accountability fund ..... \$375,000

*Provided*, That any unencumbered balance in the children’s cabinet accountability fund account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Child care ..... \$5,033,679

*Provided*, That any unencumbered balance in the child care account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*, That during the fiscal year ending June 30, 2016, the director of accounts and reports shall withhold 10% of the moneys in the child care account of the children’s initiatives fund for fiscal year 2016 until the director of accounts and reports has received certification from the children’s cabinet that all requested information regarding the child care programs or grant recipients has been received by the children’s cabinet: *Provided further*, That the director of accounts and reports shall transmit a copy of each such certification to the director of the budget and the director of legislative research: *And provided further*, That upon receipt of such certification, the director of accounts and reports shall release the withheld funds.

Family preservation ..... \$2,154,357

*Provided*, That any unencumbered balance in the family preservation account in excess of \$100 as of June 30, 2015 hereby reappropriated for fiscal year 2016: *Provided, however*, That during the fiscal year ending June 30, 2016, the director of accounts and reports shall withhold 10% of the moneys in the family preservation account of the children’s initiatives fund for fiscal year 2016 until the director of accounts and reports has received certification from the children’s cabinet that all requested information regarding the family preservation programs or grant recipients has been received by the children’s cabinet: *Provided further*, That the director of accounts and reports shall transmit a copy of each such certification to the director of the budget and the director of legislative research: *And provided further*, That upon receipt of such certification, the director of accounts and reports shall release the withheld funds.

Quality initiative infants & toddlers ..... \$500,000

*Provided*, That any unencumbered balance in the quality initiative infants & toddlers account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Early childhood block grant ..... \$18,176,472

*Provided*, That any unencumbered balance in the early childhood block grant account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

(d) There is appropriated for the above agency from the Kansas en-

dowment for youth fund for the fiscal year ending June 30, 2016, the following:

Children’s cabinet administration..... \$253,503

(e) During the fiscal year ending June 30, 2016, the secretary for children and families, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2016, from the state general fund for the Kansas department for children and families to another item of appropriation for fiscal year 2016 from the state general fund for the Kansas department for children and families. The secretary for children and families shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(f) During the fiscal year ending June 30, 2016, the secretary for children and families, with the approval of the director of the budget and subject to the provisions of federal grant agreements, may transfer moneys received under a federal grant that are credited to a federal fund of the Kansas department for children and families to another federal fund of the Kansas department for children and families. The secretary for children and families shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(g) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports may transfer, in one or more amounts, from the nonfederal reimbursements fund to the social welfare fund the amount specified by the secretary for children and families.

(h) During the fiscal year ending June 30, 2016, all moneys received by the secretary for children and families, to provide an endowment to provide interest earnings for the purposes for which expenditures may be made from the family and children trust account of the family and children investment fund, shall be deposited in the state treasury to the credit of the family and children endowment account of the family and children investment fund.

(i) During the fiscal year ending June 30, 2016, to the extent it is determined by the secretary for children and families to be cost effective, the secretary for children and families shall apply for and accept donations from private sources to provide an endowment to provide interest earnings for the purposes for which expenditures may be made from the family and children trust account of the family and children investment fund. During the fiscal year ending June 30, 2016, upon receipt of one or more donations of moneys from private sources for deposit to the credit of the family and children endowment account of the family and children investment fund, in addition to the other purposes for which expenditures may be made by the Kansas department for children and families from

any moneys appropriated from the state general fund or any special revenue fund or funds for the fiscal year 2016, as authorized by this or other appropriation act of the 2015 regular session of the legislature, expenditures shall be made by the Kansas department for children and families from any such moneys appropriated for fiscal year 2016 for payments into the family and children endowment account of the family and children investment fund that match the aggregate amount of all such donations and that are equal to the aggregate amount of moneys donated to and credited to the family and children endowment account of the family and children investment fund during fiscal year 2016.

(j) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$500,000 from the other state fees fund of the Kansas department for children and families to the state general fund.

Sec. 111.

KANSAS DEPARTMENT FOR CHILDREN AND FAMILIES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

State operations (including official hospitality) ..... \$99,351,551

*Provided*, That any unencumbered balance in the state operations (including official hospitality) account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Youth services aid and assistance ..... \$117,440,880

*Provided*, That any unencumbered balance in the youth services aid and assistance account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Vocational rehabilitation aid and assistance ..... \$4,678,662

*Provided*, That any unencumbered balance in the vocational rehabilitation aid and assistance account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That expenditures may be made from this account for the acquisition of durable medical equipment and assistive technology devices: *And provided further*, That expenditures may be made from this account by the secretary for children and families for the purchase of worker’s compensation insurance for consumers of vocational rehabilitation services and assessments at work sites and job tryout sites throughout the state.

Cash assistance ..... \$10,492,234

*Provided*, That any unencumbered balance in the cash assistance account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017,

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

Nonfederal reimbursements fund ..... No limit

*Provided*, That all nonfederal reimbursements received by the Kansas department for children and families shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and credited to the nonfederal reimbursements fund.

Social services clearing fund..... No limit

Social welfare fund ..... No limit

Other state fees fund ..... No limit

Child welfare services state grants federal fund..... No limit

Social services block grant – federal fund..... No limit

Child care/development block grant federal fund ..... No limit

Temporary assistance to needy families federal fund ..... No limit

Promoting safe/stable families federal fund ..... No limit

Title IV-E foster care federal fund..... No limit

Medical assistance program federal fund..... No limit

Rehabilitation services – vocational rehabilitation federal fund ..... No limit

Enhance child safety – parental substance abuse federal fund ..... No limit

SRS enterprise fund ..... No limit

SRS trust fund..... No limit

Child support enforcement federal fund..... No limit

Energy assistance block grant federal fund..... No limit

Family and children trust account – family and children investment fund..... No limit

*Provided*, That expenditures from the family and children trust account – family and children investment fund for official hospitality shall not exceed \$1,500.

Low-income home energy assistance federal fund..... No limit

Commodity supp food program federal fund..... No limit

Social security – disability insurance federal fund..... No limit

Supplemental nutrition assistance program federal fund... No limit

Emergency food assistance program federal fund..... No limit

Child care and development mandatory and matching federal fund ..... No limit

Community-based child abuse prevention grants federal fund ..... No limit

Chafee education and training vouchers program federal fund ..... No limit

Title IV-E FDF federal fund ..... No limit

Adoption incentive payments federal fund ..... No limit

State sexual assault and domestic violence coalitions grants federal fund.....	No limit
National bioterrorism hospital preparedness program federal fund.....	No limit
Assistance in transition from homelessness federal fund...	No limit
Adoption assistance federal fund.....	No limit
Chafee foster care independence program federal fund...	No limit
Refugee and entrant assistance federal fund.....	No limit
Head start federal fund.....	No limit
Developmental disabilities basic support federal fund.....	No limit
Children’s justice grants to states federal fund.....	No limit
Child abuse and neglect state grants federal fund.....	No limit
Independent living state grants federal fund.....	No limit
Supported employment for individuals with severe disabilities federal fund.....	No limit
Rehabilitation training – general training federal fund.....	No limit
CMS research, demonstration and evaluations federal fund.....	No limit
Administrative matching grants for food assistance program federal fund.....	No limit
Temporary assistance for needy families emergency funds federal fund.....	No limit
Rehabilitation services – vocational rehabilitation – ARRA federal fund.....	No limit
Independent living older blind – ARRA federal fund.....	No limit
Prevention fellowship program grant federal fund.....	No limit
Federal Olmstead grant federal fund.....	No limit
Child care discretionary federal fund.....	No limit
Supplemental security income federal fund.....	No limit
Child support enforcement research federal fund.....	No limit
Child abuse and neglect discretionary federal fund.....	No limit
SNAP employment and training pilot fund.....	No limit

(c) There is appropriated for the above agency from the children’s initiatives fund for the fiscal year ending June 30, 2017, the following:

Children’s cabinet accountability fund..... \$375,000

*Provided*, That any unencumbered balance in the children’s cabinet accountability fund account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Child care ..... \$5,033,679

*Provided*, That any unencumbered balance in the child care account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*, That during the fiscal year ending June 30, 2017, the director of accounts and reports shall withhold 10% of the

moneys in the child care account of the children’s initiatives fund for fiscal year 2017 until the director of accounts and reports has received certification from the children’s cabinet that all requested information regarding the child care programs or grant recipients has been received by the children’s cabinet: *Provided further*, That the director of accounts and reports shall transmit a copy of each such certification to the director of the budget and the director of legislative research: *And provided further*, That upon receipt of such certification, the director of accounts and reports shall release the withheld funds.

Family preservation ..... \$2,154,357

*Provided*, That any unencumbered balance in the family preservation account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*, That during the fiscal year ending June 30, 2017, the director of accounts and reports shall withhold 10% of the moneys in the family preservation account of the children’s initiatives fund for fiscal year 2017 until the director of accounts and reports has received certification from the children’s cabinet that all requested information regarding the family preservation programs or grant recipients has been received by the children’s cabinet: *Provided further*, That the director of accounts and reports shall transmit a copy of each such certification to the director of the budget and the director of legislative research: *And provided further*, That upon receipt of such certification, the director of accounts and reports shall release the withheld funds.

Quality initiative infants & toddlers ..... \$500,000

*Provided*, That any unencumbered balance in the quality initiative infants & toddlers account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Early childhood block grant ..... \$18,174,711

*Provided*, That any unencumbered balance in the early childhood block grant account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(d) There is appropriated for the above agency from the Kansas endowment for youth fund for the fiscal year ending June 30, 2017, the following:

Children’s cabinet administration ..... \$249,689

(e) During the fiscal year ending June 30, 2017, the secretary for children and families, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2017, from the state general fund for the Kansas department for children and families to another item of appropriation for fiscal year 2017 from the state general fund for the Kansas department for children and families. The secretary for children and families shall certify each such transfer to the director of accounts and reports and shall

transmit a copy of each such certification to the director of legislative research.

(f) During the fiscal year ending June 30, 2017, the secretary for children and families, with the approval of the director of the budget and subject to the provisions of federal grant agreements, may transfer moneys received under a federal grant that are credited to a federal fund of the Kansas department for children and families to another federal fund of the Kansas department for children and families. The secretary for children and families shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(g) On July 1, 2016, or as soon thereafter as moneys are available, the director of accounts and reports may transfer, in one or more amounts, from the nonfederal reimbursements fund to the social welfare fund the amount specified by the secretary for children and families.

(h) During the fiscal year ending June 30, 2017, all moneys received by the secretary for children and families, to provide an endowment to provide interest earnings for the purposes for which expenditures may be made from the family and children trust account of the family and children investment fund, shall be deposited in the state treasury to the credit of the family and children endowment account of the family and children investment fund.

(i) During the fiscal year ending June 30, 2017, to the extent it is determined by the secretary for children and families to be cost effective, the secretary for children and families shall apply for and accept donations from private sources to provide an endowment to provide interest earnings for the purposes for which expenditures may be made from the family and children trust account of the family and children investment fund. During the fiscal year ending June 30, 2017, upon receipt of one or more donations of moneys from private sources for deposit to the credit of the family and children endowment account of the family and children investment fund, in addition to the other purposes for which expenditures may be made by the Kansas department for children and families from any moneys appropriated from the state general fund or any special revenue fund or funds for the fiscal year 2017, as authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures shall be made by the Kansas department for children and families from any such moneys appropriated for fiscal year 2017 for payments into the family and children endowment account of the family and children investment fund that match the aggregate amount of all such donations and that are equal to the aggregate amount of moneys donated to and credited to the family and children endowment account of the family and children investment fund during fiscal year 2017.

Sec. 112.

KANSAS GUARDIANSHIP PROGRAM

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Kansas guardianship program..... \$1,153,945

*Provided*, That any unencumbered balance in the Kansas guardianship program account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Sec. 113.

KANSAS GUARDIANSHIP PROGRAM

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Kansas guardianship program..... \$1,154,095

*Provided*, That any unencumbered balance in the Kansas guardianship program account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Sec. 114.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the children’s initiatives fund for the fiscal year ending June 30, 2016, the following:

Kansas reading success..... \$2,100,000

*Provided*, That expenditures shall be made from the Kansas reading success account to issue a request for proposal to provide a statewide Kansas reading success program: *Provided further*, That the purpose of this program is to provide academic support to help ensure achievement on grade level in reading; *And provided further*, That such program shall be available to all Kansas public school students in grades Pre-K through 8 and be online-delivered, interactive computer adaptive reading assessment and research-based intervention for use both at school and at home: *And provided further*, That the program shall be correlated to at least one of the commonly used reading assessments, such as DIBELS or the Kansas State Reading Test and the vendor must provide evidence that this program improves reading skills and scores: *And provided further*, That such program must automatically place students into a personalized learning path, continually tailor instruction to the individual needs of the student: *And provided further*, That such program shall provide teachers and administrators with immediate reporting, provide recommendations for interventions and provide teacher lessons and resources for teachers in order to deliver direct instruction based on the individual student needs: *And provided further*, That such program must make available to parents, reporting and resources regarding student participation via a home portal: *And provided further*, That such program must be able to provide a computer adaptive assessment, provide teachers, principals, and districts im-



mediate online reporting including norm-referenced performance data that will enable teachers to plan and modify reading instruction without having to stop instructional time to administer a test: *And provided further*, That such program must provide accurate and predictive scores indicating the likelihood of a student being able to reach the requisite grade level reading skills by the end of the school year and an action plan for the students' teacher: *And provided further*, To ensure effective implementation of the program in conjunction with the beginning of the academic school year, the department of education shall announce and implement the program no later than August 15, 2015.

(b) During the fiscal year ending June 30, 2016, of the moneys appropriated in the pre-K program account of the children's initiatives fund for fiscal year 2016 by section 2(c) of 2015 House Substitute for Senate Bill No. 7, the director of accounts and reports shall withhold 10% of such moneys in the pre-K program account of the children's initiatives fund for fiscal year 2016 until the director of accounts and reports has received certification from the children's cabinet that all requested information regarding the pre-K programs or grant recipients has been received by the children's cabinet: *Provided*, That the director of accounts and reports shall transmit a copy of each such certification to the director of the budget and the director of legislative research: *Provided further*, That upon receipt of such certification, the director of accounts and reports shall release the withheld funds.

(c) During the fiscal year ending June 30, 2016, of the moneys appropriated in the parent education program account of the children's initiatives fund for fiscal year 2016 by section 2(c) of 2015 House Substitute for Senate Bill No. 7, the director of accounts and reports shall withhold 10% of such moneys in the parent education program account of the children's initiatives fund for fiscal year 2016 until the director of accounts and reports has received certification from the children's cabinet that all requested information regarding the parent education programs or grant recipients has been received by the children's cabinet: *Provided*, That the director of accounts and reports shall transmit a copy of each such certification to the director of the budget and the director of legislative research: *Provided further*, That upon receipt of such certification, the director of accounts and reports shall release the withheld funds.

(d) On July 1, 2015, of the \$12,792,999 appropriated for the above agency for the fiscal year ending June 30, 2016, by section 2(a) of 2015 House Substitute for Senate Bill No. 7 from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$185,836 is hereby lapsed.

(e) On July 1, 2015, of the \$2,751,326,659 appropriated for the above agency for the fiscal year ending June 30, 2016, by section 2(a) of 2015

House Substitute for Senate Bill No. 7 from the state general fund in the block grants to USDs account, the sum of \$23,881,857 is hereby lapsed.

(f) On July 1, 2015, of the \$17,646,253 appropriated for the above agency for the fiscal year ending June 30, 2016, by section 2(a) of 2015 House Substitute for Senate Bill No. 7 from the state general fund in the KPERS — employer contributions account, the sum of \$5,808,199 is hereby lapsed.

(g) During the fiscal year ending June 30, 2016, in addition to the other purposes for which expenditures may be made by the department of education from moneys appropriated from the state general fund or in any special revenue fund or funds for fiscal year 2016 by this or other appropriation act of the 2015 session of the legislature, expenditures shall be made by the department of education from the state general fund or from any special revenue fund or funds for fiscal year 2016 to report on a quarterly basis to the director of legislative research, every unified school district's monthly fund balances from the following funds: general fund, supplemental general fund, adult education, at-risk (4 year old), adult supplemental education, at-risk (k-12), bilingual, virtual education, capital outlay, driver training, declining enrollment, extraordinary schools, food service, professional development, parents as teachers, summer school, special education, cost of living, vocational education, gifts and grants, special liability, school retirement, ancillary cash, special reserve, contingency reserve, textbooks and materials, activities, tuition reimbursement, special assessment and special education cooperative.

Sec. 115.

#### DEPARTMENT OF EDUCATION

(a) During the fiscal year ending June 30, 2017, of the moneys appropriated in the pre-K program account of the children's initiatives fund for fiscal year 2017 by section 2(c) of 2015 House Substitute for Senate Bill No. 7, the director of accounts and reports shall withhold 10% of such moneys in the pre-K program account of the children's initiatives fund for fiscal year 2017 until the director of accounts and reports has received certification from the children's cabinet that all requested information regarding the pre-K programs or grant recipients has been received by the children's cabinet: *Provided*, That the director of accounts and reports shall transmit a copy of each such certification to the director of the budget and the director of legislative research: *Provided further*, That upon receipt of such certification, the director of accounts and reports shall release the withheld funds.

(b) During the fiscal year ending June 30, 2017, of the moneys appropriated in the parent education program account of the children's initiatives fund for fiscal year 2017 by section 2(c) of 2015 House Substitute for Senate Bill No. 7, the director of accounts and reports shall withhold 10% of such moneys in the parent education program account

of the children’s initiatives fund for fiscal year 2017 until the director of accounts and reports has received certification from the children’s cabinet that all requested information regarding the parent education programs or grant recipients has been received by the children’s cabinet: *Provided*, That the director of accounts and reports shall transmit a copy of each such certification to the director of the budget and the director of legislative research: *Provided further*, That upon receipt of such certification, the director of accounts and reports shall release the withheld funds.

(c) On July 1, 2016, of the \$13,073,604 appropriated for the above agency for the fiscal year ending June 30, 2017, by section 3(a) of 2015 House Substitute for Senate Bill No. 7 from the state general fund in the operating expenditures (including official hospitality) account, the sum of \$288,699 is hereby lapsed.

(d) On July 1, 2016, of the \$2,760,946,624 appropriated for the above agency for the fiscal year ending June 30, 2017, by section 3(a) of 2015 House Substitute for Senate Bill No. 7 from the state general fund in the block grants to USDs account, the sum of \$82,910,972 is hereby lapsed.

(e) On July 1, 2016, of the \$23,109,684 appropriated for the above agency for the fiscal year ending June 30, 2017, by section 3(a) of 2015 House Substitute for Senate Bill No. 7 from the state general fund in the KPERS — employer contributions account, the sum of \$10,481,421 is hereby lapsed.

(f) During the fiscal year ending June 30, 2017, in addition to the other purposes for which expenditures may be made by the department of education from moneys appropriated from the state general fund or in any special revenue fund or funds for fiscal year 2017 by this or other appropriation act of the 2015 or 2016 session of the legislature, expenditures shall be made by the department of education from the state general fund or from any special revenue fund or funds for fiscal year 2017 to report on a quarterly basis to the director of legislative research, every unified school district’s monthly fund balances from the following funds: general fund, supplemental general fund, adult education, at-risk (4 year old), adult supplemental education, at-risk (k-12), bilingual, virtual education, capital outlay, driver training, declining enrollment, extraordinary schools, food service, professional development, parents as teachers, summer school, special education, cost of living, vocational education, gifts and grants, special liability, school retirement, ancillary cash, special reserve, contingency reserve, textbooks and materials, activities, tuition reimbursement, special assessment and special education cooperative.

Sec. 116.

STATE LIBRARY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures ..... \$1,390,869

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*, That expenditures from the operating expenditures account for official hospitality shall not exceed \$872.

Grants to libraries and library systems ..... \$2,651,604

*Provided*, That any unencumbered balance in the grants to libraries and library systems account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That, of the moneys appropriated in the grants to libraries and library systems account, \$1,174,877 shall be distributed as grants-in-aid to libraries in accordance with K.S.A. 75-2555, and amendments thereto, \$1,187,076 shall be distributed for interlibrary loan development grants and \$289,651 shall be paid according to contracts with the subregional libraries of the Kansas talking book services.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State library fund .....	No limit
Federal library services and technology act — fund.....	No limit
Grants and gifts fund .....	No limit

Sec. 117.

STATE LIBRARY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures ..... \$1,381,187

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*, That expenditures from the operating expenditures account for official hospitality shall not exceed \$872.

Grants to libraries and library systems ..... \$2,649,823

*Provided*, That any unencumbered balance in the grants to libraries and library systems account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That, of the moneys appropriated in the grants to libraries and library systems account, \$1,174,877 shall be distributed as grants-in-aid to libraries in accordance with K.S.A. 75-2555, and amendments thereto, \$1,187,076 shall be distributed for interlibrary loan development grants and \$287,870 shall be paid according to contracts with the subregional libraries of the Kansas talking book services.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017,

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

State library fund .....	No limit
Federal library services and technology act — fund.....	No limit
Grants and gifts fund .....	No limit

Sec. 118.

KANSAS STATE SCHOOL FOR THE BLIND

(a) There is appropriated from the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures .....	\$5,169,731
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*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*, That expenditures from the operating expenditures for official hospitality shall not exceed \$2,000.

Arts for the handicapped .....	\$133,847
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(b) There is appropriated from the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund.....	No limit
Reserve fund .....	No limit
Local services reimbursement fund.....	No limit

*Provided*, That the Kansas state school for the blind is hereby authorized to assess and collect a fee of 20% of the total cost of services provided to local school districts: *Provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local services reimbursement fund.

Student activity fees fund .....	No limit
Special bequest fund.....	No limit
Gift fund.....	No limit
Technology lending library – federal fund.....	No limit
Nine month payroll clearing fund .....	No limit
Food assistance – cash for commodities – federal fund ....	No limit
Food assistance – breakfast – federal fund .....	No limit
Food assistance – lunch – federal fund .....	No limit
Chapter I handicapped – federal fund .....	No limit
Education improvement – federal fund .....	No limit
Elementary and secondary education act – federal fund...	No limit
Special education assistance – ARRA – federal fund.....	No limit
E-rate grant – federal fund .....	No limit

Preparation and mentoring of teachers of the blind and visually impaired – federal fund.....	No limit
Improve teacher quality grant – federal fund.....	No limit
School breakfast program – federal fund.....	No limit
Special education preschool grants – federal fund.....	No limit
Deaf-blind project – federal fund.....	No limit
Safe schools – federal fund.....	No limit
Child and adult care food program – federal fund.....	No limit

Sec. 119.

KANSAS STATE SCHOOL FOR THE BLIND

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures ..... \$5,300,361

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*, That expenditures from the operating expenditures for official hospitality shall not exceed \$2,000.

Arts for the handicapped ..... \$133,847

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund.....	No limit
Reserve fund.....	No limit
Local services reimbursement fund.....	No limit

*Provided*, That the Kansas state school for the blind is hereby authorized to assess and collect a fee of 20% of the total cost of services provided to local school districts: *Provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local services reimbursement fund.

Student activity fees fund.....	No limit
Special bequest fund.....	No limit
Gift fund.....	No limit
Technology lending library – federal fund.....	No limit
Nine month payroll clearing fund.....	No limit
Food assistance – cash for commodities – federal fund....	No limit
Food assistance – breakfast – federal fund.....	No limit
Food assistance – lunch – federal fund.....	No limit
Chapter I handicapped – federal fund.....	No limit
Education improvement – federal fund.....	No limit
Elementary and secondary education act – federal fund...	No limit

Special education assistance – ARRA – federal fund.....	No limit
E-rate grant – federal fund.....	No limit
Preparation and mentoring of teachers of the blind and visually impaired – federal fund.....	No limit
Improve teacher quality grant – federal fund.....	No limit
School breakfast program – federal fund.....	No limit
Special education preschool grants – federal fund.....	No limit
Deaf-blind project – federal fund.....	No limit
Safe schools – federal fund.....	No limit
Child and adult care food program — federal fund.....	No limit

Sec. 120.

KANSAS STATE SCHOOL FOR THE DEAF

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures ..... \$8,682,239

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund.....	No limit
Reserve fund.....	No limit
Local services reimbursement fund.....	No limit

*Provided*, That the Kansas state school for the deaf is hereby authorized to assess and collect a fee of 20% of the total cost of services provided to local school districts: *Provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local services reimbursement fund.

Student activity fees fund.....	No limit
Elementary and secondary education act – federal fund...	No limit
Elementary and secondary education act 2009 ARRA – federal fund.....	No limit
Vocational education fund – federal.....	No limit
School lunch program – federal fund.....	No limit
Special bequest fund.....	No limit
Special workshop fund.....	No limit
Gift fund.....	No limit
Nine month payroll clearing fund.....	No limit
Special education state grants – federal fund.....	No limit

Special education state grants ARRA – federal fund .....	No limit
Special education preschool ARRA – federal fund.....	No limit
Improve teacher quality grant – federal fund.....	No limit
School breakfast program – federal fund.....	No limit
National school lunch program ARRA – federal fund .....	No limit
Special education preschool grants – federal fund .....	No limit
Personnel development grant – federal fund .....	No limit
Safe schools – federal fund .....	No limit

Sec. 121.

KANSAS STATE SCHOOL FOR THE DEAF

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures ..... \$8,862,694

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund.....	No limit
Reserve fund .....	No limit
Local services reimbursement fund.....	No limit

*Provided*, That the Kansas state school for the deaf is hereby authorized to assess and collect a fee of 20% of the total cost of services provided to local school districts: *Provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local services reimbursement fund.

Student activity fees fund .....	No limit
Elementary and secondary education act – federal fund...	No limit
Elementary and secondary education act 2009 ARRA – federal fund.....	No limit
Vocational education fund – federal .....	No limit
School lunch program – federal fund .....	No limit
Special bequest fund.....	No limit
Special workshop fund .....	No limit
Gift fund.....	No limit
Nine month payroll clearing fund .....	No limit
Special education state grants – federal fund.....	No limit
Special education state grants ARRA – federal fund .....	No limit
Special education preschool ARRA – federal fund.....	No limit



Improve teacher quality grant – federal fund.....	No limit
School breakfast program – federal fund.....	No limit
National school lunch program ARRA – federal fund .....	No limit
Special education preschool grants – federal fund .....	No limit
Personnel development grant – federal fund .....	No limit
Safe schools – federal fund .....	No limit

Sec. 122.

STATE HISTORICAL SOCIETY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures .....	\$4,023,819
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*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Kansas humanities council .....	\$52,605
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(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Credit card clearing fund.....	No limit
Vehicle repair and replacement fund.....	No limit
General fees fund.....	No limit
Archeology fee fund.....	No limit

*Provided*, That expenditures may be made from the archeology fee fund for operating expenses for providing archeological services by contract: *Provided further*, That the state historical society is hereby authorized to fix, charge and collect fees for the sale of such services: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing archeological services by contract: *And provided further*, That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the archeology fee fund.

Conversion of materials and equipment fund .....	No limit
Soil/water conservation fund .....	No limit
Microfilm fees fund .....	No limit

*Provided*, That expenditures may be made from the microfilm fees fund for operating expenses for providing imaging services: *Provided further*, That the state historical society is hereby authorized to fix, charge and collect fees for the sale of such services: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing imaging services: *And provided further*, That all

fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the microfilm fees fund.

Records center fee fund ..... No limit

*Provided*, That expenditures may be made from the records center fee fund for operating expenses for state records and for the trusted digital repository for electronic government records: *Provided further*, That the state historical society is hereby authorized to fix, charge and collect fees for such services: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services: *And provided further*, That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the records center fee fund.

Historic properties fee fund ..... No limit

Historic preservation grants in aid fund ..... No limit

Historic preservation overhead fees fund ..... No limit

National historic preservation act fund – local ..... No limit

Private gifts, grants and bequests fund..... No limit

Museum and historic sites visitor donation fund..... No limit

Insurance collection replacement/reimbursement fund .... No limit

Heritage trust fund..... No limit

*Provided*, That expenditures from the heritage trust fund for state operations shall not exceed \$78,636.

Land survey fee fund ..... No limit

*Provided*, That, notwithstanding the provisions of K.S.A. 58-2011, and amendments thereto, expenditures may be made by the above agency from the land survey fee fund for the fiscal year 2016 for operating expenditures that are not related to administering the land survey program.

National trails fund..... No limit

State historical society facilities fund ..... No limit

Historic properties fund ..... No limit

Law enforcement memorial fund..... No limit

Highway planning/construction fund ..... No limit

Save America’s treasures fund ..... No limit

Archeology federal fund ..... No limit

Property sale proceeds fund..... No limit

*Provided*, That proceeds from the sale of property pursuant to K.S.A. 75-2701, and amendments thereto, shall be deposited in the state treasury and credited to the property sale proceeds fund.

Sec. 123.

STATE HISTORICAL SOCIETY

(a) There is appropriated from the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures ..... \$4,075,408

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Kansas humanities council ..... \$52,605

(b) There is appropriated from the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Credit card clearing fund..... No limit

Vehicle repair and replacement fund..... No limit

General fees fund..... No limit

Archeology fee fund..... No limit

*Provided*, That expenditures may be made from the archeology fee fund for operating expenses for providing archeological services by contract: *Provided further*, That the state historical society is hereby authorized to fix, charge and collect fees for the sale of such services: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing archeological services by contract: *And provided further*, That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the archeology fee fund.

Conversion of materials and equipment fund ..... No limit

Soil/water conservation fund ..... No limit

Microfilm fees fund ..... No limit

*Provided*, That expenditures may be made from the microfilm fees fund for operating expenses for providing imaging services: *Provided further*, That the state historical society is hereby authorized to fix, charge and collect fees for the sale of such services: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing imaging services: *And provided further*, That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the microfilm fees fund.

Records center fee fund ..... No limit

*Provided*, That expenditures may be made from the records center fee fund for operating expenses for state records and for the trusted digital

repository for electronic government records: *Provided further*, That the state historical society is hereby authorized to fix, charge and collect fees for such services: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services: *And provided further*, That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the records center fee fund.

Historic properties fee fund.....	No limit
Historic preservation grants in aid fund.....	No limit
Historic preservation overhead fees fund.....	No limit
National historic preservation act fund – local.....	No limit
Private gifts, grants and bequests fund.....	No limit
Museum and historic sites visitor donation fund.....	No limit
Insurance collection replacement/reimbursement fund....	No limit
Heritage trust fund.....	No limit

*Provided*, That expenditures from the heritage trust fund for state operations shall not exceed \$78,636.

Land survey fee fund.....	No limit
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*Provided*, That, notwithstanding the provisions of K.S.A. 58-2011, and amendments thereto, expenditures may be made by the above agency from the land survey fee fund for the fiscal year 2015 for operating expenditures that are not related to administering the land survey program.

National trails fund.....	No limit
State historical society facilities fund.....	No limit
Historic properties fund.....	No limit
Law enforcement memorial fund.....	No limit
Highway planning/construction fund.....	No limit
Save America’s treasures fund.....	No limit
Archeology federal fund.....	No limit
Property sale proceeds fund.....	No limit

*Provided*, That proceeds from the sale of property pursuant to K.S.A. 75-2701, and amendments thereto, shall be deposited in the state treasury and credited to the property sale proceeds fund.

Sec. 124.

FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures (including official hospitality).....	\$32,422,494
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*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Master’s-level nursing capacity.....	\$131,567
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Kansas wetlands education center at Cheyenne bottoms .. \$258,965

*Provided*, That any unencumbered balance in the Kansas wetlands education center at Cheyenne bottoms account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Kansas academy of math and science ..... \$722,660

*Provided*, That any unencumbered balance in the Kansas academy of math and science account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund ..... No limit

*Provided*, That expenditures may be made from the parking fees fund for a capital improvement project for parking lot improvements.

General fees fund..... No limit

*Provided*, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund..... No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts: Special events; technology equipment; Gross coliseum services; performing arts center services; farm income; choral music clinic; year-book; off-campus tours; memorial union activities; student activity (un-allocated); Leader (newspaper); conferences, clinics and workshops – noncredit; summer laboratory school; little theater; library services; student affairs; speech and debate; student government; counseling center services; interest on local funds; student identification cards; nurse education programs; athletics; placement fees; virtual college classes; speech and hearing; child care services for dependent students; computer services; interactive television contributions; midwestern student exchange; departmental receipts for all sales, refunds and other collections not specifically enumerated above: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment pur-

chased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That all amounts of tuition received from students participating in the midwestern student exchange program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the midwestern student exchange account of the restricted fees fund: *And provided further*, That expenditures may be made from the restricted fees fund for official hospitality.

Education opportunity act – federal fund..... No limit  
 Service clearing fund ..... No limit

*Provided*, That the service clearing fund shall be used for the following service activities: Computer services, storeroom for official supplies including office supplies, paper products, janitorial supplies, printing and duplicating, car pool, postage, copy center, and telecommunications and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Commencement fees fund..... No limit  
 Health fees fund ..... No limit

*Provided*, That expenditures from the health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

Student union fees fund ..... No limit

*Provided*, That expenditures may be made from the student union fees fund for official hospitality.

Kansas career work study program fund ..... No limit  
 Economic opportunity act – federal fund..... No limit  
 Kansas comprehensive grant fund..... No limit  
 Faculty of distinction matching fund ..... No limit  
 Nine month payroll clearing account fund..... No limit  
 Federal Perkins student loan fund ..... No limit  
 Housing system revenue fund ..... No limit

*Provided*, That expenditures may be made from the housing system revenue fund for official hospitality.

Institutional overhead fund..... No limit  
 Oil and gas royalties fund ..... No limit  
 Housing system suspense fund ..... No limit  
 Housing system operations fund ..... No limit  
 Housing system repairs, equipment and improvement fund ..... No limit  
 Sponsored research overhead fund ..... No limit  
 Kansas distinguished scholarship fund ..... No limit

University federal fund..... No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: Provided further, That expenditures may be made by the above agency from this fund to procure a policy of accident, personal liability and excess automobile liability insurance insuring volunteers participating in the senior companion program against loss in accordance with specifications of federal grant guidelines as provided in K.S.A. 75-4101, and amendments thereto.

(c) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Fort Hays state university of not to exceed \$125,000 from the general fees fund to the federal Perkins student loan fund.

Sec. 125.

FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures (including official hospitality)..... \$32,934,843

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Master’s-level nursing capacity ..... \$131,520

Kansas wetlands education center at Cheyenne bottoms .. \$258,470

Provided, That any unencumbered balance in the Kansas wetlands education center at Cheyenne bottoms account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Kansas academy of math and science ..... \$722,418

Provided, That any unencumbered balance in the Kansas academy of math and science account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund ..... No limit

Provided, That expenditures may be made from the parking fees fund for a capital improvement project for parking lot improvements.

General fees fund..... No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys: Provided further, That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund..... No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Special events; technology equipment; Gross coliseum services; performing arts center services; farm income; choral music clinic; year-book; off-campus tours; memorial union activities; student activity (un-allocated); Leader (newspaper); conferences, clinics and workshops – noncredit; summer laboratory school; little theater; library services; student affairs; speech and debate; student government; counseling center services; interest on local funds; student identification cards; nurse education programs; athletics; placement fees; virtual college classes; speech and hearing; child care services for dependent students; computer services; interactive television contributions; midwestern student exchange; departmental receipts for all sales, refunds and other collections not specifically enumerated above: Provided, however, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: Provided further, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: And provided further, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: And provided further, That all amounts of tuition received from students participating in the midwestern student exchange program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the midwestern student exchange account of the restricted fees fund: And provided further, That expenditures may be made from the restricted fees fund for official hospitality.

Education opportunity act – federal fund..... No limit

Service clearing fund ..... No limit

Provided, That the service clearing fund shall be used for the following service activities: Computer services, storeroom for official supplies including office supplies, paper products, janitorial supplies, printing and duplicating, car pool, postage, copy center, and telecommunications and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Commencement fees fund..... No limit

Health fees fund ..... No limit



*Provided*, That expenditures from the health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

Student union fees fund ..... No limit

*Provided*, That expenditures may be made from the student union fees fund for official hospitality.

Kansas career work study program fund ..... No limit

Economic opportunity act – federal fund ..... No limit

Kansas comprehensive grant fund ..... No limit

Faculty of distinction matching fund ..... No limit

Nine month payroll clearing account fund ..... No limit

Federal Perkins student loan fund ..... No limit

Housing system revenue fund ..... No limit

*Provided*, That expenditures may be made from the housing system revenue fund for official hospitality.

Institutional overhead fund ..... No limit

Oil and gas royalties fund ..... No limit

Housing system suspense fund ..... No limit

Housing system operations fund ..... No limit

Housing system repairs, equipment and improvement fund ..... No limit

Sponsored research overhead fund ..... No limit

Kansas distinguished scholarship fund ..... No limit

University federal fund ..... No limit

*Provided*, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *Provided further*, That expenditures may be made by the above agency from this fund to procure a policy of accident, personal liability and excess automobile liability insurance insuring volunteers participating in the senior companion program against loss in accordance with specifications of federal grant guidelines as provided in K.S.A. 75-4101, and amendments thereto.

(c) On July 1, 2016, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Fort Hays state university of not to exceed \$125,000 from the general fees fund to the federal Perkins student loan fund.

Sec. 126.

KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures (including official hospitality) ..... \$99,674,233

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Midwest institute for comparative stem cell biology..... \$129,833

*Provided*, That any unencumbered balance in the midwest institute for comparative stem cell biology account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Global food systems..... \$5,000,000

*Provided*, That any unencumbered balance in the global food systems account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That all moneys in the global food systems account expended for fiscal year 2016 shall be matched by Kansas state university on a \$1 for \$1 basis from other moneys of Kansas state university: *And provided further*, That Kansas state university shall submit a plan to the house committee on appropriations, the senate committee on ways and means and the governor as to how the global food systems-related activities create additional jobs in the state and other economic value, particularly for and with the private sector, for fiscal year 2016.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

- Parking fees fund ..... No limit
- Faculty of distinction matching fund ..... No limit
- General fees fund..... No limit

*Provided*, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

- Interest on endowment fund..... No limit
- Restricted fees fund..... No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts: Technology equipment; flight services; communications and marketing; computer services; copy centers; standardized test fees; placement center; recreational services; college of technology and aviation; motor pool; music; professorships; student activities fees; army and aerospace uniforms; aerospace uniform augmentation; biology sales and services; chemistry; field camps; state department of education; physics store-room; sponsored research, instruction, public service, equipment and facility grants; chemical engineering; nuclear engineering; contract-post office; library collections; civil engineering; continuing education; sponsored construction or improvement projects; attorney, educational and personal development, human capital resources; student financial assistance; application for undergraduate programs; speech and hearing fees;

gifts; human development and family research and training; college of education – publications and services; guaranteed student loan application processing; student identification card; auditorium receipts; catalog sales; emission spectroscopy fees; interagency consulting; sales and services of educational programs; transcript fees; facility use fees; human ecology storeroom; college of human ecology sales; family resource center fees; human movement performance; application for post baccalaureate programs; art exhibit fees; college of education – Kansas careers; foreign student application fee; student union repair and replacement reserve; departmental receipts for all sales, refunds and other collections; institutional support fee; miscellaneous renovations – construction; speech receipts; art museum; exchange program; flight training lab fees; administrative reimbursements; parking fees; postage center; printing; short courses and conferences; student government association receipts; regents educational communications center; late registration fee; engineering equipment fee; architecture equipment fee; biotechnology facility; English language program; international programs; Bramlage coliseum; planning and analysis; telecommunications; comparative medicine; other specifically designated receipts not available for general operations of the university: *Provided, however,* That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further,* That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further,* That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further,* That expenditures from the restricted fees fund may be made for the purchase of insurance for operation and testing of completed project aircraft and for operation of aircraft used in professional pilot training, including coverage for public liability, physical damage, medical payments and voluntary settlement coverages: *And provided further,* That expenditures may be made from this fund for official hospitality.

Kansas career work study program fund .....	No limit
Service clearing fund .....	No limit

*Provided,* That the service clearing fund shall be used for the following service activities: Supplies stores; telecommunications services; photographic services; K-State printing services; postage; facilities services; facilities carpool; public safety services; facility planning services; facilities

storeroom; computing services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Sponsored research overhead fund ..... No limit

*Provided*, That expenditures may be made from the sponsored research overhead fund for official hospitality.

Housing system suspense fund ..... No limit

Housing system operations fund ..... No limit

*Provided*, That expenditures may be made from the housing system operations fund for official hospitality.

Housing system repairs, equipment and improvement fund ..... No limit

Mandatory retirement annuity clearing fund ..... No limit

Student health fees fund ..... No limit

*Provided*, That expenditures from the student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

Scholarship funds fund..... No limit

Perkins student loan fund ..... No limit

Board of regents – U.S. department of education awards fund ..... No limit

State agricultural university fund ..... No limit

Federal extension civil service retirement clearing fund ... No limit

Salina – student union fees fund..... No limit

Salina – housing system operation fund ..... No limit

Kansas comprehensive grant fund..... No limit

Temporary deposit fund ..... No limit

Business procurement card clearing fund..... No limit

Suspense fund ..... No limit

Voluntary tax shelter annuity clearing fund..... No limit

Agency payroll deduction clearing fund ..... No limit

Payroll clearing fund..... No limit

Pre-tax parking clearing fund ..... No limit

Salina student life center revenue fund..... No limit

Child care facility revenue fund..... No limit

University federal fund..... No limit

*Provided*, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

Energy conservation improvements fund ..... No limit

Animal health research fund ..... No limit

National bio agro-defense facility fund ..... No limit  
*Provided*, That all expenditures from the national bio agro-defense facility fund shall be expended in accordance with the governor’s national bio agro-defense facility steering committee’s plan and shall be approved by the president of Kansas state university.

Kan-grow engineering fund – KSU ..... No limit  
 Interest bearing grants fund..... No limit

*Provided*, That, on or before the 10th day of each month commencing during fiscal year 2016, the director of accounts and reports shall transfer from the state general fund to the interest bearing grants fund interest earnings based on: (1) The average daily balance in the interest bearing grants fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

(c) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Kansas state university of not to exceed \$100,000 from the general fees fund to the Perkins student loan fund.

Sec. 127.

KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures (including official hospitality)..... \$101,798,358

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Midwest institute for comparative stem cell biology..... \$129,833

*Provided*, That any unencumbered balance in the midwest institute for comparative stem cell biology account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Global food systems..... \$5,000,000

*Provided*, That any unencumbered balance in the global food systems account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That all moneys in the global food systems account expended for fiscal year 2017 shall be matched by Kansas state university on a \$1 for \$1 basis from other moneys of Kansas state university: *And provided further*, That Kansas state university shall submit a plan to the house committee on appropriations, the senate committee on ways and means and the governor as to how the global food systems-related activities create additional jobs in the state and other economic value, particularly for and with the private sector, for fiscal year 2017.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017,

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

Parking fees fund .....	No limit
Faculty of distinction matching fund .....	No limit
General fees fund.....	No limit

*Provided*, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Interest on endowment fund.....	No limit
Restricted fees fund.....	No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts: Technology equipment; flight services; communications and marketing; computer services; copy centers; standardized test fees; placement center; recreational services; college of technology and aviation; motor pool; music; professorships; student activities fees; army and aerospace uniforms; aerospace uniform augmentation; biology sales and services; chemistry; field camps; state department of education; physics storeroom; sponsored research, instruction, public service, equipment and facility grants; chemical engineering; nuclear engineering; contract-post office; library collections; civil engineering; continuing education; sponsored construction or improvement projects; attorney, educational and personal development, human capital resources; student financial assistance; application for undergraduate programs; speech and hearing fees; gifts; human development and family research and training; college of education – publications and services; guaranteed student loan application processing; student identification card; auditorium receipts; catalog sales; emission spectroscopy fees; interagency consulting; sales and services of educational programs; transcript fees; facility use fees; human ecology storeroom; college of human ecology sales; family resource center fees; human movement performance; application for post baccalaureate programs; art exhibit fees; college of education – Kansas careers; foreign student application fee; student union repair and replacement reserve; departmental receipts for all sales, refunds and other collections; institutional support fee; miscellaneous renovations – construction; speech receipts; art museum; exchange program; flight training lab fees; administrative reimbursements; parking fees; postage center; printing; short courses and conferences; student government association receipts; regents educational communications center; late registration fee; engineering equipment fee; architecture equipment fee; biotechnology facility; English language program; international programs; Bramlage coliseum; planning and analysis; telecommunications; comparative medicine; other specifically designated receipts not available for general operations of the university: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby

characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That expenditures from the restricted fees fund may be made for the purchase of insurance for operation and testing of completed project aircraft and for operation of aircraft used in professional pilot training, including coverage for public liability, physical damage, medical payments and voluntary settlement coverages: *And provided further*, That expenditures may be made from this fund for official hospitality.

Kansas career work study program fund ..... No limit  
 Service clearing fund ..... No limit

*Provided*, That the service clearing fund shall be used for the following service activities: Supplies stores; telecommunications services; photographic services; K-State printing services; postage; facilities services; facilities carpool; public safety services; facility planning services; facilities storeroom; computing services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Sponsored research overhead fund ..... No limit

*Provided*, That expenditures may be made from the sponsored research overhead fund for official hospitality.

Housing system suspense fund ..... No limit  
 Housing system operations fund ..... No limit

*Provided*, That expenditures may be made from the housing system operations fund for official hospitality.

Housing system repairs, equipment and improvement fund ..... No limit  
 Mandatory retirement annuity clearing fund ..... No limit  
 Student health fees fund ..... No limit

*Provided*, That expenditures from the student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

Scholarship funds fund ..... No limit  
 Perkins student loan fund ..... No limit

Board of regents – U.S. department of education awards fund .....	No limit
State agricultural university fund .....	No limit
Federal extension civil service retirement clearing fund ...	No limit
Salina – student union fees fund.....	No limit
Salina – housing system operation fund .....	No limit
Kansas comprehensive grant fund.....	No limit
Temporary deposit fund.....	No limit
Business procurement card clearing fund.....	No limit
Suspense fund .....	No limit
Voluntary tax shelter annuity clearing fund.....	No limit
Agency payroll deduction clearing fund .....	No limit
Payroll clearing fund.....	No limit
Pre-tax parking clearing fund .....	No limit
Salina student life center revenue fund.....	No limit
Child care facility revenue fund.....	No limit
University federal fund.....	No limit

*Provided*, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

Energy conservation improvements fund .....	No limit
Animal health research fund .....	No limit
National bio agro-defense facility fund .....	No limit

*Provided*, That all expenditures from the national bio agro-defense facility fund shall be expended in accordance with the governor’s national bio agro-defense facility steering committee’s plan and shall be approved by the president of Kansas state university.

Kan-grow engineering fund – KSU .....	No limit
Interest bearing grants fund.....	No limit

*Provided*, That, on or before the 10th day of each month commencing during fiscal year 2017, the director of accounts and reports shall transfer from the state general fund to the interest bearing grants fund interest earnings based on: (1) The average daily balance in the interest bearing grants fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

(c) On July 1, 2016, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Kansas state university of not to exceed \$100,000 from the general fees fund to the Perkins student loan fund.



Sec. 128.

KANSAS STATE UNIVERSITY EXTENSION SYSTEMS AND AGRICULTURE RESEARCH PROGRAMS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Cooperative extension service (including official hospitality) ..... \$18,036,270

Provided, That any unencumbered balance in the cooperative extension service (including official hospitality) account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Agricultural experiment stations (including official hospitality) ..... \$28,920,003

Provided, That any unencumbered balance in the agricultural experiment stations (including official hospitality) account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Restricted fees fund..... No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Plant pathology; Kansas artificial breeding service unit; technology equipment; professorships; agricultural experiment station, director's office; agronomy - Ashland farm; KSU agricultural research center - Hays; KSU southeast agricultural research center; KSU southwest research extension center; agronomy - general; agronomy - experimental field crop sales; entomology sales; grain science and industry - Kansas state university; food and nutrition research; extension services and publication; sponsored construction or improvement projects; gifts; comparative medicine; sales and services of educational programs; animal sciences and industry livestock and product sales; horticulture greenhouse and farm products sales; Konza prairie operations; departmental receipts for all sales, refunds and other collections; institutional support fee; KSU northwest research extension center operations; sponsored research, public service, equipment and facility grants; statistical laboratory; equipment/pesticide storage building; miscellaneous renovation - construction; other specifically designated receipts not available for general operations of the university: Provided, however, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: Provided further, That all restricted fees shall be deposited in the state

treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That expenditures may be made from the Kansas agricultural mediation service account of the restricted fees fund during fiscal year 2016: *And provided further*, That expenditures may be made from this fund for official hospitality.

Fertilizer research fund.....	No limit
Sponsored research overhead fund .....	No limit

*Provided*, That expenditures may be made from the sponsored research overhead fund for official hospitality.

Federal extension fund.....	No limit
Federal experimental station fund.....	No limit
Federal awards – advance payment fund.....	No limit
Smith-Lever special program grant – federal fund.....	No limit
Faculty of distinction matching fund .....	No limit
Agricultural land use-value fund .....	No limit
University federal fund.....	No limit

*Provided*, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

(c) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2016, the following:

Agricultural experiment stations .....	\$297,050
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(d) During the fiscal year ending June 30, 2016, no moneys appropriated from the state general fund or any special revenue fund or funds for Kansas state university or Kansas state university extension systems and agriculture research programs shall be expended on or after the effective date of this act by Kansas state university or Kansas state university extension systems and agriculture research programs, directly or indirectly, for (1) any financial aid or other support for any 4-H competitive events or activities at county fairs for which the minimum age for participants is increased from 7 years of age to 9 years of age, or (2) any financial aid or other support for any 4-H organization or unit that sponsors competitive events at county fairs and that is planning to increase or has increased the minimum age for participants in such events from 7 years of age to 9 years of age.

Sec. 129.

KANSAS STATE UNIVERSITY EXTENSION SYSTEMS AND AGRICULTURE RESEARCH PROGRAMS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Cooperative extension service (including official hospitality) ..... \$18,105,744

Provided, That any unencumbered balance in the cooperative extension service (including official hospitality) account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Agricultural experiment stations (including official hospitality) ..... \$29,553,093

Provided, That any unencumbered balance in the agricultural experiment stations (including official hospitality) account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Restricted fees fund..... No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Plant pathology; Kansas artificial breeding service unit; technology equipment; professorships; agricultural experiment station, director's office; agronomy - Ashland farm; KSU agricultural research center - Hays; KSU southeast agricultural research center; KSU southwest research extension center; agronomy - general; agronomy - experimental field crop sales; entomology sales; grain science and industry - Kansas state university; food and nutrition research; extension services and publication; sponsored construction or improvement projects; gifts; comparative medicine; sales and services of educational programs; animal sciences and industry livestock and product sales; horticulture greenhouse and farm products sales; Konza prairie operations; departmental receipts for all sales, refunds and other collections; institutional support fee; KSU northwest research extension center operations; sponsored research, public service, equipment and facility grants; statistical laboratory; equipment/pesticide storage building; miscellaneous renovation - construction; other specifically designated receipts not available for general operations of the university: Provided, however, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: Provided further, That all restricted fees shall be deposited in the state

treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That expenditures may be made from the Kansas agricultural mediation service account of the restricted fees fund during fiscal year 2016: *And provided further*, That expenditures may be made from this fund for official hospitality.

Fertilizer research fund.....	No limit
Sponsored research overhead fund .....	No limit

*Provided*, That expenditures may be made from the sponsored research overhead fund for official hospitality.

Federal extension fund.....	No limit
Federal experimental station fund.....	No limit
Federal awards – advance payment fund.....	No limit
Smith-Lever special program grant – federal fund.....	No limit
Faculty of distinction matching fund .....	No limit
Agricultural land use-value fund .....	No limit
University federal fund.....	No limit

*Provided*, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

(c) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2017, the following:

Agricultural experiment stations .....	\$296,614
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(d) During the fiscal year ending June 30, 2017, no moneys appropriated from the state general fund or any special revenue fund or funds for Kansas state university or Kansas state university extension systems and agriculture research programs shall be expended on or after the effective date of this act by Kansas state university or Kansas state university extension systems and agriculture research programs, directly or indirectly, for (1) any financial aid or other support for any 4-H competitive events or activities at county fairs for which the minimum age for participants is increased from 7 years of age to 9 years of age, or (2) any financial aid or other support for any 4-H organization or unit that sponsors competitive events at county fairs and that is planning to increase or has increased the minimum age for participants in such events from 7 years of age to 9 years of age.

Sec. 130.

KANSAS STATE UNIVERSITY VETERINARY MEDICAL CENTER

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures (including official hospitality)..... \$9,500,892

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Operating enhancement ..... \$4,990,130

*Provided*, That any unencumbered balance in the operating enhancement account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That all expenditures from the operating enhancement account shall be expended in accordance with the plan submitted by the board of regents for improving the rankings of the Kansas state university veterinary medical center and shall be approved by the president of Kansas state university.

Veterinary training program for rural Kansas ..... \$400,000

*Provided*, That any unencumbered balance in the veterinary training program for rural Kansas account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund..... No limit

*Provided*, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Vet health center revenue fund ..... No limit

Faculty of distinction matching fund ..... No limit

Restricted fees fund..... No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts: Sponsored research, instruction, public service, equipment and facility grants; sponsored construction or improvement projects; technology equipment; pathology fees; laboratory test fees; miscellaneous renovations or construction; dean of veterinary medicine receipts; gifts; application for postbaccalaureate programs; professorship; embryo transfer unit; swine serology; rapid focal fluorescent inhibition test; comparative medicine; storerooms; departmental receipts for all sales, refunds and other collections; other specifically designated receipts not available for general operation of the Kansas state university veterinary medical center: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby character-

ized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That expenditures may be made from this fund for official hospitality.

Sponsored research overhead fund ..... No limit  
*Provided*, That expenditures may be made from the sponsored research overhead fund for official hospitality.

Health professions student loan fund ..... No limit  
 University federal fund..... No limit  
*Provided*, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

(c) On July 1, 2015, the veterinary medicine teaching hospital revenue fund of the Kansas state university veterinary medical center is hereby redesignated as the vet health center revenue fund of Kansas state university veterinary medical center.

(d) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Kansas state university of not to exceed a total of \$15,000 from the general fees fund to the health professions student loan fund.

Sec. 131.

KANSAS STATE UNIVERSITY VETERINARY MEDICAL CENTER

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures (including official hospitality)..... \$9,734,847  
*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Operating enhancement ..... \$5,024,765  
*Provided*, That any unencumbered balance in the operating enhancement account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That all expenditures from the operating enhancement account shall be expended in accordance with the plan submitted by the board of regents for improving the rankings of

the Kansas state university veterinary medical center and shall be approved by the president of Kansas state university.

Veterinary training program for rural Kansas ..... \$400,000

*Provided*, That any unencumbered balance in the veterinary training program for rural Kansas account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund..... No limit

*Provided*, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Vet health center revenue fund ..... No limit

Faculty of distinction matching fund ..... No limit

Hospital and diagnostic laboratory improvement fund ..... No limit

Restricted fees fund..... No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts: Sponsored research, instruction, public service, equipment and facility grants; sponsored construction or improvement projects; technology equipment; pathology fees; laboratory test fees; miscellaneous renovations or construction; dean of veterinary medicine receipts; gifts; application for postbaccalaureate programs; professorship; embryo transfer unit; swine serology; rapid focal fluorescent inhibition test; comparative medicine; storerooms; departmental receipts for all sales, refunds and other collections; other specifically designated receipts not available for general operation of the Kansas state university veterinary medical center:

*Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That expenditures may be made from this fund for official hospitality.

Sponsored research overhead fund ..... No limit

*Provided*, That expenditures may be made from the sponsored research overhead fund for official hospitality.

Health professions student loan fund .....	No limit
University federal fund.....	No limit

*Provided*, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

(c) On July 1, 2016, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Kansas state university of not to exceed a total of \$15,000 from the general fees fund to the health professions student loan fund.

Sec. 132.

EMPORIA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures (including official hospitality).....	\$30,815,419
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*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Reading recovery program.....	\$212,714
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*Provided*, That expenditures may be made from the reading recovery program account for official hospitality.

Nat'l Board Cert/Future Teacher Academy.....	\$129,050
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*Provided*, That expenditures may be made from the nat'l board cert/future teacher academy account for official hospitality.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund .....	No limit
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*Provided*, That expenditures may be made from the parking fees fund for a capital improvement project for parking lot improvements.

General fees fund.....	No limit
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*Provided*, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Interest on state normal school fund fund.....	No limit
Restricted fees fund.....	No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts: Computer services, student activity; technology equipment; stu-



dent union; sponsored research; computer services; extension classes; gifts and grants (for teaching, research and capital improvements); business school contributions; state department of education (vocational); library services; library collections; interest on local funds; receipts from conferences, clinics, and workshops held on campus for which no college credit is given; physical plant reimbursements from auxiliary enterprises; midwestern student exchange; departmental receipts – for all sales, refunds and other collections or receipts not specifically enumerated above: *Provided, however,* That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further,* That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further,* That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further,* That all amounts of tuition received from students participating in the midwestern student exchange program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the midwestern student exchange account of the restricted fees fund: *And provided further,* That expenditures may be made from the restricted fees fund for official hospitality.

Service clearing fund ..... No limit

*Provided,* That the service clearing fund shall be used for the following service activities: Telecommunications services; office supplies inventory; state car operation; ESU press including duplicating and reproducing; postage; physical plant storeroom including motor fuel inventory; data processing center; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Commencement fees fund..... No limit

Kansas career work study program fund ..... No limit

Student health fees fund ..... No limit

*Provided,* That expenditures from the student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

Faculty of distinction matching fund ..... No limit

Bureau of educational measurements fund..... No limit

National direct student loan fund .....	No limit
Economic opportunity act – work study – federal fund ....	No limit
Educational opportunity grants – federal fund .....	No limit
Basic opportunity grant program – federal fund.....	No limit
Research and institutional overhead fund.....	No limit
Kansas comprehensive grant fund.....	No limit
Housing system suspense fund.....	No limit
Housing system operations fund.....	No limit
Housing system repairs, equipment and improvement fund .....	No limit
Kansas distinguished scholarship fund .....	No limit
University federal fund.....	No limit

*Provided*, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

Leveraging educational assistance partnership federal fund .....	No limit
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(c) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Emporia state university of not to exceed \$30,000 from the general fees fund to the national direct student loan fund.

Sec. 133.

**EMPORIA STATE UNIVERSITY**

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures (including official hospitality).....	\$31,450,483
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*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Reading recovery program.....	\$212,552
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*Provided*, That expenditures may be made from the reading recovery program account for official hospitality.

Nat'l Board Cert/Future Teacher Academy.....	\$129,050
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*Provided*, That expenditures may be made from the nat'l board cert/future teacher academy account for official hospitality.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund .....	No limit
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*Provided*, That expenditures may be made from the parking fees fund for a capital improvement project for parking lot improvements.

General fees fund..... No limit

*Provided*, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Interest on state normal school fund fund..... No limit

Restricted fees fund..... No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts: Computer services, student activity; technology equipment; student union; sponsored research; computer services; extension classes; gifts and grants (for teaching, research and capital improvements); business school contributions; state department of education (vocational); library services; library collections; interest on local funds; receipts from conferences, clinics, and workshops held on campus for which no college credit is given; physical plant reimbursements from auxiliary enterprises; midwestern student exchange; departmental receipts – for all sales, refunds and other collections or receipts not specifically enumerated above:

*Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That all amounts of tuition received from students participating in the midwestern student exchange program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the midwestern student exchange account of the restricted fees fund: *And provided further*, That expenditures may be made from the restricted fees fund for official hospitality.

Service clearing fund ..... No limit

*Provided*, That the service clearing fund shall be used for the following service activities: Telecommunications services; office supplies inventory; state car operation; ESU press including duplicating and reproducing; postage; physical plant storeroom including motor fuel inventory; data processing center; and such other internal service activities as are au-

thorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Commencement fees fund.....	No limit
Kansas career work study program fund .....	No limit
Student health fees fund .....	No limit

*Provided*, That expenditures from the student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

Faculty of distinction matching fund .....	No limit
Bureau of educational measurements fund.....	No limit
National direct student loan fund .....	No limit
Economic opportunity act – work study – federal fund ....	No limit
Educational opportunity grants – federal fund .....	No limit
Basic opportunity grant program – federal fund.....	No limit
Research and institutional overhead fund.....	No limit
Kansas comprehensive grant fund.....	No limit
Housing system suspense fund .....	No limit
Housing system operations fund .....	No limit
Housing system repairs, equipment and improvement fund .....	No limit
Kansas distinguished scholarship fund .....	No limit
University federal fund.....	No limit

*Provided*, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

Leveraging educational assistance partnership federal fund .....	No limit
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(c) On July 1, 2016, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Emporia state university of not to exceed \$30,000 from the general fees fund to the national direct student loan fund.

Sec. 134.

PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures (including official hospitality).....	\$33,701,907
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*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

School of construction.....	\$745,528
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*Provided*, That any unencumbered balance in the school of construction

account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Polymer science program ..... \$995,652

*Provided*, That any unencumbered balance in the polymer science program account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund ..... No limit

*Provided*, That expenditures may be made from the parking fees fund for capital improvement projects for parking lot improvements.

General fees fund..... No limit

*Provided*, That all moneys received for tuition received from students participating in the gorilla advantage program or the midwestern student exchange program shall be deposited in the state treasury to the credit of the general fees fund: *Provided further*, That expenditures may be made from the general fees fund to match federal grant moneys: *And provided further*, That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund..... No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts: Computer services; instructional technology fee; technology equipment; student activity fee accounts; commencement fees; ROTC activities; continuing education receipts; vocational auto parts and service fees; receipts from camps, conferences and meetings held on campus; library service collections and fines; grants from other state agencies; *Midwest Quarterly*; chamber music series; contract – post office; gifts and grants; intensive English program; business and technology institute; public sector radio station activities; economic opportunity – state match; Kansas career work study; regents supplemental grants; departmental receipts, and other specifically designated receipts not available for general operations of the university: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures

may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That surplus restricted fees moneys generated by the music department may be transferred to the Pittsburg state university foundation, inc., for the express purpose of awarding music scholarships: *And provided further*, That expenditures may be made from this fund for official hospitality.

Service clearing fund ..... No limit

*Provided*, That the service clearing fund shall be used for the following service activities: Duplicating and printing services; instructional media division; office stationery and supplies; motor carpool; postage services; photo services; telephone services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Hospital and student health fees fund ..... No limit

*Provided*, That expenditures from the hospital and student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center: *Provided further*, That expenditures may be made from this fund for capital improvement projects for hospital and student health center improvements.

Suspense fund ..... No limit

Faculty of distinction matching fund ..... No limit

Perkins student loan fund ..... No limit

Sponsored research overhead fund ..... No limit

College work study fund..... No limit

Nursing student loan fund ..... No limit

Housing system suspense fund ..... No limit

Housing system operations fund ..... No limit

Housing system repairs, equipment and improvement fund ..... No limit

Kansas comprehensive grant fund..... No limit

Kansas distinguished scholarship program fund..... No limit

University federal fund..... No limit

*Provided*, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

(c) During the fiscal year ending June 30, 2016, the director of accounts and reports shall transfer amounts specified by the president of Pittsburg state university of not to exceed a total of \$125,000 for all such

amounts, from the general fees fund to the following specified funds and accounts of funds: Perkins student loan fund; nursing student loan fund.

Sec. 135.

PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures (including official hospitality)..... \$34,614,305

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

School of construction..... \$745,318

*Provided*, That any unencumbered balance in the school of construction account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Polymer science program ..... \$995,232

*Provided*, That any unencumbered balance in the polymer science program account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund ..... No limit

*Provided*, That expenditures may be made from the parking fees fund for capital improvement projects for parking lot improvements.

General fees fund..... No limit

*Provided*, That all moneys received for tuition received from students participating in the gorilla advantage program or the midwestern student exchange program shall be deposited in the state treasury to the credit of the general fees fund: *Provided further*, That expenditures may be made from the general fees fund to match federal grant moneys: *And provided further*, That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund..... No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts: Computer services; instructional technology fee; technology equipment; student activity fee accounts; commencement fees; ROTC activities; continuing education receipts; vocational auto parts and service fees; receipts from camps, conferences and meetings held on campus; library service collections and fines; grants from other state agencies; *Mid-west Quarterly*; chamber music series; contract – post office; gifts and grants; intensive English program; business and technology institute; pub-

lic sector radio station activities; economic opportunity – state match; Kansas career work study; regents supplemental grants; departmental receipts, and other specifically designated receipts not available for general operations of the university: *Provided, however,* That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further,* That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further,* That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further,* That surplus restricted fees moneys generated by the music department may be transferred to the Pittsburg state university foundation, inc., for the express purpose of awarding music scholarships: *And provided further,* That expenditures may be made from this fund for official hospitality.

Service clearing fund ..... No limit

*Provided,* That the service clearing fund shall be used for the following service activities: Duplicating and printing services; instructional media division; office stationery and supplies; motor carpool; postage services; photo services; telephone services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Hospital and student health fees fund ..... No limit

*Provided,* That expenditures from the hospital and student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center: *Provided further,* That expenditures may be made from this fund for capital improvement projects for hospital and student health center improvements.

Suspense fund ..... No limit

Faculty of distinction matching fund ..... No limit

Perkins student loan fund ..... No limit

Sponsored research overhead fund ..... No limit

College work study fund ..... No limit

Nursing student loan fund ..... No limit

Housing system suspense fund ..... No limit

Housing system operations fund ..... No limit



Housing system repairs, equipment and improvement fund .....	No limit
Kansas comprehensive grant fund.....	No limit
Kansas distinguished scholarship program fund.....	No limit
University federal fund.....	No limit

*Provided*, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

(c) During the fiscal year ending June 30, 2017, the director of accounts and reports shall transfer amounts specified by the president of Pittsburg state university of not to exceed a total of \$125,000 for all such amounts, from the general fees fund to the following specified funds and accounts of funds: Perkins student loan fund; nursing student loan fund.

Sec. 136.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures (including official hospitality)..... \$127,592,285

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Geological survey ..... \$5,826,424

*Provided*, That any unencumbered balance in the geological survey account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That in addition to the other purposes for which expenditures may be made by the above agency from the geological survey account of the state general fund for fiscal year 2016, expenditures shall be made by the above agency from the geological survey account of the state general fund for fiscal year 2016 for seismic surveys in an amount not less than \$100,000.

Umbilical cord matrix project..... \$129,935

*Provided*, That any unencumbered balance in the umbilical cord matrix project account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking facilities revenue fund .....	No limit
Faculty of distinction matching fund .....	No limit
General fees fund.....	No limit

*Provided*, That expenditures may be made from the general fees fund to match federal grant moneys.

Interest fund .....	No limit
Sponsored research overhead fund .....	No limit
Law enforcement training center fund .....	No limit

*Provided*, That expenditures may be made from the law enforcement training center fund to cover the costs of tuition for students enrolled in the law enforcement training program in addition to the costs of salaries and wages and other operating expenditures for the program.

Law enforcement training center fees fund .....	No limit
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*Provided*, That all moneys received for tuition from students enrolling in the basic law enforcement training program for undergraduate or graduate credit shall be deposited in the state treasury and credited to the law enforcement training center fees fund.

Restricted fees fund.....	No limit
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*Provided*, That restricted fees shall be limited to receipts for the following accounts: Institute for policy and social research; technology equipment; concert course; speech, language and hearing clinic; perceptual motor clinic; application for admission fees; named professorships; summer institutes and workshops; dramatics; economic opportunity act; executive management; continuing education programs; geology field trips; gifts and grants; extension services; counseling center; investment income from bequests; reimbursable salaries; music and art camp; child development lab preschools; orientation center; educational placement; press publications; Rice estate educational project; sponsored research; student activities; sale of surplus books and art objects; building use charges; Kansas applied remote sensing program; executive master's degree in business administration; applied English center; cartographic services; economic education; study abroad programs; computer services; recreational activities; animal care activities; geological survey; midwestern student exchange; department commercial receipts for all sales, refunds, and all other collections or receipts not specifically enumerated above: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That moneys received for student fees in any ac-

count of the restricted fees fund may be transferred to one or more other accounts of the restricted fees fund.

Service clearing fund ..... No limit

*Provided*, That the service clearing fund shall be used for the following service activities: Residence hall food stores; university motor pool; military uniforms; telecommunications service; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Health service fund ..... No limit

Kansas career work study program fund ..... No limit

Student union fund..... No limit

Federal Perkins loan fund..... No limit

Health professions student loan fund ..... No limit

Housing system suspense fund..... No limit

Housing system operations fund..... No limit

Housing system repairs, equipment and improvement fund ..... No limit

Educational opportunity act – federal fund ..... No limit

Loans for disadvantaged students fund ..... No limit

Prepaid tuition fees clearing fund ..... No limit

Kansas comprehensive grant fund..... No limit

Fire service training fund ..... No limit

University federal fund..... No limit

Johnson county education research triangle fund ..... No limit

Kan-grow engineering fund – KU ..... No limit

(c) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer amounts specified by the chancellor of the university of Kansas of not to exceed a total of \$325,000 for all such amounts, from the general fees fund to the following specified funds and accounts of funds: Federal Perkins student loan program account of the national direct student loan fund; federal supplemental educational opportunity program account of the national direct student loan fund; federal disadvantaged student loan program account of the national direct student loan fund; health professions student loan fund.

(d) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2016, for the water plan project or projects specified, the following:

Geological survey ..... \$26,841

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2015, in the geological survey account is hereby reappropriated for fiscal year 2016.

Sec. 137.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures (including official hospitality)..... \$130,753,029

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Geological survey ..... \$6,005,630

*Provided*, That any unencumbered balance in the geological survey account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That in addition to the other purposes for which expenditures may be made by the above agency from the geological survey account of the state general fund for fiscal year 2017, expenditures shall be made by the above agency from the geological survey account of the state general fund for fiscal year 2017 for seismic surveys in an amount not less than \$100,000.

Umbilical cord matrix project..... \$131,584

*Provided*, That any unencumbered balance in the umbilical cord matrix project account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking facilities revenue fund ..... No limit

Faculty of distinction matching fund ..... No limit

General fees fund..... No limit

*Provided*, That expenditures may be made from the general fees fund to match federal grant moneys.

Interest fund ..... No limit

Sponsored research overhead fund ..... No limit

Law enforcement training center fund ..... No limit

*Provided*, That expenditures may be made from the law enforcement training center fund to cover the costs of tuition for students enrolled in the law enforcement training program in addition to the costs of salaries and wages and other operating expenditures for the program.

Law enforcement training center fees fund..... No limit

*Provided*, That all moneys received for tuition from students enrolling in the basic law enforcement training program for undergraduate or graduate credit shall be deposited in the state treasury and credited to the law enforcement training center fees fund.

Restricted fees fund..... No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Institute for policy and social research; technology equipment; concert course; speech, language and hearing clinic; perceptual motor clinic; application for admission fees; named professorships; summer institutes and workshops; dramatics; economic opportunity act; executive management; continuing education programs; geology field trips; gifts and grants; extension services; counseling center; investment income from bequests; reimbursable salaries; music and art camp; child development lab preschools; orientation center; educational placement; press publications; Rice estate educational project; sponsored research; student activities; sale of surplus books and art objects; building use charges; Kansas applied remote sensing program; executive master's degree in business administration; applied English center; cartographic services; economic education; study abroad programs; computer services; recreational activities; animal care activities; geological survey; midwestern student exchange; department commercial receipts for all sales, refunds, and all other collections or receipts not specifically enumerated above: Provided, however, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: Provided further, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: And provided further, That moneys received for student fees in any account of the restricted fees fund may be transferred to one or more other accounts of the restricted fees fund.

Service clearing fund ..... No limit

Provided, That the service clearing fund shall be used for the following service activities: Residence hall food stores; university motor pool; military uniforms; telecommunications service; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Health service fund ..... No limit

Kansas career work study program fund ..... No limit

Student union fund..... No limit

Federal Perkins loan fund..... No limit

Health professions student loan fund ..... No limit

Housing system suspense fund ..... No limit

Housing system operations fund..... No limit

Housing system repairs, equipment and improvement fund .....	No limit
Educational opportunity act – federal fund .....	No limit
Loans for disadvantaged students fund .....	No limit
Prepaid tuition fees clearing fund .....	No limit
Kansas comprehensive grant fund.....	No limit
Fire service training fund .....	No limit
University federal fund.....	No limit
Johnson county education research triangle fund .....	No limit
Kan-grow engineering fund – KU .....	No limit

(c) On July 1, 2016, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer amounts specified by the chancellor of the university of Kansas of not to exceed a total of \$325,000 for all such amounts, from the general fees fund to the following specified funds and accounts of funds: Federal Perkins student loan program account of the national direct student loan fund; federal supplemental educational opportunity program account of the national direct student loan fund; federal disadvantaged student loan program account of the national direct student loan fund; health professions student loan fund.

(d) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2017, for the water plan project or projects specified, the following:

Geological survey .....	\$26,841
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*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2016, in the geological survey account is hereby reappropriated for fiscal year 2017.

Sec. 138.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures (including official hospitality).....	\$98,683,034
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*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That expenditures from this account may be used to reimburse medical residents in residency programs located in Kansas City at the university of Kansas medical center for the purchase of health insurance for residents' dependents.

Medical scholarships and loans .....	\$4,476,896
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*Provided*, That any unencumbered balance in the medical scholarships and loans account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Midwest stem cell therapy center .....	\$749,093
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*Provided*, That any unencumbered balance in the midwest stem cell therapy center account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Rural health bridging .....	\$140,000
Cancer center research .....	\$4,961,910

*Provided*, That any unencumbered balance in the cancer center research account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That all moneys in the cancer center research account expended for fiscal year 2016 shall be matched by the university of Kansas medical center on a \$1 for \$1 basis from other moneys of the university of Kansas medical center: *And provided further*, That the university of Kansas medical center shall submit a plan to the house committee on appropriations, the senate committee on ways and means and the governor as to how cancer center research related activities create additional jobs in the state and other economic value, particularly for and with the private sector, for fiscal year 2016.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund.....	No limit
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*Provided*, That expenditures may be made from the general fees fund to match federal grant moneys.

Midwest stem cell therapy center fund.....	\$0
Faculty of distinction matching fund .....	No limit
Restricted fees fund.....	No limit

*Provided*, That restricted fees shall be limited to the following accounts: Technology equipment; computer services; expenses reimbursed by the Kansas university endowment association; postgraduate fees; pathology fees; student health insurance premiums; gift receipts; designated research collaboration; facilities use; photography; continuing education; student activity fees; student application fees; department duplicating; student health services; student identification badges; student transcript fees; loan administration fees; fitness center fees; occupational health fees; employee health; telekid care fees; area outreach fees; police fees; endowment payroll reimbursement; rental property; e-learning fees; surplus property sales; outreach air travel; student loan legal fees; hospital authority salary reimbursements; graduate medical education contracts; Kansas university physicians inc., salaries reimbursements; housestaff activity fees; anatomy cadavers; biotechnology services; energy center funded depreciation; biostatistics; electron microscope services; Wichita faculty contracts; physical therapy services; legal fee reimbursements; sponsored research; departmental commercial receipts for all sales, re-

funds and all other collections of receipts not specifically enumerated above; Kansas department for children and families cost-sharing: *Provided, however,* That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further,* That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further,* That expenditures may be made from this fund to purchase health insurance coverage for all students enrolled in the school of allied health, school of nursing and school of medicine.

Scientific research and development – special revenue

fund .....	No limit
Kansas breast cancer research fund.....	No limit
Sponsored research overhead fund .....	No limit
Parking fund – Wichita campus .....	No limit
Services to hospital authority fund .....	No limit
Direct medical education reimbursement fund.....	No limit
Service clearing fund .....	No limit

*Provided,* That the service clearing fund shall be used for the following service activities: Printing services; purchasing storeroom; university motor pool; physical plant storeroom; photo services; telecommunications services; facilities operations discretionary repairs; animal care; instructional services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Educational nurse faculty loan program fund.....	No limit
Federal college work study fund.....	No limit
AMA education and research grant fund.....	No limit
Federal health professions/primary care student loan fund .....	No limit
Federal nursing student loan fund .....	No limit
Suspense fund .....	No limit
Federal student educational opportunity grant fund .....	No limit
Federal Pell grant fund .....	No limit
Federal Perkins student loan fund .....	No limit
Medical loan repayment fund.....	No limit

*Provided,* That expenditures from the medical loan repayment fund for attorney fees and litigation costs associated with the administration of the medical scholarship and loan program shall be in addition to any expend-



iture limitation imposed on the operating expenditures account of the medical loan repayment fund.

Medical student loan programs provider assessment fund .....	No limit
Graduate medical education administration reserve fund .....	No limit
University of Kansas medical center private practice foundation reserve fund.....	No limit
Robert Wood Johnson award fund .....	No limit
Federal scholarship for disadvantaged students fund .....	No limit
University federal fund.....	No limit
Leveraging educational assistance partnership federal fund .....	No limit
Graduate medical education support fund.....	No limit
Johnson county education research triangle fund .....	No limit

(c) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer amounts specified by the chancellor of the university of Kansas of not to exceed a total of \$125,000 for all such amounts, from the general fees fund to the following funds: Federal Perkins student loan fund; federal nursing student loan fund; federal student education opportunity grant fund; federal college work study fund; educational nurse faculty loan program fund; federal health professions/primary care student loan fund.

(d) During the fiscal year ending June 30, 2016, and within the limits of appropriations therefor, the university of Kansas medical center may enter into contracts to purchase additional malpractice insurance for medical students enrolled at the university of Kansas medical center while in clinical training at the university of Kansas medical center or at other health care institutions.

Sec. 139.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures (including official hospitality).....	\$102,095,388
<i>Provided</i> , That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: <i>Provided further</i> , That expenditures from this account may be used to reimburse medical residents in residency programs located in Kansas City at the university of Kansas medical center for the purchase of health insurance for residents' dependents.	
Medical scholarships and loans .....	\$4,477,164
<i>Provided</i> , That any unencumbered balance in the medical scholarships	

and loans account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Midwest stem cell therapy center ..... \$771,697

*Provided*, That any unencumbered balance in the midwest stem cell therapy center account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Rural health bridging ..... \$140,000

Cancer center research ..... \$5,150,532

*Provided*, That any unencumbered balance in the cancer center research account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That all moneys in the cancer center research account expended for fiscal year 2017 shall be matched by the university of Kansas medical center on a \$1 for \$1 basis from other moneys of the university of Kansas medical center: *And provided further*, That the university of Kansas medical center shall submit a plan to the house committee on appropriations, the senate committee on ways and means and the governor as to how cancer center research related activities create additional jobs in the state and other economic value, particularly for and with the private sector, for fiscal year 2017.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund..... No limit

*Provided*, That expenditures may be made from the general fees fund to match federal grant moneys.

Faculty of distinction matching fund ..... No limit

Midwest stem cell therapy center fund..... \$0

Restricted fees fund..... No limit

*Provided*, That restricted fees shall be limited to the following accounts: Technology equipment; computer services; expenses reimbursed by the Kansas university endowment association; postgraduate fees; pathology fees; student health insurance premiums; gift receipts; designated research collaboration; facilities use; photography; continuing education; student activity fees; student application fees; department duplicating; student health services; student identification badges; student transcript fees; loan administration fees; fitness center fees; occupational health fees; employee health; telekid care fees; area outreach fees; police fees; endowment payroll reimbursement; rental property; e-learning fees; surplus property sales; outreach air travel; student loan legal fees; hospital authority salary reimbursements; graduate medical education contracts; Kansas university physicians inc., salaries reimbursements; housestaff activity fees; anatomy cadavers; biotechnology services; energy center

funded depreciation; biostatistics; electron microscope services; Wichita faculty contracts; physical therapy services; legal fee reimbursements; sponsored research; departmental commercial receipts for all sales, refunds and all other collections of receipts not specifically enumerated above; Kansas department for children and families cost-sharing; *Provided, however,* That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further,* That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further,* That expenditures may be made from this fund to purchase health insurance coverage for all students enrolled in the school of allied health, school of nursing and school of medicine.

Scientific research and development – special revenue

fund .....	No limit
Kansas breast cancer research fund.....	No limit
Sponsored research overhead fund .....	No limit
Parking fund – Wichita campus .....	No limit
Services to hospital authority fund .....	No limit
Direct medical education reimbursement fund.....	No limit
Service clearing fund .....	No limit

*Provided,* That the service clearing fund shall be used for the following service activities: Printing services; purchasing storeroom; university motor pool; physical plant storeroom; photo services; telecommunications services; facilities operations discretionary repairs; animal care; instructional services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Educational nurse faculty loan program fund.....	No limit
Federal college work study fund.....	No limit
AMA education and research grant fund.....	No limit
Federal health professions/primary care student loan fund .....	No limit
Federal nursing student loan fund .....	No limit
Suspense fund .....	No limit
Federal student educational opportunity grant fund .....	No limit
Federal Pell grant fund .....	No limit
Federal Perkins student loan fund .....	No limit
Medical loan repayment fund.....	No limit

*Provided,* That expenditures from the medical loan repayment fund for

attorney fees and litigation costs associated with the administration of the medical scholarship and loan program shall be in addition to any expenditure limitation imposed on the operating expenditures account of the medical loan repayment fund.

Medical student loan programs provider assessment fund .....	No limit
Graduate medical education administration reserve fund .....	No limit
University of Kansas medical center private practice foundation reserve fund.....	No limit
Robert Wood Johnson award fund .....	No limit
Federal scholarship for disadvantaged students fund .....	No limit
University federal fund.....	No limit
Leveraging educational assistance partnership federal fund .....	No limit
Graduate medical education support fund.....	No limit
Johnson county education research triangle fund .....	No limit

(c) On July 1, 2016, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer amounts specified by the chancellor of the university of Kansas of not to exceed a total of \$125,000 for all such amounts, from the general fees fund to the following funds: Federal Perkins student loan fund; federal nursing student loan fund; federal student education opportunity grant fund; federal college work study fund; educational nurse faculty loan program fund; federal health professions/primary care student loan fund.

(d) During the fiscal year ending June 30, 2017, and within the limits of appropriations therefor, the university of Kansas medical center may enter into contracts to purchase additional malpractice insurance for medical students enrolled at the university of Kansas medical center while in clinical training at the university of Kansas medical center or at other health care institutions.

Sec. 140.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures (including official hospitality) .....	\$63,148,842
<i>Provided</i> , That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.	
Aviation research.....	\$5,000,000
<i>Provided</i> , That any unencumbered balance in the aviation research account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: <i>Provided further</i> , That all moneys in the aviation research	

account expended for fiscal year 2016 shall be matched by Wichita state university on a \$1 for \$1 basis from other moneys of Wichita state university: *And provided further*, That Wichita state university shall submit a plan to the house committee on appropriations, the senate committee on ways and means and the governor as to how aviation research related activities create additional jobs in the state and other economic value, particularly for and with the private sector, for fiscal year 2016.

Technology transfer facility .....	\$2,000,000
Aviation infrastructure.....	\$3,500,000

*Provided*, That during the fiscal year ending June 30, 2016, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from the aviation infrastructure account for fiscal year 2016 by Wichita state university by this or other appropriation act of the 2015 regular session of the legislature, the moneys appropriated in the aviation infrastructure account for fiscal year 2016 may only be expended for training and equipment expenditures of the national center for aviation training.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund..... No limit

*Provided*, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund..... No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts: Summer school workshops; technology equipment; concert course; dramatics; continuing education; flight training; gifts and grants (for teaching, research, and capital improvements); testing service; state department of education (vocational); investment income from bequests; sale of surplus books and art objects; public service; veterans counseling and educational benefits; sponsored research; campus privilege fee; student activities; national defense education programs; engineering equipment fee; midwestern student exchange; departmental receipts – for all sales, refunds and other collections or receipts not specifically enumerated above: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments

thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That expenditures from this fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff at the student health center: *And provided further*, That expenditures may be made from this fund for official hospitality.

Service clearing fund ..... No limit

*Provided*, That the service clearing fund shall be used for the following service activities: Central service duplicating and reproducing bureau; automobiles; furniture stores; postal clearing; telecommunications; computer services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Faculty of distinction matching fund ..... No limit

Kansas career work study program fund ..... No limit

Scholarship funds fund..... No limit

Sponsored research overhead fund ..... No limit

Economic opportunity act – federal fund..... No limit

Education opportunity grant – federal fund..... No limit

Matching education opportunity grant fund ..... No limit

Health professions student assistance program – loans fund ..... No limit

Nine month payroll clearing account fund..... No limit

Pell grants fund..... No limit

Housing system suspense fund ..... No limit

Housing system operations fund..... No limit

Housing system renovation principal and interest fund .... No limit

Housing system renovation and bond reserve fund..... No limit

WSU housing system depreciation and replacement fund ..... No limit

Perkins loan fund ..... No limit

Kansas distinguished scholarship fund ..... No limit

Kansas comprehensive grant fund..... No limit

WSU housing systems revenue fund..... No limit

University federal fund..... No limit

*Provided*, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

Leveraging educational assistance partnership ..... No limit

Center of innovation for biomaterials in orthopaedic re- search – Wichita state university fund .....	No limit
Kan-grow engineering fund – WSU .....	No limit

(c) During the fiscal year ending June 30, 2016, in addition to the other purposes for which expenditures may be made by Wichita state university from moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2016 by this or other appropriation act of the 2015 regular session of the legislature, expenditures shall be made by Wichita state university from the state general fund or from any special revenue fund or funds for fiscal year 2016, after consultation with the national institute for aviation research, to provide for the establishment of a technical training board: *Provided*, That, except as otherwise provided in this subsection (c), such board shall be similar in composition to the aviation research board and shall advise the president of Wichita state university, and others representing Wichita state university, on all expenditures from the aviation infrastructure account of the state general fund for fiscal year 2016: *Provided further*, That such board shall review and evaluate all such expenditures: *And provided further*, That the executive director of the national institute for aviation research shall be the administrator for the technical training board: *And provided further*, That the membership of the technical training board shall include representatives of Sedgwick county and representatives of the Wichita area technical college as ex officio, non-voting members: *And provided further*, That the technical training board shall prepare and submit a report to the legislature, which shall be presented to the education budget committee of the house of representatives and to the appropriate subcommittee of the ways and means committee of the senate, not later than the first calendar day of the 2016 regular session of the legislature, detailing the findings of the technical training board regarding the expenditures by Wichita state university from the aviation infrastructure account of the state general fund for fiscal year 2015 and fiscal year 2016.

Sec. 141.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures (including official hospitality) .....	\$64,379,391
<i>Provided</i> , That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.	
Aviation research.....	\$5,000,000
<i>Provided</i> , That any unencumbered balance in the aviation research account in excess of \$100 as of June 30, 2016, is hereby reappropriated for	

fiscal year 2017: *Provided further*, That all moneys in the aviation research account expended for fiscal year 2017 shall be matched by Wichita state university on a \$1 for \$1 basis from other moneys of Wichita state university: *And provided further*, That Wichita state university shall submit a plan to the house committee on appropriations, the senate committee on ways and means and the governor as to how aviation research related activities create additional jobs in the state and other economic value, particularly for and with the private sector, for fiscal year 2017.

Technology transfer facility ..... \$2,000,000

*Provided*, That any unencumbered balance in the technology transfer facility account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Aviation infrastructure..... \$3,500,000

*Provided*, That any unencumbered balance in the aviation infrastructure account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That during the fiscal year ending June 30, 2017, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from the aviation infrastructure account for fiscal year 2017 by Wichita state university by this or other appropriation act of the 2015 or 2016 regular session of the legislature, the moneys appropriated in the aviation infrastructure account for fiscal year 2017 may only be expended for training and equipment expenditures of the national center for aviation training.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund..... No limit

*Provided*, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund..... No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts: Summer school workshops; technology equipment; concert course; dramatics; continuing education; flight training; gifts and grants (for teaching, research, and capital improvements); testing service; state department of education (vocational); investment income from bequests; sale of surplus books and art objects; public service; veterans counseling and educational benefits; sponsored research; campus privilege fee; student activities; national defense education programs; engineering equipment fee; midwestern student exchange; departmental receipts – for all sales, refunds and other collections or receipts not specifically enumerated above: *Provided, however*, That the state board of regents, with the



approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That expenditures from this fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff at the student health center: *And provided further*, That expenditures may be made from this fund for official hospitality.

Service clearing fund .....	No limit
<i>Provided</i> , That the service clearing fund shall be used for the following service activities: Central service duplicating and reproducing bureau; automobiles; furniture stores; postal clearing; telecommunications; computer services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.	
Faculty of distinction matching fund .....	No limit
Kansas career work study program fund .....	No limit
Scholarship funds fund.....	No limit
Sponsored research overhead fund .....	No limit
Economic opportunity act – federal fund.....	No limit
Education opportunity grant – federal fund.....	No limit
Matching education opportunity grant fund .....	No limit
Health professions student assistance program – loans fund .....	No limit
Nine month payroll clearing account fund.....	No limit
Pell grants fund.....	No limit
Housing system suspense fund.....	No limit
Housing system operations fund.....	No limit
Housing system renovation principal and interest fund ....	No limit
Housing system renovation and bond reserve fund.....	No limit
WSU housing system depreciation and replacement fund .....	No limit
Perkins loan fund .....	No limit
Kansas distinguished scholarship fund .....	No limit
Kansas comprehensive grant fund.....	No limit
WSU housing systems revenue fund.....	No limit

University federal fund.....	No limit
<i>Provided</i> , That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.	
Leveraging educational assistance partnership .....	No limit
Center of innovation for biomaterials in orthopaedic re- search – Wichita state university fund .....	No limit
Kan-grow engineering fund – WSU .....	No limit

(c) During the fiscal year ending June 30, 2017, in addition to the other purposes for which expenditures may be made by Wichita state university from moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2017 by this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures shall be made by Wichita state university from the state general fund or from any special revenue fund or funds for fiscal year 2017, after consultation with the national institute for aviation research, to provide for the establishment of a technical training board: *Provided*, That, except as otherwise provided in this subsection (c), such board shall be similar in composition to the aviation research board and shall advise the president of Wichita state university, and others representing Wichita state university, on all expenditures from the aviation infrastructure account of the state general fund for fiscal year 2017: *Provided further*, That such board shall review and evaluate all such expenditures: *And provided further*, That the executive director of the national institute for aviation research shall be the administrator for the technical training board: *And provided further*, That the membership of the technical training board shall include representatives of Sedgwick county and representatives of the Wichita area technical college as ex officio, nonvoting members: *And provided further*, That the technical training board shall prepare and submit a report to the legislature, which shall be presented to the education budget committee of the house of representatives and to the appropriate subcommittee of the ways and means committee of the senate, not later than the first calendar day of the 2017 regular session of the legislature, detailing the findings of the technical training board regarding the expenditures by Wichita state university from the aviation infrastructure account of the state general fund for fiscal year 2016 and fiscal year 2017.

Sec. 142.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:  
 Operating expenditures (including official hospitality)..... \$4,383,678

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That, during fiscal year 2016, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from the operating expenditures (including official hospitality) account for fiscal year 2016 by the state board of regents as authorized by this or other appropriation act of the 2015 regular session of the legislature, the state board of regents is hereby authorized to make expenditures from the operating expenditures (including official hospitality) account for fiscal year 2016 for attendance at an in-state meeting by members of the state board of regents for participation in matters of educational interest to the state of Kansas, upon approval of such attendance and participation by the state board of regents: *And provided further*, That each member of the state board of regents attending an in-state meeting so authorized shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3212, and amendments thereto, for members of the legislature: *And provided further*, That, during fiscal year 2016, notwithstanding the provisions of any other statute and in addition to the other purposes for which expenditures may be made from the operating expenditures (including official hospitality) account for fiscal year 2016 by the state board of regents as authorized by this or other appropriation act of the 2015 regular session of the legislature, the state board of regents is hereby authorized to make expenditures from the operating expenditures (including official hospitality) account for fiscal year 2016 for attendance at an out-of-state meeting by members of the state board of regents whenever under any provision of law such members of the state board of regents are authorized to attend the out-of-state meeting or whenever the state board of regents authorizes such members to attend the out-of-state meeting for participation in matters of educational interest to the state of Kansas: *And provided further*, That each member of the state board of regents attending an out-of-state meeting so authorized shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3212, and amendments thereto, for members of the legislature.

Midwest higher education commission .....	\$95,000
State scholarship program.....	\$1,065,919

*Provided*, That any unencumbered balance in the state scholarship program account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That expenditures may be made from the state scholarship program account for the state scholarship program under K.S.A. 72-6816, and amendments thereto, and for the Kansas distinguished scholarship program under K.S.A. 74-3278 through 74-3283, and amendments thereto: *And provided further*, That, of the

total amount appropriated in the state scholarship program account, the amount dedicated for the Kansas distinguished scholarship program shall not exceed \$25,000.

Comprehensive grant program ..... \$15,758,338

*Provided*, That any unencumbered balance in the comprehensive grant program account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That, during fiscal year 2016, in addition to the other purposes for which expenditures may be made by the above agency from the comprehensive grant program account for fiscal year 2016, expenditures shall be made by the above agency from the comprehensive grant program account for fiscal year 2016 for grants to independent and private colleges: *And Provided further*, That, the state board of regents and the Kansas independent college association shall submit a report to the house committee on appropriations and the senate committee on ways and means on the total dollars distributed to each college, and how many students received scholarships: *And provided further*, That, such expenditures for such grants to independent and private colleges shall be in an amount not less than 60% of the total amount of such grants.

Ethnic minority scholarship program..... \$296,498

*Provided*, That any unencumbered balance in the ethnic minority scholarship program account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Kansas work-study program ..... \$496,813

*Provided*, That any unencumbered balance in the Kansas work-study program account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That the state board of regents is hereby authorized to transfer moneys from the Kansas work-study program account to the Kansas career work-study program fund of any institution under its jurisdiction participating in the Kansas work-study program established by K.S.A. 74-3274 et seq., and amendments thereto: *And provided further*, That all moneys transferred from this account to the Kansas career work-study program fund of any such institution shall be expended for and in accordance with the Kansas work-study program.

ROTC service scholarships ..... \$175,335

*Provided*, That any unencumbered balance in the ROTC service scholarships account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Military service scholarships..... \$470,314

*Provided*, That any unencumbered balance in the military service scholarships account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That all expenditures from

the military service scholarships account shall be made for scholarships awarded under the military service scholarship program act, K.S.A. 2014 Supp. 74-32,227 through 74-32,232, and amendments thereto.

Teachers scholarship program ..... \$1,846,320

*Provided*, That any unencumbered balance in the teachers scholarship program account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

National guard educational assistance ..... \$870,869

*Provided*, That any unencumbered balance in the national guard educational assistance account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Career technical workforce grant ..... \$114,075

*Provided*, That any unencumbered balance in the vocational scholarships account in excess of \$100 as of June 30, 2015, is hereby reappropriated to the career technical workforce grant account for fiscal year 2016.

Nursing student scholarship program ..... \$417,255

*Provided*, That any unencumbered balance in the nursing student scholarship program account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Optometry education program ..... \$107,089

*Provided*, That any unencumbered balance in the optometry education program account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Municipal university operating grant ..... \$11,900,920

Adult basic education..... \$1,457,031

Postsecondary tiered technical education state aid..... \$58,300,961

*Provided*, That if the amount of moneys appropriated for the above agency for the fiscal year ending June 30, 2016, in the postsecondary tiered technical education state aid account is greater than the amount of moneys appropriated for the above agency for the fiscal year ending June 30, 2015, in the postsecondary tiered technical education state aid account, then the difference between the amount of moneys appropriated for the fiscal year 2016 and the amount of moneys appropriated for the above agency for the fiscal year 2015 shall be distributed based on each eligible institution’s calculated gap, according to the postsecondary tiered technical education state aid act, K.S.A. 2014 Supp. 71-1801 through 71-1810, and amendments thereto, as determined by the state board of regents: *Provided further*, That no eligible institution shall receive an amount of money from the postsecondary tiered technical education state aid account in fiscal year 2016 that is less than the amount such eligible institution received from such account in fiscal year 2015, unless the amount of moneys appropriated for the above agency for fiscal year 2015

in the postsecondary tiered technical education state aid account for fiscal year 2016 is less than the amount of moneys appropriated for the above agency for fiscal year 2015 in the postsecondary tiered technical education state aid account: *And provided further*, That if the amount of moneys appropriated for the above agency for fiscal year 2016 is less than the amount of moneys appropriated for the above agency for fiscal year 2015 in the postsecondary tiered technical education state aid account, then each eligible institution shall receive an amount of moneys as determined by the state board of regents: *And provided further*, That the state board of regents shall create a preliminary plan to fully implement the provisions of K.S.A. 2014 Supp. 71-1803(a), and amendments thereto, in consultation with technical colleges and community colleges, according to the postsecondary tiered technical education state aid act, K.S.A. 2014 Supp. 71-1801 through 71-1810, and amendments thereto, prior to November 1, 2015: *And provided further*, That the state board shall submit the final plan to the house committee on appropriations and the senate committee on ways and means no later than February 1, 2016.

Non-tiered course credit hour grant.....	\$76,496,329
Technology equipment at community colleges and Washburn university.....	\$398,475

*Provided*, That the state board of regents is hereby authorized to make expenditures from the technology equipment at community colleges and Washburn university account for grants to community colleges and Washburn university pursuant to grant applications for the purchase of technology equipment, in accordance with guidelines established by the state board of regents.

Vocational education capital outlay aid.....	\$71,585
Tuition waivers .....	\$84,657
Nurse educator grant program .....	\$188,126

*Provided*, That any unencumbered balance in the nurse educator grant program account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That all expenditures from the nurse educator grant program account shall be made for scholarships awarded under the nurse educator service scholarship program act.

Nursing faculty and supplies grant program .....	\$1,787,193
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*Provided*, That any unencumbered balance in the nursing faculty and supplies grant program account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That the state board of regents is hereby authorized to make grants to Kansas postsecondary education institutions from the nursing faculty and supplies grant program account for expansion of nursing faculty and consumable laboratory supplies: *And provided further*, That such grants shall be

either need-based or competitive and shall be matched on the basis of \$1 from the nursing faculty and supplies grant program account for \$1 from the state educational institution receiving the grant: *And provided further*, That not less than \$94,064 in such grants shall be made to accredited private postsecondary educational institutions in Kansas.

Postsecondary technical education authority..... \$19,934

*Provided*, That, in addition to the other purposes for which expenditures may be made by the above agency from the postsecondary technical education authority account for fiscal year 2016, expenditures shall be made by the above agency from the postsecondary technical education authority account for fiscal year 2016 to develop a report on the participation in technical education courses that lead to high-wage, high-demand technical occupations and result in Kansas board of regents approved industry credentials: *Provided further*, That such report shall be made available to the house of representatives committee on appropriations and the senate committee on ways and means no later than the first day of the 2016 regular session of the legislature.

Tuition for technical education..... \$20,750,000

*Provided*, That, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made by the above agency from the tuition for technical education account of the state general fund for fiscal year 2016, expenditures shall be made by the above agency from the tuition for technical education account of the state general fund for fiscal year 2016 for the payment of technical education tuition for adult students who are enrolled in technical education classes while obtaining a GED using the Accelerating Opportunity program: *Provided further*, That, such expenditures shall be in an amount not less than \$500,000.

Incentive for technical education ..... \$750,000

*Provided*, That, on July 1, 2015, notwithstanding the provisions of K.S.A. 72-4489, and amendments thereto, or any other statute, the state board of regents shall grant an award in an amount equal to \$1,000 for each pupil graduating from a high school in a school district having obtained an industry-recognized credential either prior to graduation from high school or by December 31 immediately following graduation in an occupation that has been identified by the secretary of labor in consultation with the state board of regents and the state board of education as an occupation in highest need of additional skilled employees at the time the pupil entered the career technical education course or program in the school district: *Provided further*, That, if the amount of moneys appropriated for the above agency for fiscal year 2016 is less than the amount of moneys to be awarded to such school districts, the state board of re-

gents shall prorate the available moneys to such school districts accordingly.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Osteopathic medical service scholarship repayment fund .....	No limit
Vocational education scholarship discontinued attendance fund .....	No limit
Regents' scholarship gift fund .....	No limit

*Provided*, That expenditures may be made from the regents' scholarship gift fund for scholarships awarded to Kansas residents who are attending institutions of postsecondary education in Kansas which are authorized under the laws of this state to award academic degrees and who meet academic and other eligibility criteria established by the state board of regents by rules and regulations: *Provided, however*, That a financial needs test shall not be one of the eligibility criteria established by the state board of regents for such scholarships: *Provided further*, That no scholarship awarded from this fund shall exceed \$2,000 per academic year: *And provided further*, That any recipient of a scholarship awarded from this fund may also receive either a state scholarship under K.S.A. 72-6810 through 72-6816, and amendments thereto, or a tuition grant under K.S.A. 72-6107 through 72-6111, and amendments thereto, or both: *And provided further*, That there shall be no reduction of any scholarship awarded from this fund for the amount of any such state scholarship or tuition grant received.

KAN-ED fund .....	No limit
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*Provided*, That expenditures may be made from the KAN-ED fund for official hospitality for the purposes of the KAN-ED act.

KAN-ED services fee fund .....	No limit
Health profession opportunity grant – federal.....	No limit
Rigorous program of study – federal .....	No limit
Earned indirect costs fund – federal.....	No limit
Faculty of distinction program fund .....	No limit
Paul Douglas teacher scholarship fund – federal.....	No limit
GED credentials processing fees fund.....	No limit
Proprietary school fee fund.....	No limit

*Provided*, That expenditures may be made from the proprietary school fee fund for official hospitality.

Tuition waiver gifts, grants and reimbursements fund.....	No limit
Adult basic education – federal fund .....	No limit
Truck driver training fund .....	No limit



No child left behind federal fund.....	No limit
Comprehensive grant program discontinued attendance fund .....	No limit
State scholarship discontinued attendance fund .....	No limit
Kansas ethnic minority fellowship program fund.....	No limit
Private postsecondary educational institution degree authorization expense reimbursement fee fund.....	No limit
Substance abuse education fund – federal.....	No limit
Nursing service scholarship program fund.....	No limit
Clearing fund.....	No limit
Conversion of materials and equipment fund .....	No limit
Teacher scholarship program fund.....	No limit
Motorcycle safety fund.....	No limit
Financial aid services fee fund.....	No limit

*Provided*, That expenditures may be made from the financial aid services fee fund for operating expenditures directly or indirectly related to the operating costs associated with student financial assistance programs administered by the state board of regents: *Provided further*, That the chief executive officer of the state board of regents is hereby authorized to fix, charge and collect fees for the processing of applications and other activities related to student financial assistance programs administered by the state board of regents: *And provided further*, That such fees shall be fixed in order to recover all or a part of the direct and indirect operating expenses incurred for administering such programs: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the financial aid services fee fund.

Inservice education workshop fee fund.....	No limit
Optometry education repayment fund.....	No limit
Teacher scholarship repayment fund.....	No limit
Advanced registered nurse practitioner service scholarship program fund.....	No limit
Nursing service scholarship repayment fund.....	No limit
Nurse educator service scholarship repayment fund .....	No limit
ROTC service scholarship program fund.....	No limit
ROTC service scholarship repayment fund.....	No limit
Carl D. Perkins vocational and technical education – federal fund .....	No limit
College access challenge grant program.....	No limit
Kansas national guard educational assistance program repayment fund .....	No limit
Carl D. Perkins technical preparation – federal fund.....	No limit
Grants fund.....	No limit
Workforce development loan fund.....	No limit

Regents clearing fund .....	No limit
Private and out-of-state postsecondary educational institution fee fund.....	No limit
Statewide data systems ARRA – unifying data systems to support systemic changes fund .....	No limit
Distance learning/telemedicine federal grant .....	No limit
KanTRAIN federal fund.....	No limit
USAC E-rate program federal fund .....	No limit
WIA youth activities federal fund .....	No limit
WIA adult set-aside federal fund .....	No limit
WIA dislocated workers set-aside federal fund.....	No limit
Temporary assistance for needy families federal fund .....	No limit
Workforce data quality initiative .....	No limit
Postsecondary education performance-based incentives fund .....	\$1,905,228

*Provided*, That notwithstanding the provisions of K.S.A. 2014 Supp. 72-4490, and amendments thereto, or any other statute, for fiscal year 2016, for the purpose of payments from the postsecondary education performance-based incentives fund, the term “eligible postsecondary educational institution” shall include Johnson county community college.

(c) During the fiscal year ending June 30, 2016, the chief executive officer of the state board of regents, with the approval of the director of the budget, may transfer any part of any item of appropriation in an account of the state general fund for the fiscal year ending June 30, 2016, to another item of appropriation in an account of the state general fund for fiscal year 2016. The chief executive officer of the state board of regents shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research. As used in this subsection, “account”: (1) Means the operating expenditures (including official hospitality) account of the state board of regents, the university of Kansas, the university of Kansas medical center, Kansas state university, Kansas state university veterinary medical center, Kansas state university extension systems and agriculture research programs, Wichita state university, Emporia state university, Pittsburg state university and Fort Hays state university; and (2) includes each other account of the state general fund of the state board of regents.

(d) (1) In addition to the other purposes for which expenditures may be made by any state educational institution from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 for such state educational institution as authorized by this or other appropriation act of the 2015 regular session of the legislature, expenditures may be made by such state educational institution from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 for the purposes of

capital improvement projects making energy and other conservation improvements: *Provided*, That such capital improvement projects are hereby approved for such state educational institution for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of issuance of one or more series of bonds by the Kansas development finance authority in accordance with that statute from time to time during fiscal year 2016: *Provided, however*, That no such bonds shall be issued until the state board of regents has first advised and consulted on any such project with the joint committee on state building construction: *Provided further*, That the amount of the bond proceeds that may be utilized for any such capital improvement project shall be subject to approval by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except that such approval also may be given while the legislature is in session: *And provided further*, That, in addition to such project costs, any such amount of bond proceeds may include costs of issuance, capitalized interest and any required reserves for the payment of principal and interest on such bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That payments relating to principal and interest on such bonds shall be subject to and dependent upon annual appropriations therefor to the state educational institution for which the bonds are issued: *And provided further*, That each energy conservation capital improvement project for which bonds are issued for financing under this subsection shall be designed and completed in order to have cost savings sufficient to be equal to or greater than the cost of debt service on such bonds: *And provided further*, That the state board of regents shall prepare and submit a report to the committee on appropriations of the house of representatives and the committee on ways and means of the senate on the savings attributable to energy conservation capital improvements for which bonds are issued for financing under this subsection (d)(1) at the beginning of the 2016 regular session of the legislature.

(2) As used in this subsection, “state educational institution” includes each state educational institution as defined in K.S.A. 76-711, and amendments thereto.

(e) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2016, the following:

SEDIF — vocational education capital outlay aid..... \$2,547,726

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2015, in the SEDIF – vocational education capital outlay aid account is hereby reappropriated for fiscal year 2016: *Provided further*, That ex-

penditures from the SEDIF – vocational education capital outlay aid account for each grant of vocational education capital outlay aid shall be matched by the postsecondary institution awarded such grant in an amount which is equal to 50% of the grant.

SEDIF – technology innovation and internship program.. \$179,284

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2015, in the SEDIF – technology innovation and internship program account is hereby reappropriated for fiscal year 2016.

SEDIF – EPSCOR..... \$993,265

Community and technical college competitive grants..... \$500,000

*Provided*, That all moneys in the community and technical college competitive grants account shall be for grants awarded to community and technical colleges under a competitive grant program administered by the secretary of commerce: *Provided further*, That all expenditures from such account shall be for competitive grants to community and technical colleges that require a local match of nonstate moneys on a \$1 for \$1 basis and that will develop innovative programs with private companies needing specific job skills or will meet other industry needs that cannot be addressed with current funding streams.

[ † ]

(g) In addition to the other purposes for which expenditures may be made by the state board of regents from moneys appropriated from the state general fund or from any special revenue fund or funds for the state board of regents for fiscal year 2016, as authorized by this or any other appropriation act of the 2015 regular session of the legislature, expenditures shall be made by the state board of regents from moneys appropriated from the state general fund or from any special revenue fund or funds for the state board of regents for fiscal year 2016 to pay for membership dues for the midwest higher education compact.

Sec. 143.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures (including official hospitality)..... \$4,495,467

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That, during fiscal year 2017, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from the operating expenditures (including official hospitality) account for fiscal year 2017 by the state board of regents as authorized by this or other appropriation act of the 2015 or 2016 regular session of the

legislature, the state board of regents is hereby authorized to make expenditures from the operating expenditures (including official hospitality) account for fiscal year 2017 for attendance at an in-state meeting by members of the state board of regents for participation in matters of educational interest to the state of Kansas, upon approval of such attendance and participation by the state board of regents: *And provided further*, That each member of the state board of regents attending an in-state meeting so authorized shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3212, and amendments thereto, for members of the legislature: *And provided further*, That, during fiscal year 2017, notwithstanding the provisions of any other statute and in addition to the other purposes for which expenditures may be made from the operating expenditures (including official hospitality) account for fiscal year 2017 by the state board of regents as authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, the state board of regents is hereby authorized to make expenditures from the operating expenditures (including official hospitality) account for fiscal year 2017 for attendance at an out-of-state meeting by members of the state board of regents whenever under any provision of law such members of the state board of regents are authorized to attend the out-of-state meeting or whenever the state board of regents authorizes such members to attend the out-of-state meeting for participation in matters of educational interest to the state of Kansas: *And provided further*, That each member of the state board of regents attending an out-of-state meeting so authorized shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3212, and amendments thereto, for members of the legislature.

Midwest higher education commission .....	\$95,000
State scholarship program.....	\$1,065,919

*Provided*, That any unencumbered balance in the state scholarship program account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That expenditures may be made from the state scholarship program account for the state scholarship program under K.S.A. 72-6816, and amendments thereto, and for the Kansas distinguished scholarship program under K.S.A. 74-3278 through 74-3283, and amendments thereto: *And provided further*, That, of the total amount appropriated in the state scholarship program account, the amount dedicated for the Kansas distinguished scholarship program shall not exceed \$25,000.

Comprehensive grant program .....	\$15,758,338
Ethnic minority scholarship program.....	\$296,498

*Provided*, That any unencumbered balance in the comprehensive grant program account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

*Provided*, That any unencumbered balance in the ethnic minority scholarship program account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Kansas work-study program ..... \$496,813

*Provided*, That any unencumbered balance in the Kansas work-study program account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That the state board of regents is hereby authorized to transfer moneys from the Kansas work-study program account to the Kansas career work-study program fund of any institution under its jurisdiction participating in the Kansas work-study program established by K.S.A. 74-3274 et seq., and amendments thereto: *And provided further*, That all moneys transferred from this account to the Kansas career work-study program fund of any such institution shall be expended for and in accordance with the Kansas work-study program.

ROTC service scholarships ..... \$175,335

*Provided*, That any unencumbered balance in the ROTC service scholarships account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Military service scholarships..... \$470,314

*Provided*, That any unencumbered balance in the military service scholarships account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That all expenditures from the military service scholarships account shall be made for scholarships awarded under the military service scholarship program act, K.S.A. 2014 Supp. 74-32,227 through 74-32,232, and amendments thereto.

Teachers scholarship program ..... \$1,846,320

*Provided*, That any unencumbered balance in the teachers scholarship program account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

National guard educational assistance..... \$870,869

*Provided*, That any unencumbered balance in the national guard educational assistance account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Career technical workforce grant..... \$114,075

*Provided*, That any unencumbered balance in the career technical workforce grant account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Nursing student scholarship program ..... \$417,255

*Provided*, That any unencumbered balance in the nursing student scholarship program account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Optometry education program ..... \$107,089

*Provided*, That any unencumbered balance in the optometry education program account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Municipal university operating grant ..... \$11,900,920

Adult basic education..... \$1,457,031

Postsecondary tiered technical education state aid..... \$58,300,961

*Provided*, That if the amount of moneys appropriated for the above agency for the fiscal year ending June 30, 2017, in the postsecondary tiered technical education state aid account is greater than the amount of moneys appropriated for the above agency for the fiscal year ending June 30, 2016, in the postsecondary tiered technical education state aid account, then the difference between the amount of moneys appropriated for the fiscal year 2017 and the amount of moneys appropriated for the above agency for the fiscal year 2016 shall be distributed based on each eligible institution’s calculated gap, according to the postsecondary tiered technical education state aid act, K.S.A. 2014 Supp. 71-1801 through 71-1810, and amendments thereto, as determined by the state board of regents: *Provided further*, That no eligible institution shall receive an amount of money from the postsecondary tiered technical education state aid account in fiscal year 2017 that is less than the amount such eligible institution received from such account in fiscal year 2016, unless the amount of moneys appropriated for the above agency for fiscal year 2016 in the postsecondary tiered technical education state aid account for fiscal year 2017 is less than the amount of moneys appropriated for the above agency for fiscal year 2016 in the postsecondary tiered technical education state aid account: *And provided further*, That if the amount of moneys appropriated for the above agency for fiscal year 2017 is less than the amount of moneys appropriated for the above agency for fiscal year 2016 in the postsecondary tiered technical education state aid account, then each eligible institution shall receive an amount of moneys as determined by the state board of regents.

Non-tiered course credit hour grant..... \$76,496,329

Technology equipment at community colleges and Washburn university..... \$398,475

*Provided*, That the state board of regents is hereby authorized to make expenditures from the technology equipment at community colleges and Washburn university account for grants to community colleges and Washburn university pursuant to grant applications for the purchase of technology equipment, in accordance with guidelines established by the state board of regents.

Vocational education capital outlay aid..... \$71,585

Tuition waivers ..... \$84,657

Nurse educator grant program ..... \$188,126

*Provided*, That any unencumbered balance in the nurse educator grant program account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That all expenditures from the nurse educator grant program account shall be made for scholarships awarded under the nurse educator service scholarship program act.

Nursing faculty and supplies grant program ..... \$1,787,193

*Provided*, That any unencumbered balance in the nursing faculty and supplies grant program account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That the state board of regents is hereby authorized to make grants to Kansas postsecondary education institutions from the nursing faculty and supplies grant program account for expansion of nursing faculty and consumable laboratory supplies: *And provided further*, That such grants shall be either need-based or competitive and shall be matched on the basis of \$1 from the nursing faculty and supplies grant program account for \$1 from the state educational institution receiving the grant: *And provided further*, That not less than \$94,064 in such grants shall be made to accredited private postsecondary educational institutions in Kansas.

Postsecondary technical education authority ..... \$19,928

Tuition for technical education ..... \$20,750,000

*Provided*, That, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made by the above agency from the tuition for technical education account of the state general fund for fiscal year 2017, expenditures shall be made by the above agency from the tuition for technical education account of the state general fund for fiscal year 2017 for the payment of technical education tuition for adult students who are enrolled in technical education classes while obtaining a GED using the Accelerating Opportunity program: *Provided further*, That, such expenditures shall be in an amount not less than \$500,000.

Incentive for technical education ..... \$750,000

*Provided*, That, on July 1, 2016, notwithstanding the provisions of K.S.A. 72-4489, and amendments thereto, or any other statute, the state board of regents shall grant an award in an amount equal to \$1,000 for each pupil graduating from a high school in a school district having obtained an industry-recognized credential either prior to graduation from high school or by December 31 immediately following graduation in an occupation that has been identified by the secretary of labor in consultation with the state board of regents and the state board of education as an occupation in highest need of additional skilled employees at the time the pupil entered the career technical education course or program in the



school district: *Provided further*, That, if the amount of moneys appropriated for the above agency for fiscal year 2017 is less than the amount of moneys to be awarded to such school districts, the state board of regents shall prorate the available moneys to such school districts accordingly.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Osteopathic medical service scholarship repayment fund .....	No limit
Vocational education scholarship discontinued attendance fund .....	No limit
Regents' scholarship gift fund .....	No limit

*Provided*, That expenditures may be made from the regents' scholarship gift fund for scholarships awarded to Kansas residents who are attending institutions of postsecondary education in Kansas which are authorized under the laws of this state to award academic degrees and who meet academic and other eligibility criteria established by the state board of regents by rules and regulations: *Provided, however*, That a financial needs test shall not be one of the eligibility criteria established by the state board of regents for such scholarships: *Provided further*, That no scholarship awarded from this fund shall exceed \$2,000 per academic year: *And provided further*, That any recipient of a scholarship awarded from this fund may also receive either a state scholarship under K.S.A. 72-6810 through 72-6816, and amendments thereto, or a tuition grant under K.S.A. 72-6107 through 72-6111, and amendments thereto, or both: *And provided further*, That there shall be no reduction of any scholarship awarded from this fund for the amount of any such state scholarship or tuition grant received.

KAN-ED fund .....	No limit
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*Provided*, That expenditures may be made from the KAN-ED fund for official hospitality for the purposes of the KAN-ED act.

Health profession opportunity grant – federal.....	No limit
Rigorous program of study – federal .....	No limit
Earned indirect costs fund – federal.....	No limit
Faculty of distinction program fund .....	No limit
Paul Douglas teacher scholarship fund – federal.....	No limit
GED credentials processing fees fund.....	No limit
Proprietary school fee fund.....	No limit

*Provided*, That expenditures may be made from the proprietary school fee fund for official hospitality.

Tuition waiver gifts, grants and reimbursements fund.....	No limit
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Adult basic education – federal fund .....	No limit
Truck driver training fund .....	No limit
No child left behind federal fund.....	No limit
Comprehensive grant program discontinued attendance fund .....	No limit
State scholarship discontinued attendance fund .....	No limit
Kansas ethnic minority fellowship program fund.....	No limit
Private postsecondary educational institution degree authorization expense reimbursement fee fund .....	No limit
Substance abuse education fund – federal.....	No limit
Nursing service scholarship program fund.....	No limit
Clearing fund.....	No limit
Conversion of materials and equipment fund .....	No limit
Teacher scholarship program fund.....	No limit
Motorcycle safety fund.....	No limit
Financial aid services fee fund.....	No limit

*Provided*, That expenditures may be made from the financial aid services fee fund for operating expenditures directly or indirectly related to the operating costs associated with student financial assistance programs administered by the state board of regents: *Provided further*, That the chief executive officer of the state board of regents is hereby authorized to fix, charge and collect fees for the processing of applications and other activities related to student financial assistance programs administered by the state board of regents: *And provided further*, That such fees shall be fixed in order to recover all or a part of the direct and indirect operating expenses incurred for administering such programs: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the financial aid services fee fund.

Inservice education workshop fee fund.....	No limit
Optometry education repayment fund.....	No limit
Teacher scholarship repayment fund.....	No limit
Advanced registered nurse practitioner service scholarship program fund.....	No limit
Nursing service scholarship repayment fund.....	No limit
Nurse educator service scholarship repayment fund .....	No limit
ROTC service scholarship program fund.....	No limit
ROTC service scholarship repayment fund.....	No limit
Carl D. Perkins vocational and technical education – federal fund .....	No limit
College access challenge grant program.....	No limit
Kansas national guard educational assistance program repayment fund .....	No limit
Carl D. Perkins technical preparation – federal fund.....	No limit

Grants fund .....	No limit
Workforce development loan fund .....	No limit
Regents clearing fund .....	No limit
Private and out-of-state postsecondary educational institution fee fund .....	No limit
Statewide data systems ARRA – unifying data systems to support systemic changes fund .....	No limit
Distance learning/telemedicine federal grant .....	No limit
KanTRAIN federal fund .....	No limit
USAC E-rate program federal fund .....	No limit
WIA youth activities federal fund .....	No limit
WIA adult set-aside federal fund .....	No limit
WIA dislocated workers set-aside federal fund .....	No limit
Temporary assistance for needy families federal fund .....	No limit
Workforce data quality initiative .....	No limit
Postsecondary education performance-based incentives fund .....	\$1,905,228

(c) During the fiscal year ending June 30, 2017, the chief executive officer of the state board of regents, with the approval of the director of the budget, may transfer any part of any item of appropriation in an account of the state general fund for the fiscal year ending June 30, 2017, to another item of appropriation in an account of the state general fund for fiscal year 2017. The chief executive officer of the state board of regents shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research. As used in this subsection, “account”: (1) Means the operating expenditures (including official hospitality) account of the state board of regents, the university of Kansas, the university of Kansas medical center, Kansas state university, Kansas state university veterinary medical center, Kansas state university extension systems and agriculture research programs, Wichita state university, Emporia state university, Pittsburg state university and Fort Hays state university; and (2) includes each other account of the state general fund of the state board of regents.

(d) (1) In addition to the other purposes for which expenditures may be made by any state educational institution from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2017 for such state educational institution as authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures may be made by such state educational institution from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2017 for the purposes of capital improvement projects making energy and other conservation improvements: *Provided*, That such capital improvement projects are hereby approved for such state educational institution for the purposes

of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of issuance of one or more series of bonds by the Kansas development finance authority in accordance with that statute from time to time during fiscal year 2017: *Provided, however*, That no such bonds shall be issued until the state board of regents has first advised and consulted on any such project with the joint committee on state building construction: *Provided further*, That the amount of the bond proceeds that may be utilized for any such capital improvement project shall be subject to approval by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except that such approval also may be given while the legislature is in session: *And provided further*, That, in addition to such project costs, any such amount of bond proceeds may include costs of issuance, capitalized interest and any required reserves for the payment of principal and interest on such bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That payments relating to principal and interest on such bonds shall be subject to and dependent upon annual appropriations therefor to the state educational institution for which the bonds are issued: *And provided further*, That each energy conservation capital improvement project for which bonds are issued for financing under this subsection shall be designed and completed in order to have cost savings sufficient to be equal to or greater than the cost of debt service on such bonds: *And provided further*, That the state board of regents shall prepare and submit a report to the committee on appropriations of the house of representatives and the committee on ways and means of the senate on the savings attributable to energy conservation capital improvements for which bonds are issued for financing under this subsection (d)(1) at the beginning of the 2017 regular session of the legislature.

(2) As used in this subsection, “state educational institution” includes each state educational institution as defined in K.S.A. 76-711, and amendments thereto.

(e) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2017, the following:

SEDIF — vocational education capital outlay aid..... \$2,547,726

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2016, in the SEDIF – vocational education capital outlay aid account is hereby reappropriated for fiscal year 2017: *Provided further*, That expenditures from the SEDIF – vocational education capital outlay aid account for each grant of vocational education capital outlay aid shall be

matched by the postsecondary institution awarded such grant in an amount which is equal to 50% of the grant.

SEDIF – technology innovation and internship program.. \$179,284

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2016, in the SEDIF – technology innovation and internship program account is hereby reappropriated for fiscal year 2017.

SEDIF – EPSCOR..... \$993,265

Community and technical college competitive grants..... \$500,000

*Provided*, That all moneys in the community and technical college competitive grants account shall be for grants awarded to community and technical colleges under a competitive grant program administered by the secretary of commerce: *Provided further*, That all expenditures from such account shall be for competitive grants to community and technical colleges that require a local match of nonstate moneys on a \$1 for \$1 basis and that will develop innovative programs with private companies needing specific job skills or will meet other industry needs that cannot be addressed with current funding streams.

[ † ]

(g) In addition to the other purposes for which expenditures may be made by the state board of regents from moneys appropriated from the state general fund or from any special revenue fund or funds for the state board of regents for fiscal year 2017, as authorized by this or any other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures shall be made by the state board of regents from moneys appropriated from the state general fund or from any special revenue fund or funds for the state board of regents for fiscal year 2017 to pay for membership dues for the midwest higher education compact.

Sec. 144.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures ..... \$22,991,449

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*, That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,000.

Operating expenditures – juvenile services ..... \$1,127,650

*Provided*, That any unencumbered balance in the operating expenditures – juvenile services account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Community corrections ..... \$22,010,385

*Provided*, That any unencumbered balance in the community corrections account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*, That no expenditures may be made by any county from any grant made to such county from the community corrections account for either half of state fiscal year 2016 which supplant any amount of local public or private funding of existing programs as determined in accordance with rules and regulations adopted by the secretary of corrections.

Local jail payments ..... \$800,000

*Provided*, That any unencumbered balance in the local jail payments account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That, notwithstanding the provisions of K.S.A. 19-1930, and amendments thereto, payments by the department of corrections under subsection (b) of K.S.A. 19-1930, and amendments thereto, for the cost of maintenance of prisoners shall not exceed the per capita daily operating cost, not including inmate programs, for the department of corrections.

Treatment and programs ..... \$63,980,760

*Provided*, That any unencumbered balance in the treatment and programs account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Purchase of services ..... \$20,124,000

*Provided*, That any unencumbered balance in the purchase of services account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Prevention and graduated sanctions community grants .... \$21,383,874

*Provided*, That any unencumbered balance in the prevention and graduated sanctions community grants account excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That money awarded as grants from the prevention and graduated sanctions community grants account is not an entitlement to communities, but a grant that must meet conditions prescribed by the above agency for appropriate outcomes.

Topeka correctional facility – facilities operations ..... \$14,538,740

*Provided*, That any unencumbered balance in the Topeka correctional facility – facilities operations account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*, That expenditures from the Topeka correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Hutchinson correctional facility – facilities operations ..... \$30,211,949

*Provided*, That any unencumbered balance in the Hutchinson correctional facility – facilities operations account in excess of \$100 as of June

30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however,* That expenditures from the Hutchinson correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Lansing correctional facility – facilities operations ..... \$39,725,959

*Provided,* That any unencumbered balance in the Lansing correctional facility – facilities operations account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however,* That expenditures from the Lansing correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Ellsworth correctional facility – facilities operations..... \$14,071,934

*Provided,* That any unencumbered balance in the Ellsworth correctional facility – facilities operations account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however,* That expenditures from the Ellsworth correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Winfield correctional facility – facilities operations ..... \$12,699,455

*Provided,* That any unencumbered balance in the Winfield correctional facility – facilities operations account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however,* That expenditures from the Winfield correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Norton correctional facility – facilities operations ..... \$15,162,300

*Provided,* That any unencumbered balance in the Norton correctional facility – facilities operations account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however,* That expenditures from the Norton correctional facility – facilities operations account for official hospitality shall not exceed \$500.

El Dorado correctional facility – facilities operations ..... \$27,669,908

*Provided,* That any unencumbered balance in the El Dorado correctional facility – facilities operations account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however,* That expenditures from the El Dorado correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Larned correctional mental health facility – facilities operations ..... \$10,401,626

*Provided,* That any unencumbered balance in the Larned correctional mental health facility – facilities operations account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however,* That expenditures from the Larned correctional mental health facility – facilities operations account for official hospitality shall not exceed \$500.

Kansas juvenile correctional complex – facilities  
 operations ..... \$14,354,478

*Provided*, That any unencumbered balance in the Kansas juvenile correctional complex facility operations account in excess of \$100 as of June 30, 2015, is hereby reappropriated to the Kansas juvenile correctional complex – facilities operations account for fiscal year 2016: *Provided, however*, That expenditures from the Kansas juvenile correctional complex – facilities operations account for official hospitality shall not exceed \$500: *Provided further*, That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by the above agency with unified school districts or other accredited educational services providers.

Larned juvenile correctional facility – facilities  
 operations ..... \$8,319,144

*Provided*, That any unencumbered balance in the Larned juvenile correctional facility operations account in excess of \$100 as of June 30, 2015, is hereby reappropriated to the Larned juvenile correctional facility – facilities operations account for fiscal year 2016: *Provided, however*, That expenditures from the Larned juvenile correctional facility – facilities operations account for official hospitality shall not exceed \$500: *Provided further*, That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by the above agency with unified school districts or other accredited educational services providers.

Facilities operations ..... \$14,990,194

*Provided*, That any unencumbered balance in the facilities operations account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Evidence based juvenile programs ..... \$500,000

*Provided*, That expenditures shall be made by the above agency from the evidence based juvenile programs account of the state general fund to implement community based programs that serve to further reduce juvenile out-of-home placements in group homes: *Provided further*, That the secretary of corrections shall submit a report to the 2016 legislature detailing the effectiveness of the evidence based juvenile programs including cost benefit and cost avoidance analyses.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Supervision fees fund..... No limit



Justice reinvestment technical assistance for state govern- ments project – federal fund.....	No limit
Residential substance abuse treatment – federal fund.....	No limit
Department of corrections forensic psychologist fund.....	No limit

*Provided*, That expenditures may be made from the department of corrections forensic psychologist fund for general health care contract expenses.

Ed Byrne memorial justice assistance grants – federal fund .....	No limit
Violence against women – federal fund.....	No limit
Sex offender management grant – federal fund.....	No limit
Department of corrections state asset forfeiture fund .....	No limit
Chapter I – federal fund .....	No limit
Victims of crime act – federal fund .....	No limit
Correctional industries fund.....	No limit

*Provided*, That expenditures may be made from the correctional industries fund for official hospitality.

Ed Byrne state and local law assistance – federal fund.....	No limit
Bulletproof vest partnership – federal fund .....	No limit
Safeguard community grants – federal fund .....	No limit
Workforce investment act – federal fund .....	No limit
Workplace and community transition training – federal fund .....	No limit
USMS reimbursement – federal fund.....	No limit
Community awareness project – federal fund .....	No limit
Corrections training and staff development – federal fund .....	No limit
Second chance act – federal fund .....	No limit
Alcohol and drug abuse treatment fund.....	No limit

*Provided*, That expenditures may be made from the alcohol and drug abuse treatment fund for payments associated with providing treatment services to offenders who were driving under the influence of alcohol or drugs regardless of when the services were rendered.

Juvenile delinquency prevention trust fund .....	No limit
State of Kansas – department of corrections inmate benefit fund .....	No limit
Department of corrections – alien incarceration grant fund – federal .....	No limit
Department of corrections – general fees fund.....	No limit

*Provided*, That expenditures may be made from the department of corrections – general fees fund for operating expenditures for training programs for correctional personnel, including official hospitality: *Provided further*, That the secretary of corrections is hereby authorized to fix,

charge and collect fees for such programs: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred for such training programs, including official hospital-ity: *And provided further*, That all fees received for such programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the department of corrections – general fees fund.

Topeka correctional facility – community development block grant – federal fund .....	No limit
Topeka correctional facility – bureau of prisons contract – federal fund.....	No limit
Topeka correctional facility – general fees fund .....	No limit
Hutchinson correctional facility – general fees fund .....	No limit
Lansing correctional facility – general fees fund.....	No limit
Ellsworth correctional facility – general fees fund .....	No limit
Winfield correctional facility – general fees fund.....	No limit
Norton correctional facility – general fees fund.....	No limit
El Dorado correctional facility – general fees fund.....	No limit
Larned correctional mental health facility – general fees fund .....	No limit
Community corrections supervision fund .....	No limit
Community corrections special revenue fund .....	No limit
Medical assistance program – federal fund.....	No limit
Title IV-E fund.....	No limit
Juvenile accountability incentive block grant – federal fund .....	No limit
Juvenile justice delinquency prevention – federal fund ....	No limit
Juvenile detention facilities fund.....	No limit
Juvenile justice fee fund – central office .....	No limit
Juvenile justice federal fund – Larned juvenile correctional facility.....	No limit
Juvenile justice federal fund – Kansas juvenile correctional complex .....	No limit
Byrne grant – federal fund – Kansas juvenile correctional complex .....	No limit
Byrne grant – federal fund – Larned juvenile correctional facility.....	No limit
Byrne grant – federal fund.....	No limit
Title V – delinquency prevention program – federal fund .....	No limit
Title I program for neglected and delinquent children – federal fund.....	No limit
Improving teacher quality state grants – federal fund .....	No limit
Kansas juvenile correctional complex – juvenile accountability block grant – federal fund.....	No limit

Larned juvenile correctional facility – juvenile accountability block grant – federal fund.....	No limit
National school lunch program – federal fund – Kansas juvenile correctional complex .....	No limit
National school lunch program – federal fund – Larned juvenile correctional facility.....	No limit
Larned juvenile correctional facility fee fund.....	No limit
Larned juvenile correctional facility – Title I neglected and delinquent children – federal fund.....	No limit
National school breakfast program – federal fund – Larned juvenile correctional facility.....	No limit
Dev/test/demo new prgs – Larned juvenile correctional facility – federal fund .....	No limit
Kansas juvenile correctional complex fee fund.....	No limit
Kansas juvenile correctional complex – Title I neglected and delinquent children – federal fund.....	No limit
National school breakfast program – federal fund – Kansas juvenile correctional complex .....	No limit
Kansas juvenile correctional complex – gifts, grants, and donations fund.....	No limit
Dev/test/demo new prgs – Kansas juvenile correctional complex – federal fund.....	No limit
Kansas juvenile correctional complex – improvement fund .....	No limit
Comprehensive approach to sex offender management discretionary grant — Kansas juvenile correctional complex — federal fund.....	No limit

(c) During the fiscal year ending June 30, 2016, the secretary of corrections, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2016, from the state general fund for the department of corrections or any correctional institution, correctional facility or juvenile facility under the general supervision and management of the secretary of corrections to another item of appropriation for fiscal year 2016 from the state general fund for the department of corrections or any correctional institution, correctional facility or juvenile facility under the general supervision and management of the secretary of corrections. The secretary of corrections shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(d) Notwithstanding the provisions of K.S.A. 75-3731, and amendments thereto, or any other statute, the director of accounts and reports shall accept for payment from the secretary of corrections any duly authorized claim to be paid from the local jail payments account of the state

general fund during fiscal year 2016 for costs pursuant to subsection (b) of K.S.A. 19-1930, and amendments thereto, even though such claim is not submitted or processed for payment within the fiscal year in which the service is rendered and whether or not the services were rendered prior to the effective date of this act.

(e) Notwithstanding the provisions of K.S.A. 75-3731, and amendments thereto, or any other statute, the director of accounts and reports shall accept for payment from the director of Kansas correctional industries any duly authorized claim to be paid from the correctional industries fund during fiscal year 2016 for operating or manufacturing costs even though such claim is not submitted or processed for payment within the fiscal year in which the service is rendered and whether or not the services were rendered prior to the effective date of this act. The director of Kansas correctional industries shall provide to the director of the budget on or before September 15, 2015, a detailed accounting of all such payments made from the correctional industries fund during fiscal year 2015.

(f) On July 1, 2015, October 1, 2015, January 1, 2016, and April 1, 2016, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer \$483,750 from the correctional industries fund to the department of corrections — general fees fund.

(g) During the fiscal year ending June 30, 2016, all expenditures made by the department of corrections from the correctional industries fund shall be made on budget for all purposes of state accounting and budgeting for the department of corrections.

(h) On July 1, 2015, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 79-4805, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$500,000 from the problem gambling and addictions grant fund of the Kansas department for aging and disability services to the community corrections special revenue fund of the department of corrections.

(i) In addition to the other purposes for which expenditures may be made by the department of corrections from the juvenile detention facilities fund for fiscal year 2016, notwithstanding the provisions of K.S.A. 79-4803, and amendments thereto, the department of corrections is hereby authorized and directed to make expenditures from the juvenile detention facilities fund for fiscal year 2016 for purchase of services.

(j) On July 1, 2015, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 75-52,139, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$46,950 from the department of corrections — general fees fund of the department of corrections to the state general fund.

Sec. 145.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures ..... \$23,458,646

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*, That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,000.

Operating expenditures – juvenile services ..... \$1,153,353

*Provided*, That any unencumbered balance in the operating expenditures – juvenile services account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Community corrections ..... \$22,010,385

*Provided*, That any unencumbered balance in the community corrections account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*, That no expenditures may be made by any county from any grant made to such county from the community corrections account for either half of state fiscal year 2017 which supplant any amount of local public or private funding of existing programs as determined in accordance with rules and regulations adopted by the secretary of corrections.

Local jail payments ..... \$800,000

*Provided*, That any unencumbered balance in the local jail payments account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That, notwithstanding the provisions of K.S.A. 19-1930, and amendments thereto, payments by the department of corrections under subsection (b) of K.S.A. 19-1930, and amendments thereto, for the cost of maintenance of prisoners shall not exceed the per capita daily operating cost, not including inmate programs, for the department of corrections.

Treatment and programs ..... \$66,945,895

*Provided*, That any unencumbered balance in the treatment and programs account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Purchase of services ..... \$18,754,000

*Provided*, That any unencumbered balance in the purchase of services account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Prevention and graduated sanctions community grants .... \$21,383,874

*Provided*, That any unencumbered balance in the prevention and grad-

uated sanctions community grants account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That money awarded as grants from the prevention and graduated sanctions community grants account is not an entitlement to communities, but a grant that must meet conditions prescribed by the above agency for appropriate outcomes.

Topeka correctional facility – facilities operations..... \$14,865,914

*Provided*, That any unencumbered balance in the Topeka correctional facility – facilities operations account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*, That expenditures from the Topeka correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Hutchinson correctional facility – facilities operations..... \$31,024,792

*Provided*, That any unencumbered balance in the Hutchinson correctional facility – facilities operations account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*, That expenditures from the Hutchinson correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Lansing correctional facility – facilities operations ..... \$40,727,744

*Provided*, That any unencumbered balance in the Lansing correctional facility – facilities operations account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*, That expenditures from the Lansing correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Ellsworth correctional facility – facilities operations..... \$14,334,891

*Provided*, That any unencumbered balance in the Ellsworth correctional facility – facilities operations account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*, That expenditures from the Ellsworth correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Winfield correctional facility – facilities operations ..... \$12,997,184

*Provided*, That any unencumbered balance in the Winfield correctional facility – facilities operations account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*, That expenditures from the Winfield correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Norton correctional facility – facilities operations ..... \$15,568,713

*Provided*, That any unencumbered balance in the Norton correctional facility – facilities operations account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*, That expenditures from the Norton correctional facility – facilities operations account for official hospitality shall not exceed \$500.

El Dorado correctional facility – facilities operations ..... \$28,337,847  
*Provided*, That any unencumbered balance in the El Dorado correctional facility – facilities operations account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*, That expenditures from the El Dorado correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Larned correctional mental health facility – facilities operations ..... \$10,625,969  
*Provided*, That any unencumbered balance in the Larned correctional mental health facility – facilities operations account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*, That expenditures from the Larned correctional mental health facility – facilities operations account for official hospitality shall not exceed \$500.

Kansas juvenile correctional complex – facilities operations ..... \$14,630,466  
*Provided*, That any unencumbered balance in the Kansas juvenile correctional complex – facilities operations account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*, That expenditures from the Kansas juvenile correctional complex – facilities operations account for official hospitality shall not exceed \$500: *Provided further*, That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by the above agency with unified school districts or other accredited educational services providers.

Larned juvenile correctional facility – facilities operations ..... \$8,475,811  
*Provided*, That any unencumbered balance in the Larned juvenile correctional facility – facilities operations account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*, That expenditures from the Larned juvenile correctional facility – facilities operations account for official hospitality shall not exceed \$500: *Provided further*, That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by the above agency with unified school districts or other accredited educational services providers.

Facilities operations ..... \$15,297,829  
*Provided*, That any unencumbered balance in the facilities operations account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such

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

Supervision fees fund.....	No limit
Justice reinvestment technical assistance for state govern- ments project – federal fund.....	No limit
Residential substance abuse treatment – federal fund.....	No limit
Department of corrections forensic psychologist fund.....	No limit

*Provided*, That expenditures may be made from the department of corrections forensic psychologist fund for general health care contract expenses.

Ed Byrne memorial justice assistance grants – federal fund.....	No limit
Violence against women – federal fund.....	No limit
Sex offender management grant – federal fund.....	No limit
Department of corrections state asset forfeiture fund.....	No limit
Chapter I – federal fund.....	No limit
Victims of crime act – federal fund.....	No limit
Correctional industries fund.....	No limit

*Provided*, That expenditures may be made from the correctional industries fund for official hospitality.

Ed Byrne state and local law assistance – federal fund.....	No limit
Bulletproof vest partnership – federal fund.....	No limit
Safeguard community grants – federal fund.....	No limit
Workforce investment act – federal fund.....	No limit
Workplace and community transition training – federal fund.....	No limit
USMS reimbursement – federal fund.....	No limit
Community awareness project – federal fund.....	No limit
Corrections training and staff development – federal fund.....	No limit
Second chance act – federal fund.....	No limit
Alcohol and drug abuse treatment fund.....	No limit

*Provided*, That expenditures may be made from the alcohol and drug abuse treatment fund for payments associated with providing treatment services to offenders who were driving under the influence of alcohol or drugs regardless of when the services were rendered.

Juvenile delinquency prevention trust fund.....	No limit
State of Kansas – department of corrections inmate benefit fund.....	No limit
Department of corrections – alien incarceration grant fund – federal.....	No limit
Department of corrections – general fees fund.....	No limit

*Provided*, That expenditures may be made from the department of cor-



rections – general fees fund for operating expenditures for training programs for correctional personnel, including official hospitality: *Provided further*, That the secretary of corrections is hereby authorized to fix, charge and collect fees for such programs: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred for such training programs, including official hospitality: *And provided further*, That all fees received for such programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the department of corrections – general fees fund.

Topeka correctional facility – community development block grant – federal fund .....	No limit
Topeka correctional facility – bureau of prisons contract – federal fund.....	No limit
Topeka correctional facility – general fees fund .....	No limit
Hutchinson correctional facility – general fees fund .....	No limit
Lansing correctional facility – general fees fund.....	No limit
Ellsworth correctional facility – general fees fund .....	No limit
Winfield correctional facility – general fees fund.....	No limit
Norton correctional facility – general fees fund.....	No limit
El Dorado correctional facility – general fees fund.....	No limit
Larned correctional mental health facility – general fees fund .....	No limit
Community corrections supervision fund .....	No limit
Community corrections special revenue fund .....	No limit
Medical assistance program – federal fund.....	No limit
Title IV-E fund.....	No limit
Juvenile accountability incentive block grant – federal fund .....	No limit
Juvenile justice delinquency prevention – federal fund ....	No limit
Juvenile detention facilities fund.....	No limit
Juvenile justice fee fund – central office .....	No limit
Juvenile justice federal fund – Larned juvenile correctional facility.....	No limit
Juvenile justice federal fund – Kansas juvenile correctional complex .....	No limit
Byrne grant – federal fund – Kansas juvenile correctional complex .....	No limit
Byrne grant – federal fund – Larned juvenile correctional facility.....	No limit
Byrne grant – federal fund.....	No limit
Title V – delinquency prevention program – federal fund .....	No limit
Title I program for neglected and delinquent children – federal fund.....	No limit

Improving teacher quality state grants – federal fund .....	No limit
Kansas juvenile correctional complex – juvenile accountability block grant – federal fund.....	No limit
Larned juvenile correctional facility – juvenile accountability block grant – federal fund.....	No limit
National school lunch program – federal fund – Kansas juvenile correctional complex .....	No limit
National school lunch program – federal fund – Larned juvenile correctional facility.....	No limit
Larned juvenile correctional facility fee fund.....	No limit
Larned juvenile correctional facility – Title I neglected and delinquent children – federal fund.....	No limit
National school breakfast program – federal fund – Larned juvenile correctional facility.....	No limit
Dev/test/demo new prgs – Larned juvenile correctional facility – federal fund .....	No limit
Kansas juvenile correctional complex fee fund.....	No limit
Kansas juvenile correctional complex – Title I neglected and delinquent children – federal fund.....	No limit
National school breakfast program – federal fund – Kansas juvenile correctional complex .....	No limit
Kansas juvenile correctional complex – gifts, grants, and donations fund.....	No limit
Dev/test/demo new prgs – Kansas juvenile correctional complex – federal fund.....	No limit
Kansas juvenile correctional complex – improvement fund .....	No limit
Comprehensive approach to sex offender management discretionary grant — Kansas juvenile correctional complex — federal fund.....	No limit

(c) During the fiscal year ending June 30, 2017, the secretary of corrections, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2017, from the state general fund for the department of corrections or any correctional institution, correctional facility or juvenile facility under the general supervision and management of the secretary of corrections to another item of appropriation for fiscal year 2017 from the state general fund for the department of corrections or any correctional institution, correctional facility or juvenile facility under the general supervision and management of the secretary of corrections. The secretary of corrections shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(d) Notwithstanding the provisions of K.S.A. 75-3731, and amend-

ments thereto, or any other statute, the director of accounts and reports shall accept for payment from the secretary of corrections any duly authorized claim to be paid from the local jail payments account of the state general fund during fiscal year 2017 for costs pursuant to subsection (b) of K.S.A. 19-1930, and amendments thereto, even though such claim is not submitted or processed for payment within the fiscal year in which the service is rendered and whether or not the services were rendered prior to the effective date of this act.

(e) Notwithstanding the provisions of K.S.A. 75-3731, and amendments thereto, or any other statute, the director of accounts and reports shall accept for payment from the director of Kansas correctional industries any duly authorized claim to be paid from the correctional industries fund during fiscal year 2017 for operating or manufacturing costs even though such claim is not submitted or processed for payment within the fiscal year in which the service is rendered and whether or not the services were rendered prior to the effective date of this act. The director of Kansas correctional industries shall provide to the director of the budget on or before September 15, 2016, a detailed accounting of all such payments made from the correctional industries fund during fiscal year 2016.

(f) On July 1, 2016, October 1, 2016, January 1, 2017, and April 1, 2017, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer \$483,750 from the correctional industries fund to the department of corrections — general fees fund.

(g) During the fiscal year ending June 30, 2017, all expenditures made by the department of corrections from the correctional industries fund shall be made on budget for all purposes of state accounting and budgeting for the department of corrections.

(h) On July 1, 2016, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 79-4805, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$500,000 from the problem gambling and addictions grant fund of the Kansas department for aging and disability services to the community corrections special revenue fund of the department of corrections.

(i) In addition to the other purposes for which expenditures may be made by the department of corrections from the juvenile detention facilities fund for fiscal year 2017, notwithstanding the provisions of K.S.A. 79-4803, and amendments thereto, the department of corrections is hereby authorized and directed to make expenditures from the juvenile detention facilities fund for fiscal year 2017 for purchase of services.

Sec. 146.

ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures ..... \$5,063,336

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$1,250.

Incident management team ..... \$15,554

*Provided*, That any unencumbered balance in the incident management team account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Civil air patrol – operating expenditures ..... \$39,982

Military activation payments..... \$6,000

*Provided*, That any unencumbered balance in the military activation payments account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That all expenditures from the military activation payments account shall be for military activation payments authorized by and subject to the provisions of K.S.A. 2014 Supp. 75-3228, and amendments thereto.

Kansas military emergency relief ..... \$9,881

*Provided*, That expenditures may be made from the Kansas military emergency relief account for grants and interest-free loans, which are hereby authorized to be entered into by the adjutant general with repayment provisions and other terms and conditions including eligibility as may be prescribed by the adjutant general therefor, to members and families of the Kansas army and air national guard and members and families of the reserve forces of the United States of America who are Kansas residents, during the period preceding, during and after mobilization to provide assistance to eligible family members experiencing financial emergencies: *Provided further*, That such assistance may include, but shall not be limited to, medical, funeral, emergency travel, rent, utilities, child care, food expenses and other unanticipated emergencies: *And provided further*, That any moneys received by the adjutant general in repayment of any grants or interest-free loans made from the Kansas military emergency relief account shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas military emergency relief account.

Any unencumbered balance in excess of \$100 as of June 30, 2015, in each of the following accounts is hereby reappropriated for fiscal year 2016: Disaster relief.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund..... No limit

*Provided*, That the adjutant general is hereby authorized to fix, charge and collect fees agreed upon in memorandums of understanding with other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *Provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred under the provisions of the memorandums of understanding with other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*, That all fees received pursuant to such memorandums of understanding shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund.

Office of emergency communications fund ..... No limit

*Provided*, That the adjutant general is hereby authorized to fix, charge and collect fees for recovery of costs associated with the use of the above agency's communication equipment by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *Provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the above agency's communication equipment by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*, That all fees received for use of the above agency's communication equipment by other state agencies, local government agencies, for-profit organizations or not-for-profit organizations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the office of emergency communications fund.

Conversion of materials and equipment fund – military division .....	No limit
Adjutant general expense fund .....	No limit
State asset forfeiture fund.....	No limit
State emergency fund .....	No limit
State emergency fund weather disasters 5/4/2007.....	No limit
State emergency fund weather disasters 12/06, 7/07 .....	No limit
Disaster grants – public assistance federal fund .....	No limit
National guard military operations/maintenance federal fund .....	No limit
Econ adjustment/military installation federal fund.....	No limit
Disaster assistance to individual/household federal fund...	No limit
Interoperability communication equipment fund.....	No limit
Pre-disaster mitigation – federal fund.....	No limit
State homeland security program federal fund.....	No limit
Nuclear safety emergency management fee fund .....	No limit

*Provided*, That, notwithstanding the provisions of any other statute, the adjutant general may make transfers of moneys from the nuclear safety

emergency management fee fund to other state agencies for fiscal year 2016 pursuant to agreements which are hereby authorized to be entered into by the adjutant general with other state agencies to provide appropriate emergency management plans to administer the Kansas nuclear safety emergency management act, K.S.A. 48-940 et seq., and amendments thereto.

Military fees fund – federal..... No limit

*Provided*, That all moneys received by the adjutant general from the federal government for reimbursement for expenditures made under agreements with the federal government shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the military fees fund – federal.

Armories and units general fees fund ..... No limit

Emergency systems for advanced registration for volunteer health professionals – federal fund..... No limit

Civil air patrol – grants and contributions – federal fund.. No limit

Emergency management performance grant – federal fund ..... No limit

NG – federal forfeiture fund..... No limit

Inaugural expense fund..... No limit

Kansas military emergency relief fund..... No limit

*Provided*, That expenditures may be made from the Kansas military emergency relief fund for grants and interest-free loans, which are hereby authorized to be entered into by the adjutant general with repayment provisions and other terms and conditions including eligibility as may be prescribed by the adjutant general therefor, to members and families of the Kansas army and air national guard and members and families of the reserve forces of the United States of America who are Kansas residents, during the period preceding, during and after mobilization to provide assistance to eligible family members experiencing financial emergencies:

*Provided further*, That such assistance may include, but shall not be limited to, medical, funeral, emergency travel, rent, utilities, child care, food expenses and other unanticipated emergencies: *And provided further*, That any moneys received by the adjutant general in repayment of any grants or interest-free loans made from the Kansas military emergency relief fund shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas military emergency relief fund.

Emergency management assistance compact federal fund ..... No limit

Public safety interoperable communications grant program federal fund..... No limit

Military construction national guard federal fund..... No limit

National guard civilian youth opportunities federal fund .. No limit

Hazard mitigation grant federal fund.....	No limit
Citizen corps federal fund .....	No limit
Law enforcement terrorism prevention program federal fund .....	No limit
Safe and drug-free schools and communities national programs federal fund .....	No limit
National guard museum assistance fund .....	No limit

*Provided*, That all expenditures from the national guard museum assistance fund shall be made for an expansion of the 35th infantry division museum and education center facility.

Great plains joint regional training center fee fund.....	No limit
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*Provided*, That expenditures may be made from the great plains joint regional training center fee fund for use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *Provided further*, That the adjutant general is hereby authorized to fix, charge and collect fees for recovery of costs associated with the use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*, That all fees received for use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations or not-for-profit organizations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the great plains joint regional training center fee fund.

State and local implementation grant program – federal fund .....	No limit
Military honors funeral fund .....	No limit

*Provided*, That the adjutant general is hereby authorized to accept gifts and donations of money during fiscal year 2016 for military funeral honors or purposes related thereto: *Provided further*, That such gifts and donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the military honors funeral fund.

(c) In addition to the other purposes for which expenditures may be made by the adjutant general from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 and from which expenditures may be made for salaries and wages, as authorized by this or other appropriation act of the 2015 regular session

of the legislature, expenditures may be made by the adjutant general from such moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016, notwithstanding the provisions of K.S.A. 48-205, and amendments thereto, or any other statute, in addition to other positions within the adjutant general’s department in the unclassified service as prescribed by law for additional positions in the unclassified service under the Kansas civil service act: *Provided*, That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, the adjutant general may appoint a deputy adjutant general, who shall have no military command authority, and who may be a civilian and shall have served at least five years as a commissioned officer with the Kansas national guard, who will perform such duties as the adjutant general shall assign, and who will serve in the unclassified service under the Kansas civil service act: *Provided further*, That the position of such deputy adjutant general in the unclassified service under the Kansas civil service act shall be established by the adjutant general within the position limitation established for the adjutant general on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for fiscal year 2016 made by this or other appropriation act of the 2015 regular session of the legislature.

(d) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$270,690 from the state highway fund of the department of transportation to the office of emergency communications fund of the adjutant general.

Sec. 147.

ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures ..... \$5,180,295

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$1,250.

Incident management team ..... \$15,554

*Provided*, That any unencumbered balance in the incident management team account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Civil air patrol – operating expenditures ..... \$40,859

Military activation payments..... \$6,000

*Provided*, That any unencumbered balance in the military activation payments account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That all expenditures from



the military activation payments account shall be for military activation payments authorized by and subject to the provisions of K.S.A. 2014 Supp. 75-3228, and amendments thereto.

Kansas military emergency relief ..... \$9,881

*Provided*, That expenditures may be made from the Kansas military emergency relief account for grants and interest-free loans, which are hereby authorized to be entered into by the adjutant general with repayment provisions and other terms and conditions including eligibility as may be prescribed by the adjutant general therefor, to members and families of the Kansas army and air national guard and members and families of the reserve forces of the United States of America who are Kansas residents, during the period preceding, during and after mobilization to provide assistance to eligible family members experiencing financial emergencies: *Provided further*, That such assistance may include, but shall not be limited to, medical, funeral, emergency travel, rent, utilities, child care, food expenses and other unanticipated emergencies: *And provided further*, That any moneys received by the adjutant general in repayment of any grants or interest-free loans made from the Kansas military emergency relief account shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas military emergency relief account.

Any unencumbered balance in excess of \$100 as of June 30, 2016, in each of the following accounts is hereby reappropriated for fiscal year 2017: Disaster relief.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund..... No limit

*Provided*, That the adjutant general is hereby authorized to fix, charge and collect fees agreed upon in memorandums of understanding with other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *Provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred under the provisions of the memorandums of understanding with other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*, That all fees received pursuant to such memorandums of understanding shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund.

Office of emergency communications fund ..... No limit

*Provided*, That the adjutant general is hereby authorized to fix, charge

and collect fees for recovery of costs associated with the use of the above agency's communication equipment by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *Provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the above agency's communication equipment by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*, That all fees received for use of the above agency's communication equipment by other state agencies, local government agencies, for-profit organizations or not-for-profit organizations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the office of emergency communications fund.

Conversion of materials and equipment fund – military division .....	No limit
Adjutant general expense fund .....	No limit
State asset forfeiture fund.....	No limit
State emergency fund .....	No limit
State emergency fund weather disasters 5/4/2007.....	No limit
State emergency fund weather disasters 12/06, 7/07 .....	No limit
Disaster grants – public assistance federal fund .....	No limit
National guard military operations/maintenance federal fund .....	No limit
Econ adjustment/military installation federal fund.....	No limit
Disaster assistance to individual/household federal fund...	No limit
Interoperability communication equipment fund.....	No limit
Pre-disaster mitigation – federal fund.....	No limit
State homeland security program federal fund.....	No limit
Nuclear safety emergency management fee fund .....	No limit

*Provided*, That, notwithstanding the provisions of any other statute, the adjutant general may make transfers of moneys from the nuclear safety emergency management fee fund to other state agencies for fiscal year 2017 pursuant to agreements which are hereby authorized to be entered into by the adjutant general with other state agencies to provide appropriate emergency management plans to administer the Kansas nuclear safety emergency management act, K.S.A. 48-940 et seq., and amendments thereto.

Military fees fund – federal.....	No limit
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*Provided*, That all moneys received by the adjutant general from the federal government for reimbursement for expenditures made under agreements with the federal government shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the military fees fund – federal.

Armories and units general fees fund .....	No limit
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Emergency systems for advanced registration for volunteer health professionals – federal fund.....	No limit
Civil air patrol – grants and contributions – federal fund..	No limit
Emergency management performance grant – federal fund .....	No limit
NG – federal forfeiture fund.....	No limit
Inaugural expense fund .....	No limit
Kansas military emergency relief fund .....	No limit

*Provided*, That expenditures may be made from the Kansas military emergency relief fund for grants and interest-free loans, which are hereby authorized to be entered into by the adjutant general with repayment provisions and other terms and conditions including eligibility as may be prescribed by the adjutant general therefor, to members and families of the Kansas army and air national guard and members and families of the reserve forces of the United States of America who are Kansas residents, during the period preceding, during and after mobilization to provide assistance to eligible family members experiencing financial emergencies: *Provided further*, That such assistance may include, but shall not be limited to, medical, funeral, emergency travel, rent, utilities, child care, food expenses and other unanticipated emergencies: *And provided further*, That any moneys received by the adjutant general in repayment of any grants or interest-free loans made from the Kansas military emergency relief fund shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas military emergency relief fund.

Emergency management assistance compact federal fund .....	No limit
Public safety interoperable communications grant program federal fund.....	No limit
Military construction national guard federal fund .....	No limit
National guard civilian youth opportunities federal fund ..	No limit
Hazard mitigation grant federal fund.....	No limit
Citizen corps federal fund .....	No limit
Law enforcement terrorism prevention program federal fund .....	No limit
Safe and drug-free schools and communities national programs federal fund .....	No limit
National guard museum assistance fund .....	No limit

*Provided*, That all expenditures from the national guard museum assistance fund shall be made for an expansion of the 35th infantry division museum and education center facility.

Great plains joint regional training center fee fund.....	No limit
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*Provided*, That expenditures may be made from the great plains joint regional training center fee fund for use of the great plains joint regional

training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *Provided further*, That the adjutant general is hereby authorized to fix, charge and collect fees for recovery of costs associated with the use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*, That all fees received for use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations or not-for-profit organizations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the great plains joint regional training center fee fund.

State and local implementation grant program – federal fund .....	No limit
Military honors funeral fund .....	No limit

*Provided*, That the adjutant general is hereby authorized to accept gifts and donations of money during fiscal year 2017 for military funeral honors or purposes related thereto: *Provided further*, That such gifts and donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the military honors funeral fund.

(c) In addition to the other purposes for which expenditures may be made by the adjutant general from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2017 and from which expenditures may be made for salaries and wages, as authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures may be made by the adjutant general from such moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2017, notwithstanding the provisions of K.S.A. 48-205, and amendments thereto, or any other statute, in addition to other positions within the adjutant general's department in the unclassified service as prescribed by law for additional positions in the unclassified service under the Kansas civil service act: *Provided*, That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, the adjutant general may appoint a deputy adjutant general, who shall have no military command authority, and who may be a civilian and shall have served at least five years as a commissioned officer with the Kansas national guard, who will perform such duties as the adjutant general shall assign, and who will serve in the unclassified service under the Kansas civil service act: *Pro-*

*vided further*, That the position of such deputy adjutant general in the unclassified service under the Kansas civil service act shall be established by the adjutant general within the position limitation established for the adjutant general on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for fiscal year 2017 made by this or other appropriation act of the 2015 or 2016 regular session of the legislature.

(d) On July 1, 2016, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$270,690 from the state highway fund of the department of transportation to the office of emergency communications fund of the adjutant general.

Sec. 148.

STATE FIRE MARSHAL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures, other than refunds authorized by law, purchases of nationally recognized adopted codes for resale and federally reimbursed overtime, shall not exceed the following:

Fire marshal fee fund ..... \$4,503,821

*Provided*, That expenditures from the fire marshal fee fund for official hospitality shall not exceed \$1,000: *Provided further*, That, if 2015 House Bill No. 2097, or any other legislation which provides for duties of the state fire marshal concerning search and rescue and hazardous material response, is not passed by the legislature during the 2015 regular session of the legislature and enacted into law, then, on July 1, 2015, the expenditure limitation for the above agency for the fiscal year ending June 30, 2016, by this section on the fire marshal fee fund is hereby decreased from \$4,503,821 to \$4,303,821.

Boiler inspection fee fund.....	No limit
Gifts, grants and donations fund.....	No limit
Intragovernmental service fund.....	No limit
Explosives regulatory and training fund.....	No limit
State fire marshal liquefied petroleum gas fee fund.....	\$60,213
Emergency response fund.....	No limit

*Provided*, That expenditures may be made by the state fire marshal from the emergency response fund for fiscal year 2016 for the purposes of responding to specific incidences of emergencies related to hazardous materials without prior approval of the state finance council: *Provided, however*, That expenditures from the emergency response fund during fiscal year 2016 for the purposes of responding to any specific incidence of an emergency related to hazardous materials without prior approval by the state finance council shall not exceed \$25,000, except upon approval by the state finance council acting on this matter which is hereby char-

acterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except that such approval also may be given while the legislature is in session.

Fire safety standard and firefighter protection act enforcement fund .....	No limit
Cigarette fire safety standard and firefighter protection act fund .....	No limit
Non-fuel flammable or combustible liquid aboveground storage tank system fund .....	No limit
Homeland security grant – federal fund.....	No limit
FFY12 HMEP grant – federal fund .....	No limit
Contract inspections fund.....	No limit

(b) On July 1, 2015, and January 1, 2016, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer \$500,000 from the fire marshal fee fund of the state fire marshal to the state general fund.

(c) During the fiscal year ending June 30, 2016, notwithstanding the provisions of any other statute, the state fire marshal, with the approval of the director of the budget, may transfer funds from the fire marshal fee fund to the emergency response fund of the state fire marshal. The state fire marshal shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research and the director of the budget. *Provided*, That the aggregate amount of such transfers for the fiscal year ending June 30, 2016, shall not exceed \$500,000.

(d) During the fiscal year ending June 30, 2016, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the fire marshal fee fund during fiscal year 2016, and, upon a finding by the director of the budget in consultation with the director of legislative research that the total of the unencumbered balance and estimated receipts to be credited to the fire marshal fee fund during fiscal year 2016 are insufficient to fund the budgeted expenditures and transfers from the fire marshal fee fund for fiscal year 2016 in accordance with the provisions of appropriation acts, the director of the budget shall certify such finding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of moneys from the emergency response fund to the fire marshal fee fund that is required, in accordance with the certification by the director of the budget under this subsection, to fund the budgeted expenditures and transfers from the fire marshal fee fund for the remainder of fiscal year 2016 in accordance with the provisions of appropriation acts, as specified by the director of the budget pursuant to such certification.

(e) During the fiscal year ending June 30, 2016, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the fire marshal fee fund and any other resources available to the fire marshal fee fund during the fiscal year 2016, and, upon a finding by the director of the budget in consultation with the director of legislative research that the total of the unencumbered balance and estimated receipts to be credited to the fire marshal fee fund during fiscal year 2016 are insufficient to meet in full the estimated expenditures for fiscal year 2016 as they become due to meet the financial obligations imposed by law on the fire marshal fee fund as a result of a cash flow shortfall, within the authorized budgeted expenditures in accordance with the provisions of appropriation acts, the director of the budget is authorized and directed to certify such finding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of money specified in such certification from the state general fund to the fire marshal fee fund in order to maintain the cash flow of the fire marshal fee fund for such purposes for fiscal year 2016: *Provided*, That the aggregate amount of such transfers during fiscal year 2016 pursuant to this subsection shall not exceed \$500,000. Within one year from the date of each such transfer to the fire marshal fee fund pursuant to this subsection, the director of accounts and reports shall transfer the amount equal to the amount transferred from the state general fund to the fire marshal fee fund from the fire marshal fee fund to the state general fund in accordance with a certification for such purpose by the director of the budget. At the same time as the director of the budget transmits any certification under this subsection to the director of accounts and reports during fiscal year 2016, the director of the budget shall transmit a copy of such certification to the director of legislative research.

(f) On July 1, 2015, the director of accounts and reports shall transfer all moneys in the hazardous material program fund of the state fire marshal to the fire marshal fee fund of the state fire marshal. On July 1, 2015, all liabilities of the hazardous material program fund are hereby transferred to and imposed on the fire marshal fee fund and the hazardous material program fund is hereby abolished.

Sec. 149.

#### STATE FIRE MARSHAL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures, other than refunds authorized by law, purchases of nationally recognized adopted codes for resale and federally reimbursed overtime, shall not exceed the following:

Fire marshal fee fund ..... \$4,577,735

*Provided*, That expenditures from the fire marshal fee fund for official hospitality shall not exceed \$1,000: *Provided further*, That, if 2015 House Bill No. 2097, or any other legislation which provides for duties of the state fire marshal concerning search and rescue and hazardous material response, is not passed by the legislature during the 2015 or 2016 regular session of the legislature and enacted into law, then, on July 1, 2016, the expenditure limitation for the above agency for the fiscal year ending June 30, 2017, by this section on the fire marshal fee fund is hereby decreased from \$4,577,735 to \$4,327,735.

Boiler inspection fee fund.....	No limit
Gifts, grants and donations fund.....	No limit
Intragovernmental service fund.....	No limit
Explosives regulatory and training fund.....	No limit
State fire marshal liquefied petroleum gas fee fund.....	\$62,461
Emergency response fund.....	No limit

*Provided*, That expenditures may be made by the state fire marshal from the emergency response fund for fiscal year 2017 for the purposes of responding to specific incidences of emergencies related to hazardous materials without prior approval of the state finance council: *Provided, however*, That expenditures from the emergency response fund during fiscal year 2017 for the purposes of responding to any specific incidence of an emergency related to hazardous materials without prior approval by the state finance council shall not exceed \$25,000, except upon approval by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except that such approval also may be given while the legislature is in session.

Fire safety standard and firefighter protection act enforcement fund.....	No limit
Cigarette fire safety standard and firefighter protection act fund.....	No limit
Non-fuel flammable or combustible liquid aboveground storage tank system fund.....	No limit
Homeland security grant — federal fund.....	No limit
FFY12 HMEP grant — federal fund.....	No limit
Contract inspections fund.....	No limit

(b) On July 1, 2016, and January 1, 2017, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer \$500,000 from the fire marshal fee fund of the state fire marshal to the state general fund.

(c) During the fiscal year ending June 30, 2017, notwithstanding the



provisions of any other statute, the state fire marshal, with the approval of the director of the budget, may transfer funds from the fire marshal fee fund to the emergency response fund of the state fire marshal. The state fire marshal shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research and the director of the budget. *Provided*, That the aggregate amount of such transfers for the fiscal year ending June 30, 2017, shall not exceed \$500,000.

(d) During the fiscal year ending June 30, 2017, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the fire marshal fee fund during fiscal year 2017, and, upon a finding by the director of the budget in consultation with the director of legislative research that the total of the unencumbered balance and estimated receipts to be credited to the fire marshal fee fund during fiscal year 2017 are insufficient to fund the budgeted expenditures and transfers from the fire marshal fee fund for fiscal year 2017 in accordance with the provisions of appropriation acts, the director of the budget shall certify such finding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of moneys from the emergency response fund to the fire marshal fee fund that is required, in accordance with the certification by the director of the budget under this subsection, to fund the budgeted expenditures and transfers from the fire marshal fee fund for the remainder of fiscal year 2017 in accordance with the provisions of appropriation acts, as specified by the director of the budget pursuant to such certification.

(e) During the fiscal year ending June 30, 2017, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the fire marshal fee fund and any other resources available to the fire marshal fee fund during the fiscal year 2017, and, upon a finding by the director of the budget in consultation with the director of legislative research that the total of the unencumbered balance and estimated receipts to be credited to the fire marshal fee fund during fiscal year 2017 are insufficient to meet in full the estimated expenditures for fiscal year 2017 as they become due to meet the financial obligations imposed by law on the fire marshal fee fund as a result of a cash flow shortfall, within the authorized budgeted expenditures in accordance with the provisions of appropriation acts, the director of the budget is authorized and directed to certify such finding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of money specified in such certification from the state general fund to the fire marshal fee fund in order to maintain the cash flow of the fire marshal fee fund for such purposes for fiscal year 2017: *Provided*, That the aggregate amount of such transfers during fiscal

year 2017 pursuant to this subsection shall not exceed \$500,000. Within one year from the date of each such transfer to the fire marshal fee fund pursuant to this subsection, the director of accounts and reports shall transfer the amount equal to the amount transferred from the state general fund to the fire marshal fee fund from the fire marshal fee fund to the state general fund in accordance with a certification for such purpose by the director of the budget. At the same time as the director of the budget transmits any certification under this subsection to the director of accounts and reports during fiscal year 2017, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Sec. 150.

KANSAS HIGHWAY PATROL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- General fees fund..... No limit  
*Provided*, That all moneys received from the sale of used equipment, recovery of and reimbursements for expenditures and any other source of revenue shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund, except as otherwise provided by law.
- For patrol of Kansas turnpike fund ..... No limit  
*Provided*, That expenditures shall be made from the for patrol of Kansas turnpike fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.
- Highway patrol motor vehicle fund..... No limit
- Department of justice – federal recovery act – Edward J. Byrne memorial justice assistance grant program – federal fund ..... No limit
- Kansas highway patrol state forfeiture fund..... No limit  
*Provided*, That, notwithstanding the provisions of K.S.A. 60-4117, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2016, expenditures may be made from the Kansas highway patrol state forfeiture fund for salaries and wages, and associated fringe benefits of non-supervisory personnel.
- Disaster grants – public assistance – federal fund..... No limit
- Edward Byrne memorial assistance grant – state and local law enforcement – federal fund..... No limit
- Bulletproof vest partner – federal fund..... No limit

Performance registration information system management – federal fund .....	No limit
Commercial vehicle information system network – federal fund .....	No limit
Highway planning and construction – federal fund .....	No limit
Public safety interoperability grant – federal fund .....	No limit
Citizen corps – federal fund .....	No limit
Emergency management performance grants – federal fund .....	No limit
Safety data improvement project – federal fund .....	No limit
Interoperability communication equipment – federal fund .....	No limit
Cops grant – federal fund .....	No limit
KHP federal forfeiture – federal fund .....	No limit

*Provided*, That expenditures may be made from the KHP federal forfeiture – federal fund by the above agency for the capital improvement project or projects for troop F headquarters.

Law enforcement terrorism prevention – federal fund .....	No limit
High intensity drug trafficking areas – federal fund .....	No limit
State domestic preparedness equipment sprt – federal fund .....	No limit
Metro med response system – federal fund .....	No limit
Homeland security program – federal fund .....	No limit
Buffer zone protection program – federal fund .....	No limit
Edward Byrne memorial justice assistance grant – federal fund .....	No limit
Emergency ops cntr – federal fund .....	No limit
State and community highway safety – federal fund .....	No limit
Gifts and donations fund .....	No limit

*Provided*, That expenditures from the gifts and donations fund for official hospitality shall not exceed \$1,000.

Motor carrier safety assistance program state fund .....	No limit
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*Provided*, That expenditures shall be made from the motor carrier safety assistance program state fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.

National motor carrier safety assistance program – federal fund .....	No limit
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*Provided*, That expenditures shall be made from the national motor carrier safety assistance program – federal fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.

Aircraft fund – on budget .....	No limit
Highway safety fund .....	No limit
Capitol area security fund .....	No limit

Vehicle identification number fee fund..... No limit  
 Motor vehicle fuel and storeroom sales fund ..... No limit

*Provided*, That expenditures may be made from the motor vehicle fuel and storeroom sales fund to acquire and sell commodities and to provide services to local governments and other state agencies: *Provided further*, That the superintendent of the Kansas highway patrol is hereby authorized to fix, charge and collect fees for such commodities and services: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in acquiring or providing and selling such commodities and services: *And provided further*, That all fees received for such commodities and services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the motor vehicle fuel and storeroom sales fund.

Kansas highway patrol operations fund ..... \$52,358,422

*Provided*, That expenditures from the Kansas highway patrol operations fund for official hospitality shall not exceed \$3,000: *Provided further*, That expenditures may be made from the Kansas highway patrol operations fund for the purchase of civilian clothing for members of the Kansas highway patrol assigned to duties pursuant to K.S.A. 74-2105, and amendments thereto: *And provided further*, That the superintendent shall make expenditures from the Kansas highway patrol operations fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.

Highway patrol training center fund..... No limit

*Provided*, That expenditures may be made from the highway patrol training center fund for use of the highway patrol training center by other state agencies, local government agencies and not-for-profit organizations: *Provided further*, That the superintendent of the Kansas highway patrol is hereby authorized to fix, charge and collect fees for recovery of costs associated with use of the highway patrol training center by other state agencies, local government agencies and not-for-profit organizations: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the highway patrol training center by other state or local government agencies: *And provided further*, That all fees received for use of the highway patrol training center by other state agencies, local government agencies or not-for-profit organizations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the highway patrol training center fund.

Executive aircraft fund..... No limit

*Provided*, That expenditures may be made from the executive aircraft fund to provide aircraft services to other state agencies and to purchase

liability and property damage insurance for state aircraft: *Provided further*, That the superintendent of the highway patrol is hereby authorized to fix, charge and collect fees for such aircraft services to other state agencies: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services: *And provided further*, That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the executive aircraft fund.

1122 program clearing fund ..... No limit

(b) On or before the 10<sup>th</sup> of each month during the fiscal year ending June 30, 2016, the director of accounts and reports shall transfer from the state general fund to the 1122 program clearing fund interest earnings based on: (1) The average daily balance of moneys in the 1122 program clearing fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

(c) On July 1, 2015, and January 1, 2016, or as soon after each date as moneys are available the director of accounts and reports shall transfer an amount specified by the executive director of the state corporation commission, with the approval of the director of the budget, of not more than \$650,000 from the motor carrier license fees fund of the state corporation commission to the motor carrier safety assistance program state fund of the Kansas highway patrol.

(d) On July 1, 2015, October 1, 2015, January 1, 2016, and April 1, 2016, or as soon after each date as moneys are available, the director of accounts and reports shall transfer \$13,641,127.75 from the state highway fund of the department of transportation to the Kansas highway patrol operations fund of the Kansas highway patrol for the purpose of financing the Kansas highway patrol operations. In addition to other purposes for which expenditures may be made from the state highway fund during fiscal year 2016 and notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, transfers and expenditures may be made from the state highway fund during fiscal year 2016 for support and maintenance of the Kansas highway patrol.

(e) On July 1, 2015, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$295,000 from the state highway fund of the department of transportation to the highway safety fund of the Kansas highway patrol for the purpose of financing the motorist assistance program of the Kansas highway patrol.

(f) On July 1, 2015, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall

transfer \$250,000 from the state highway fund of the department of transportation to the general fees fund of the Kansas highway patrol for the purpose of financing operating expenditures of the Kansas highway patrol.

(g) On July 1, 2015, and January 1, 2016, or as soon after each date as moneys are available, notwithstanding the provisions of K.S.A. 74-2136, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$300,000 from the highway patrol motor vehicle fund of the Kansas highway patrol to the aircraft fund — on budget of the Kansas highway patrol.

(h) On July 1, 2015, and January 1, 2016, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,103,044.50 from the Kansas highway patrol operations fund of the Kansas highway patrol to the state general fund.

Sec. 151.

KANSAS HIGHWAY PATROL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund..... No limit

*Provided*, That all moneys received from the sale of used equipment, recovery of and reimbursements for expenditures and any other source of revenue shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund, except as otherwise provided by law.

For patrol of Kansas turnpike fund ..... No limit

*Provided*, That expenditures shall be made from the for patrol of Kansas turnpike fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.

Highway patrol motor vehicle fund ..... No limit

Department of justice – federal recovery act – Edward J. Byrne memorial justice assistance grant program – federal fund ..... No limit

Kansas highway patrol state forfeiture fund ..... No limit

*Provided*, That, notwithstanding the provisions of K.S.A. 60-4117, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2017, expenditures may be made from the Kansas highway patrol state forfeiture fund for salaries and wages, and associated fringe benefits of non-supervisory personnel.

Disaster grants – public assistance – federal fund..... No limit

Edward Byrne memorial assistance grant – state and local law enforcement – federal fund..... No limit

Bulletproof vest partner – federal fund.....	No limit
Performance registration information system management – federal fund.....	No limit
Commercial vehicle information system network – federal fund .....	No limit
Highway planning and construction – federal fund.....	No limit
Public safety interoperability grant – federal fund .....	No limit
Citizen corps – federal fund.....	No limit
Emergency management performance grants – federal fund .....	No limit
Safety data improvement project – federal fund.....	No limit
Interoperability communication equipment – federal fund .....	No limit
Cops grant – federal fund.....	No limit
KHP federal forfeiture – federal fund .....	No limit

*Provided*, That expenditures may be made from the KHP federal forfeiture – federal fund by the above agency for the capital improvement project or projects for troop F headquarters.

Law enforcement terrorism prevention – federal fund.....	No limit
High intensity drug trafficking areas – federal fund.....	No limit
State domestic preparedness equipment sprt – federal fund .....	No limit
Metro med response system – federal fund.....	No limit
Homeland security program – federal fund .....	No limit
Buffer zone protection program – federal fund.....	No limit
Edward Byrne memorial justice assistance grant – federal fund .....	No limit
Emergency ops cntr – federal fund.....	No limit
State and community highway safety – federal fund .....	No limit
Gifts and donations fund .....	No limit

*Provided*, That expenditures from the gifts and donations fund for official hospitality shall not exceed \$1,000.

Motor carrier safety assistance program state fund.....	No limit
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*Provided*, That expenditures shall be made from the motor carrier safety assistance program state fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.

National motor carrier safety assistance program – federal fund .....	No limit
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*Provided*, That expenditures shall be made from the national motor carrier safety assistance program – federal fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.

Aircraft fund – on budget .....	No limit
Highway safety fund .....	No limit

Capitol area security fund.....	No limit
Vehicle identification number fee fund.....	No limit
Motor vehicle fuel and storeroom sales fund .....	No limit

*Provided*, That expenditures may be made from the motor vehicle fuel and storeroom sales fund to acquire and sell commodities and to provide services to local governments and other state agencies: *Provided further*, That the superintendent of the Kansas highway patrol is hereby authorized to fix, charge and collect fees for such commodities and services: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in acquiring or providing and selling such commodities and services: *And provided further*, That all fees received for such commodities and services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the motor vehicle fuel and storeroom sales fund.

Kansas highway patrol operations fund .....	\$53,556,923
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*Provided*, That expenditures from the Kansas highway patrol operations fund for official hospitality shall not exceed \$3,000: *Provided further*, That expenditures may be made from the Kansas highway patrol operations fund for the purchase of civilian clothing for members of the Kansas highway patrol assigned to duties pursuant to K.S.A. 74-2105, and amendments thereto: *And provided further*, That the superintendent shall make expenditures from the Kansas highway patrol operations fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.

Highway patrol training center fund.....	No limit
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*Provided*, That expenditures may be made from the highway patrol training center fund for use of the highway patrol training center by other state agencies, local government agencies and not-for-profit organizations: *Provided further*, That the superintendent of the Kansas highway patrol is hereby authorized to fix, charge and collect fees for recovery of costs associated with use of the highway patrol training center by other state agencies, local government agencies and not-for-profit organizations: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the highway patrol training center by other state or local government agencies: *And provided further*, That all fees received for use of the highway patrol training center by other state agencies, local government agencies or not-for-profit organizations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the highway patrol training center fund.

Executive aircraft fund.....	No limit
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*Provided*, That expenditures may be made from the executive aircraft



fund to provide aircraft services to other state agencies and to purchase liability and property damage insurance for state aircraft: *Provided further*, That the superintendent of the highway patrol is hereby authorized to fix, charge and collect fees for such aircraft services to other state agencies: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services: *And provided further*, That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the executive aircraft fund.

1122 program clearing fund ..... No limit

(b) On or before the 10<sup>th</sup> of each month during the fiscal year ending June 30, 2017, the director of accounts and reports shall transfer from the state general fund to the 1122 program clearing fund interest earnings based on: (1) The average daily balance of moneys in the 1122 program clearing fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

(c) On July 1, 2016, and January 1, 2017, or as soon after each date as moneys are available the director of accounts and reports shall transfer an amount specified by the executive director of the state corporation commission, with the approval of the director of the budget, of not more than \$650,000 from the motor carrier license fees fund of the state corporation commission to the motor carrier safety assistance program state fund of the Kansas highway patrol.

(d) On July 1, 2016, October 1, 2016, January 1, 2017, and April 1, 2017, or as soon after each date as moneys are available, the director of accounts and reports shall transfer \$13,954,678.50 from the state highway fund of the department of transportation to the Kansas highway patrol operations fund of the Kansas highway patrol for the purpose of financing the Kansas highway patrol operations. In addition to other purposes for which expenditures may be made from the state highway fund during fiscal year 2017 and notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, transfers and expenditures may be made from the state highway fund during fiscal year 2017 for support and maintenance of the Kansas highway patrol.

(e) On July 1, 2016, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$295,000 from the state highway fund of the department of transportation to the highway safety fund of the Kansas highway patrol for the purpose of financing the motorist assistance program of the Kansas highway patrol.

(f) On July 1, 2016, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments

thereto, or any other statute, the director of accounts and reports shall transfer \$250,000 from the state highway fund of the department of transportation to the general fees fund of the Kansas highway patrol for the purpose of financing operating expenditures of the Kansas highway patrol.

(g) On July 1, 2016, and January 1, 2017, or as soon after each date as moneys are available, notwithstanding the provisions of K.S.A. 74-2136, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$300,000 from the highway patrol motor vehicle fund of the Kansas highway patrol to the aircraft fund — on budget of the Kansas highway patrol.

(h) On July 1, 2016, and January 1, 2017, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,130,895.50 from the Kansas highway patrol operations fund of the Kansas highway patrol to the state general fund.

(i) Notwithstanding the provisions of K.S.A. 60-4117, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2018, expenditures may be made from the Kansas highway patrol state forfeiture fund for salaries and wages, and associated fringe benefits.

Sec. 152.

ATTORNEY GENERAL — KANSAS BUREAU OF INVESTIGATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures ..... \$18,230,621

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated to the operating expenditures account for fiscal year 2016: *Provided, however*, That expenditures from the operating expenditures account for official hospitality shall not exceed \$750.

Meth lab cleanup ..... \$250,000

*Provided*, That any unencumbered balance in the meth lab cleanup account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That the above agency is hereby authorized to make expenditures from the meth lab cleanup account to contract for services for remediation of sites determined by law enforcement as hazardous resulting from the production of methamphetamine.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas bureau of investigation state forfeiture fund..... No limit

*Provided*, That expenditures made from the Kansas bureau of investiga-

tion state forfeiture fund shall not be considered a source of revenue to meet normal operating expenses, but for such special, additional law enforcement purposes including direct or indirect operating expenditures incurred for conducting educational classes and training for special agents and other personnel, including official hospitality.

Federal forfeiture fund ..... No limit

*Provided*, That expenditures made from the federal forfeiture fund shall not be considered a source of revenue to meet normal operating expenses, but for such special, additional law enforcement purposes including direct or indirect operating expenditures incurred for conducting educational classes and training for special agents and other personnel, including official hospitality.

High intensity drug trafficking area – federal fund ..... No limit

Federal grants – marijuana eradication – federal fund ..... No limit

Criminal justice information system line fund..... No limit

*Provided*, That in addition to the other purposes for which expenditures may be made from the criminal justice information system line fund pursuant to K.S.A. 74-5707, and amendments thereto, expenditures may be made from the criminal justice information system line fund for salaries and wages, contractual services, commodities and capital outlay for the maintenance and support of the Kansas criminal justice information system.

DNA database fund..... No limit

Kansas bureau of investigation motor vehicle fund ..... No limit

*Provided*, That expenditures may be made from the Kansas bureau of investigation motor vehicle fund to acquire and sell motor vehicles for the Kansas bureau of investigation: *Provided further*, That all moneys received for sale of motor vehicles of the Kansas bureau of investigation shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas bureau of investigation motor vehicle fund.

Forensic laboratory and materials fee fund..... No limit

*Provided*, That expenditures may be made from the forensic laboratory and materials fee fund for the acquisition of laboratory equipment and materials and for other direct or indirect operating expenditures for the forensic laboratory of the Kansas bureau of investigation: *Provided, however*, That all expenditures from this fund of moneys received as Kansas bureau of investigation laboratory analysis fees pursuant to K.S.A. 28-176, and amendments thereto, shall be for the purposes authorized by subsection (e) of K.S.A. 28-176, and amendments thereto: *Provided further*, That all fees received for such laboratory tests, including all moneys received pursuant to subsection (a) of K.S.A. 28-176, and amendments thereto, shall be deposited in the state treasury in accordance with the

provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the forensic laboratory and materials fee fund.

General fees fund..... No limit

*Provided*, That expenditures may be made from the general fees fund for direct or indirect operating expenditures incurred for the following activities: (1) Conducting education and training classes for special agents and other personnel, including official hospitality; (2) purchasing illegal drugs, making contacts and acquiring information leading to illegal drug outlets, contraband and stolen property, and conducting other activities for similar investigatory purposes; (3) conducting investigations and related activities for the Kansas lottery or the Kansas racing and gaming commission; (4) conducting DNA forensic laboratory tests and related activities; (5) preparing, publishing and distributing crime prevention materials; and (6) conducting agency operations: *Provided, however*, That the director of the Kansas bureau of investigation is hereby authorized to fix, charge and collect fees in order to recover all or part of the direct and indirect operating expenses incurred, except as otherwise hereinafter provided, for the following: (1) Education and training services made available to local law enforcement personnel in classes conducted for special agents and other personnel of the Kansas bureau of investigation; (2) investigations and related activities conducted for the Kansas lottery or the Kansas racing and gaming commission, except that the fees fixed for these activities shall be fixed in order to recover all of the direct and indirect expenses incurred for such investigations and related activities; (3) DNA forensic laboratory tests and related activities; and (4) sale and distribution of crime prevention materials: *Provided further*, That all fees received for such activities shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further*, That all moneys which are expended for any such evidence purchase, information acquisition or similar investigatory purpose or activity from whatever funding source and which are recovered shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further*, That all moneys received as gifts, grants or donations for the preparation, publication or distribution of crime prevention materials shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further*, That expenditures from any moneys received from the division of alcoholic beverage control and credited to the general fees fund may be made by the Kansas bureau of investigation for all purposes for which expenditures may be made for operating expenditures.

Record check fee fund..... No limit

*Provided*, That the director of the Kansas bureau of investigation is authorized to fix, charge and collect fees in order to recover all or part of the direct and indirect operating expenses for criminal history record checks conducted for noncriminal justice entities including government agencies and private organizations: *Provided, however*, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the record check fee fund: *Provided further*, That expenditures may be made from the record check fee fund for operating expenditures of the Kansas bureau of investigation.

Intergovernmental service fund .....	No limit
Agency motor pool fund .....	No limit
National criminal history improvement program federal fund .....	No limit
Public safety partnership and community policing federal fund .....	No limit
Forensic DNA backlog reduction federal fund.....	No limit
Coverdell forensic sciences improvement federal fund.....	No limit
Anti-gang initiative federal fund .....	No limit
Homeland security federal fund .....	No limit
State homeland security program federal fund.....	No limit
Convicted/arrestee DNA backlog reduction federal fund .....	No limit
Disaster grants – public assistance federal fund .....	No limit
Ed Byrne memorial justice assistance federal fund.....	No limit
Ed Byrne state/local law enforcement federal fund .....	No limit
Violence against women – ARRA federal fund.....	No limit
AWA implementation grant program federal fund.....	No limit
Ed Byrne memorial JAG – ARRA federal fund.....	No limit
Convicted offender/arrestee DNA backlog reduction federal fund .....	No limit
KBI-FBI reimbursement federal fund.....	No limit
Project safe neighborhoods fund.....	No limit
Social security administration reimbursement – federal fund .....	No limit
Bulletproof vest partnership – federal fund .....	No limit
Uninterrupted power source replacement fund .....	No limit

(c) During the fiscal year ending June 30, 2016, the attorney general may authorize full-time non-FTE unclassified permanent positions and regular part-time non-FTE unclassified permanent positions, for the Kansas bureau of investigation that are paid from appropriations for the attorney general – Kansas bureau of investigation for fiscal year 2016 made by this act or other appropriation act of the 2015 regular session of the legislature, which shall be in addition to the number of full-time and

regular part-time positions equated to full-time, excluding seasonal and temporary positions, authorized for fiscal year 2016 for the attorney general – Kansas bureau of investigation. The attorney general shall certify each such authorization for non-FTE unclassified permanent positions for the Kansas bureau of investigation to the director of personnel services of the department of administration and shall transmit a copy of each such certification to the director of legislative research and the director of the budget.

Sec. 153.

ATTORNEY GENERAL — KANSAS BUREAU OF INVESTIGATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures ..... \$18,638,929

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated to the operating expenditures account for fiscal year 2017: *Provided, however*, That expenditures from the operating expenditures account for official hospitality shall not exceed \$750.

Meth lab cleanup ..... \$250,000

*Provided*, That any unencumbered balance in the meth lab cleanup account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That the above agency is hereby authorized to make expenditures from the meth lab cleanup account to contract for services for remediation of sites determined by law enforcement as hazardous resulting from the production of methamphetamine.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas bureau of investigation state forfeiture fund..... No limit

*Provided*, That expenditures made from the Kansas bureau of investigation state forfeiture fund shall not be considered a source of revenue to meet normal operating expenses, but for such special, additional law enforcement purposes including direct or indirect operating expenditures incurred for conducting educational classes and training for special agents and other personnel, including official hospitality.

Federal forfeiture fund ..... No limit

*Provided*, That expenditures made from the federal forfeiture fund shall not be considered a source of revenue to meet normal operating expenses, but for such special, additional law enforcement purposes including direct or indirect operating expenditures incurred for conducting educational

classes and training for special agents and other personnel, including of-  
ficial hospitality.

- High intensity drug trafficking area – federal fund ..... No limit
- Federal grants – marijuana eradication – federal fund ..... No limit
- Criminal justice information system line fund..... No limit

*Provided*, That in addition to the other purposes for which expenditures may be made from the criminal justice information system line fund pursuant to K.S.A. 74-5707, and amendments thereto, expenditures may be made from the criminal justice information system line fund for salaries and wages, contractual services, commodities and capital outlay for the maintenance and support of the Kansas criminal justice information system.

- DNA database fund ..... No limit
- Kansas bureau of investigation motor vehicle fund ..... No limit

*Provided*, That expenditures may be made from the Kansas bureau of investigation motor vehicle fund to acquire and sell motor vehicles for the Kansas bureau of investigation: *Provided further*, That all moneys received for sale of motor vehicles of the Kansas bureau of investigation shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas bureau of investigation motor vehicle fund.

- Forensic laboratory and materials fee fund..... No limit

*Provided*, That expenditures may be made from the forensic laboratory and materials fee fund for the acquisition of laboratory equipment and materials and for other direct or indirect operating expenditures for the forensic laboratory of the Kansas bureau of investigation: *Provided, however*, That all expenditures from this fund of moneys received as Kansas bureau of investigation laboratory analysis fees pursuant to K.S.A. 28-176, and amendments thereto, shall be for the purposes authorized by subsection (e) of K.S.A. 28-176, and amendments thereto: *Provided further*, That all fees received for such laboratory tests, including all moneys received pursuant to subsection (a) of K.S.A. 28-176, and amendments thereto, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the forensic laboratory and materials fee fund.

- General fees fund..... No limit

*Provided*, That expenditures may be made from the general fees fund for direct or indirect operating expenditures incurred for the following activities: (1) Conducting education and training classes for special agents and other personnel, including official hospitality; (2) purchasing illegal drugs, making contacts and acquiring information leading to illegal drug outlets, contraband and stolen property, and conducting other activities for similar investigatory purposes; (3) conducting investigations and related activities

for the Kansas lottery or the Kansas racing and gaming commission; (4) conducting DNA forensic laboratory tests and related activities; (5) preparing, publishing and distributing crime prevention materials; and (6) conducting agency operations: *Provided, however,* That the director of the Kansas bureau of investigation is hereby authorized to fix, charge and collect fees in order to recover all or part of the direct and indirect operating expenses incurred, except as otherwise hereinafter provided, for the following: (1) Education and training services made available to local law enforcement personnel in classes conducted for special agents and other personnel of the Kansas bureau of investigation; (2) investigations and related activities conducted for the Kansas lottery or the Kansas racing and gaming commission, except that the fees fixed for these activities shall be fixed in order to recover all of the direct and indirect expenses incurred for such investigations and related activities; (3) DNA forensic laboratory tests and related activities; and (4) sale and distribution of crime prevention materials: *Provided further,* That all fees received for such activities shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further,* That all moneys which are expended for any such evidence purchase, information acquisition or similar investigatory purpose or activity from whatever funding source and which are recovered shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further,* That all moneys received as gifts, grants or donations for the preparation, publication or distribution of crime prevention materials shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further,* That expenditures from any moneys received from the division of alcoholic beverage control and credited to the general fees fund may be made by the Kansas bureau of investigation for all purposes for which expenditures may be made for operating expenditures.

Record check fee fund ..... No limit

*Provided,* That the director of the Kansas bureau of investigation is authorized to fix, charge and collect fees in order to recover all or part of the direct and indirect operating expenses for criminal history record checks conducted for noncriminal justice entities including government agencies and private organizations: *Provided, however,* That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the record check fee fund: *Provided further,* That expenditures may be made from the record check fee fund for operating expenditures of the Kansas bureau of investigation.



Intergovernmental service fund .....	No limit
Agency motor pool fund .....	No limit
National criminal history improvement program federal fund .....	No limit
Public safety partnership and community policing federal fund .....	No limit
Forensic DNA backlog reduction federal fund .....	No limit
Coverdell forensic sciences improvement federal fund .....	No limit
Anti-gang initiative federal fund .....	No limit
Homeland security federal fund .....	No limit
State homeland security program federal fund .....	No limit
Convicted/arrestee DNA backlog reduction federal fund .....	No limit
Disaster grants – public assistance federal fund .....	No limit
Ed Byrne memorial justice assistance federal fund .....	No limit
Ed Byrne state/local law enforcement federal fund .....	No limit
Violence against women – ARRA federal fund .....	No limit
AWA implementation grant program federal fund .....	No limit
Ed Byrne memorial JAG – ARRA federal fund .....	No limit
Convicted offender/arrestee DNA backlog reduction federal fund .....	No limit
KBI-FBI reimbursement federal fund .....	No limit
Project safe neighborhoods fund .....	No limit
Social security administration reimbursement — federal fund .....	No limit
Bulletproof vest partnership — federal fund .....	No limit
Uninterrupted power source replacement fund .....	No limit

(c) During the fiscal year ending June 30, 2017, the attorney general may authorize full-time non-FTE unclassified permanent positions and regular part-time non-FTE unclassified permanent positions, for the Kansas bureau of investigation that are paid from appropriations for the attorney general – Kansas bureau of investigation for fiscal year 2017 made by this act or other appropriation act of the 2015 or 2016 regular session of the legislature, which shall be in addition to the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, authorized for fiscal year 2017 for the attorney general – Kansas bureau of investigation. The attorney general shall certify each such authorization for non-FTE unclassified permanent positions for the Kansas bureau of investigation to the director of personnel services of the department of administration and shall transmit a copy of each such certification to the director of legislative research and the director of the budget.

Sec. 154.

EMERGENCY MEDICAL SERVICES BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Rural health options grant fund.....	No limit
Rural access to emergency devices grant – federal fund...	No limit
Emergency medical services operating fund.....	\$1,322,955

*Provided*, That the emergency medical services board is hereby authorized to fix, charge and collect fees in order to recover costs incurred for distributing educational videos, replacing lost educational materials and mailing labels of those licensed by the board: *Provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the emergency medical services operating fund: *And provided further*, That, notwithstanding the provisions of K.S.A. 65-6128 or 65-6129b, and amendments thereto, or of any other statute, all moneys received by the emergency medical services board for fees authorized by law for licensure or the issuance of permits, or for any other regulatory duties and functions prescribed by law in the field of emergency medical services, shall be deposited in the state treasury to the credit of the emergency medical services operating fund of the emergency medical services board: *And provided further*, That expenditures from the emergency medical services operating fund for official hospitality shall not exceed \$2,000.

Education incentive grant payment fund.....	No limit
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*Provided*, That the priority for award of education incentive grants shall be to award such grants to rural areas.

EMS revolving fund.....	No limit
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*Provided*, That, if an organization agrees to receive money from the EMS revolving fund, the organization shall enter into a grant agreement requiring such organization to submit a written report to the emergency medical services board detailing and accounting for all expenditures and receipts related to the use of the moneys received from the EMS revolving fund: *Provided further*, That the emergency medical services board shall prepare a written report specifying and accounting for all moneys allocated to and expended from the EMS revolving fund: *And provided further*, That such report shall be submitted to the house of representatives committee on appropriations and the senate committee on ways and means on or before February 1, 2016.

National bioterrorism hospital preparedness – federal fund .....	No limit
Highway safety – federal fund .....	No limit
NHTSA evidence-based guideline project — federal fund .....	No limit

(b) In addition to the other purposes for which expenditures may be made by the emergency medical services board from the board of emergency medical services operating fund for fiscal year 2016 by this or other appropriation act of the 2015 regular session of the legislature, expenditures may be made by the emergency medical services board from the emergency medical services operating fund for fiscal year 2016 for the purpose of implementing a grant program for emergency medical services training and educational assistance for persons in underserved areas: *Provided*, That when issuing such grants, first priority shall be given to ambulance services submitting applications seeking grants to pay the cost of recruiting volunteers and cost of the initial courses of training for attendants, instructor-coordinators and training officers: *Provided further*, That the second priority shall be given to ambulance services submitting applications seeking grants to pay the cost of continuing education for attendants, instructor-coordinators and training officers: *And provided further*, That the third priority shall be given to ambulance services submitting applications seeking grants to pay the cost of education for attendants, instructor-coordinators and training officers who are obtaining a postsecondary education degree.

(c) In addition to the other purposes for which expenditures may be made by the emergency medical services board from the moneys appropriated from the state general fund or from any special revenue fund or funds for the emergency medical services board for fiscal year 2016, as authorized by this or any other appropriation act of the 2015 regular session of the legislature, expenditures shall be made by the emergency medical services board from moneys appropriated from the state general fund or from any special revenue fund or funds for the emergency medical services board for fiscal year 2016 to require emergency medical services agencies in each of the six EMS regions of the state to prepare and submit a report of the expenditures made and moneys received in the EMS region are related to the operation and administration of the Kansas emergency medical services regional operations to the emergency medical services board: *Provided*, That the report for each EMS region shall specify and account for all moneys appropriated from the state treasury for the emergency medical services board and disbursed to such EMS region for the operation of the education and training of emergency medical attendants in such EMS region.

(d) On July 1, 2015, and January 1, 2016, or as soon after each such date as moneys are available, the director of accounts and reports shall

transfer \$150,000 from the emergency medical services operating fund to the educational incentive grant payment fund of the emergency medical services board.

(e) During the fiscal year ending June 30, 2016, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the emergency medical services operating fund during fiscal year 2016, and, upon a finding by the director of the budget in consultation with the director of legislative research that the total of the unencumbered balance and estimated receipts to be credited to the emergency medical services operating fund during fiscal year 2016 are insufficient to fund the budgeted expenditures and transfers from the emergency medical services operating fund for fiscal year 2016 in accordance with the provisions of appropriation acts, the director of the budget shall certify such funding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of moneys from the education incentive grant payment fund to the emergency medical services operating fund that is required, in accordance with the certification by the director of the budget under this subsection, to fund the budgeted expenditures and transfers from the emergency medical services operating fund for the remainder of fiscal year 2016 in accordance with the provisions of appropriation acts, as specified by the director of the budget pursuant to such certification.

(f) During the fiscal year ending June 30, 2016, if any EMS regional council enters into a grant agreement with the emergency medical services board, such council shall be required to submit pursuant to such grant agreement a written report detailing and accounting for all expenditures and receipts of such council during such fiscal year. The emergency medical services board shall prepare a written report specifying and accounting for all moneys received by and expended by each individual council that has reported to the emergency medical services board pursuant to such grant agreement and submit such report to the house of representatives committee on appropriations and the senate committee on ways and means on or before February 1, 2016.

(g) In addition to the other purposes for which expenditures may be made by the emergency medical services board from the moneys appropriated from the state general fund or from any special revenue fund or funds for the emergency medical services board for fiscal year 2016, as authorized by this or any other appropriation act of the 2015 regular session of the legislature, expenditures shall be made by the emergency medical services board from moneys appropriated from the state general fund or from any special revenue fund or funds for the emergency medical services board for fiscal year 2016 to require the emergency medical services board to conduct an analysis and evaluation of state law and county regulations as to the current and future utilization of licensed

health care professionals to provide emergency health care services on ambulances: *Provided*, That such analysis and evaluation shall include a cost analysis: *Provided further*, That the board shall report findings from the analysis and evaluation including the current utilization of licensed health care professionals other than the certified EMS attendants to staff ambulances, to the house committee on appropriations prior to the first day of the 2016 legislative session.

Sec. 155.

EMERGENCY MEDICAL SERVICES BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Rural health options grant fund .....	No limit
Rural access to emergency devices grant – federal fund ...	No limit
Emergency medical services operating fund .....	\$1,349,331

*Provided*, That the emergency medical services board is hereby authorized to fix, charge and collect fees in order to recover costs incurred for distributing educational videos, replacing lost educational materials and mailing labels of those licensed by the board: *Provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the emergency medical services operating fund: *And provided further*, That, notwithstanding the provisions of K.S.A. 65-6128 or 65-6129b, and amendments thereto, or of any other statute, all moneys received by the emergency medical services board for fees authorized by law for licensure or the issuance of permits, or for any other regulatory duties and functions prescribed by law in the field of emergency medical services, shall be deposited in the state treasury to the credit of the emergency medical services operating fund of the emergency medical services board: *And provided further*, That expenditures from the emergency medical services operating fund for official hospitality shall not exceed \$2,000.

Education incentive grant payment fund.....	No limit
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*Provided*, That the priority for award of education incentive grants shall be to award such grants to rural areas.

EMS revolving fund.....	No limit
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*Provided*, That, if an organization agrees to receive money from the EMS revolving fund, the organization shall enter into a grant agreement requiring such organization to submit a written report to the emergency medical services board detailing and accounting for all expenditures and

receipts related to the use of the moneys received from the EMS revolving fund: *Provided further*, That the emergency medical services board shall prepare a written report specifying and accounting for all moneys allocated to and expended from the EMS revolving fund: *And provided further*, That such report shall be submitted to the house of representatives committee on appropriations and the senate committee on ways and means on or before February 1, 2017.

National bioterrorism hospital preparedness – federal fund .....	No limit
Highway safety – federal fund .....	No limit
NHTSA evidence-based guideline project — federal fund .....	No limit

(b) In addition to the other purposes for which expenditures may be made by the emergency medical services board from the board of emergency medical services operating fund for fiscal year 2017 by this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures may be made by the emergency medical services board from the emergency medical services operating fund for fiscal year 2017 for the purpose of implementing a grant program for emergency medical services training and educational assistance for persons in underserved areas: *Provided*, That when issuing such grants, first priority shall be given to ambulance services submitting applications seeking grants to pay the cost of recruiting volunteers and cost of the initial courses of training for attendants, instructor-coordinators and training officers: *Provided further*, That the second priority shall be given to ambulance services submitting applications seeking grants to pay the cost of continuing education for attendants, instructor-coordinators and training officers: *And provided further*, That the third priority shall be given to ambulance services submitting applications seeking grants to pay the cost of education for attendants, instructor-coordinators and training officers who are obtaining a postsecondary education degree.

(c) In addition to the other purposes for which expenditures may be made by the emergency medical services board from the moneys appropriated from the state general fund or from any special revenue fund or funds for the emergency medical services board for fiscal year 2017, as authorized by this or any other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures shall be made by the emergency medical services board from moneys appropriated from the state general fund or from any special revenue fund or funds for the emergency medical services board for fiscal year 2017 to require emergency medical services agencies in each of the six EMS regions of the state to prepare and submit a report of the expenditures made and moneys received in the EMS region are related to the operation and administration of the Kansas emergency medical services regional operations to the emergency

medical services board: *Provided*, That the report for each EMS region shall specify and account for all moneys appropriated from the state treasury for the emergency medical services board and disbursed to such EMS region for the operation of the education and training of emergency medical attendants in such EMS region.

(d) On July 1, 2016, and January 1, 2017, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer \$150,000 from the emergency medical services operating fund to the educational incentive grant payment fund of the emergency medical services board.

(e) During the fiscal year ending June 30, 2017, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the emergency medical services operating fund during fiscal year 2017, and, upon a finding by the director of the budget in consultation with the director of legislative research that the total of the unencumbered balance and estimated receipts to be credited to the emergency medical services operating fund during fiscal year 2017 are insufficient to fund the budgeted expenditures and transfers from the emergency medical services operating fund for fiscal year 2017 in accordance with the provisions of appropriation acts, the director of the budget shall certify such funding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of moneys from the education incentive grant payment fund to the emergency medical services operating fund that is required, in accordance with the certification by the director of the budget under this subsection, to fund the budgeted expenditures and transfers from the emergency medical services operating fund for the remainder of fiscal year 2017 in accordance with the provisions of appropriation acts, as specified by the director of the budget pursuant to such certification.

(f) During the fiscal year ending June 30, 2017, if any EMS regional council enters into a grant agreement with the emergency medical services board, such council shall be required to submit pursuant to such grant agreement a written report detailing and accounting for all expenditures and receipts of such council during such fiscal year. The emergency medical services board shall prepare a written report specifying and accounting for all moneys received by and expended by each individual council that has reported to the emergency medical services board pursuant to such grant agreement and submit such report to the house of representatives committee on appropriations and the senate committee on ways and means on or before February 1, 2017.

Sec. 156.

KANSAS SENTENCING COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures ..... \$835,773

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*, That expenditures from the operating expenditures account for official hospitality shall not exceed \$900.

Substance abuse treatment programs ..... \$6,568,686

*Provided*, That any unencumbered balance in the substance abuse treatment programs account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund..... No limit  
Statistical analysis — federal fund..... No limit  
Drug abuse fund — federal..... No limit

Sec. 157.

KANSAS SENTENCING COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures ..... \$896,404

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*, That expenditures from the operating expenditures account for official hospitality shall not exceed \$900.

Substance abuse treatment programs ..... \$6,499,506

*Provided*, That any unencumbered balance in the substance abuse treatment programs account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund..... No limit  
Statistical analysis – federal fund..... No limit  
Drug abuse fund – federal..... No limit



Sec. 158.

KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas commission on peace officers' standards and training fund ..... \$580,116

Provided, That expenditures from the Kansas commission on peace officers' standards and training fund for official hospitality shall not exceed \$1,000.

Local law enforcement training reimbursement fund..... No limit

Sec. 159.

KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas commission on peace officers' standards and training fund ..... \$593,985

Provided, That expenditures from the Kansas commission on peace officers' standards and training fund for official hospitality shall not exceed \$1,000.

Local law enforcement training reimbursement fund..... No limit

Sec. 160.

KANSAS DEPARTMENT OF AGRICULTURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures ..... \$9,187,072

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated to the operating expenditures account for fiscal year 2016: Provided further, That expenditures from this account for official hospitality shall not exceed \$10,000.

Wheat genetics research..... \$160,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such

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

Dairy fee fund .....	No limit
Meat and poultry inspection fee fund.....	No limit
Wheat quality survey fund .....	No limit
Plant protection fee fund.....	No limit
Laboratory equipment fund .....	No limit
Water structures – state highway fund.....	No limit
Soil amendment fee fund .....	No limit
Agricultural liming materials fee fund.....	No limit
Weights and measures fee fund.....	No limit
Water appropriation certification fund.....	No limit
Water resources cost fund .....	No limit

*Provided*, That all moneys received by the secretary of agriculture from any governmental or nongovernmental source to implement the provisions of the Kansas water banking act, K.S.A. 2014 Supp. 82a-761 through 82a-773, and amendments thereto, which are hereby authorized to be applied for and received, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the water resources cost fund.

Agriculture seed fee fund .....	No limit
Chemigation fee fund .....	No limit
Agriculture statistics fund .....	No limit
Petroleum inspection fee fund .....	No limit
Water transfer hearing fund.....	\$0
Grain commodity commission services fund .....	No limit
Kansas agricultural remediation fund.....	No limit
Warehouse fee fund.....	No limit
U.S. geological survey cooperative gauge agreement grants fund .....	No limit

*Provided*, That the secretary of agriculture is hereby authorized to enter into a cooperative gauge agreement with the United States geological survey: *Provided further*, That all moneys collected for the construction or operation of river water intake gauges shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the U.S. geological survey cooperative gauge agreement grants fund: *And provided further*, That expenditures may be made from this fund to pay the costs incurred in the construction or operation of river water intake gauges.

Agricultural chemical fee fund.....	No limit
Feeding stuffs fee fund .....	No limit
Fertilizer fee fund .....	No limit
Plant pest emergency response fund .....	No limit
Pesticide use fee fund .....	No limit

Egg fee fund .....	No limit
Water structures fund .....	No limit
Meat and poultry inspection fund – federal .....	No limit
EPA pesticide performance partnership grant – federal fund .....	No limit
FEMA dam safety – federal fund .....	No limit
FEMA – hazard mitigation map federal fund .....	No limit
State trade and export promotion – federal fund .....	No limit
FDA tissue residue – federal fund .....	No limit
USDA quality samples – federal fund .....	No limit
Conversion of materials and equipment fund .....	No limit
Trademark fund .....	No limit
Market development fund .....	No limit

*Provided*, That expenditures may be made from the market development fund for official hospitality: *Provided further*, That expenditures may be made from the market development fund for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of agriculture: *And provided further*, That all moneys received by the department of agriculture for repayment of loans made under the agricultural value added center program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the market development fund.

Reimbursement and recovery fund .....	No limit
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*Provided*, That expenditures may be made from the reimbursement and recovery fund for official hospitality.

Conference registration and disbursement fund .....	No limit
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*Provided*, That expenditures may be made from the conference registration and disbursement fund for official hospitality.

Buffer participation incentive fund .....	No limit
Land reclamation fee fund .....	No limit
County option brand fee fund .....	No limit
Livestock brand emergency revolving fund .....	No limit
Livestock brand fee fund .....	No limit

*Provided*, That expenditures from the livestock brand fee fund for official hospitality shall not exceed \$250.

Livestock market brand inspection fee fund .....	No limit
Veterinary inspection fee fund .....	No limit
Animal dealers fee fund .....	No limit

*Provided*, That expenditures from the animal dealers fee fund for official hospitality shall not exceed \$300: *Provided further*, That expenditures shall be made from the animal dealers fee fund by the livestock commissioner for operating expenditures for an educational course regarding animals and their care and treatment as authorized by K.S.A. 47-1707,

and amendments thereto, to be provided through the internet or printed booklets: *And provided further*, That, notwithstanding the provisions of any statute to the contrary, during fiscal year 2016 the Kansas department of agriculture may prorate license fees and alter license due dates as needed in order to transition to online license applications and renewals for the fiscal year ending June 30, 2016.

Animal disease control fund..... No limit

*Provided*, That expenditures from the animal disease control fund for official hospitality shall not exceed \$450.

Market protection promotion – federal fund ..... No limit

Health and human services retail food audit – federal fund ..... No limit

Specialty crop block grant – federal fund ..... No limit

Publications fee fund ..... No limit

*Provided*, That expenditures may be made from the publications fee fund for operating expenditures related to preparation and publication of informational or educational materials related to the programs or functions of the Kansas department of agriculture: *Provided further*, That, notwithstanding the provisions of K.S.A. 75-1005, and amendments thereto, to the contrary, the secretary of agriculture is hereby authorized to enter into a contract with a commercial publisher for the printing, distribution and sale of such materials: *And provided further*, That the secretary of agriculture is hereby authorized to collect fees from such commercial publisher pursuant to contract with the publisher for the sale of such materials: *And provided further*, That the secretary of agriculture is hereby authorized to receive and accept grants, gifts, donations or funds from any non-federal source for the printing, publication and distribution of such materials: *And provided further*, That all moneys received from such fees or for such grants, gifts, donations or other funds received for such purpose, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the publications fee fund.

Homeland security grant – federal fund..... No limit

USDA national agricultural statistics services – federal fund ..... No limit

Retail food good manufacturing practice management – federal fund..... No limit

Medicated feed and FDA BSE inspection – federal fund ..... No limit

National floodplain insurance assistance (CAP) – federal fund ..... No limit

Cooperating technical partners – federal fund ..... No limit

Plant and animal disease & pest control – federal fund .... No limit

Country of origin labeling (COOL) – federal fund..... No limit

USDA Kansas forestry service – federal fund .....	No limit
Food safety fee fund.....	No limit
Gifts and donations fund .....	No limit

*Provided*, That the secretary of agriculture is hereby authorized to receive gifts and donations of resources and money for services for the benefit and support of agriculture and purposes related thereto: *Provided further*, That such gifts and donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the gifts and donations fund.

General fees fund.....	No limit
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*Provided*, That expenditures may be made from the general fees fund for operating expenditures for the regulatory programs of the Kansas department of agriculture and for official hospitality: *Provided further*, That the director of accounts and reports shall transfer an amount or amounts specified by the secretary of agriculture from any special revenue fund or funds of the department of agriculture, which have available moneys, to the general fee fund: *And provided further*, That the director of accounts and reports shall transmit a copy of such transfer request to the director of legislative research.

Lodging fee fund.....	No limit
Watershed protect approach/WTR RSRCE MGT fund....	No limit
NRCS contribution agreement farm bill – federal fund....	No limit
Livestock market reporting fund.....	No limit
Compliance education fee fund.....	No limit

*Provided*, That all expenditures from the compliance education fee fund shall be for the purposes of compliance education: *Provided further*, That, notwithstanding the provisions of any statute to the contrary, during fiscal year 2016, the secretary of agriculture is hereby authorized to remit and designate amounts of moneys collected for civil fines and penalties by the department of agriculture to the state treasurer for deposit in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the compliance education fee fund: *And provided further*, That, upon receipt of each such remittance and designation, the state treasurer shall credit the entire amount of such remittance to the compliance education fee fund.

Laboratory testing services fee fund.....	No limit
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*Provided*, That expenditures may be made from the laboratory testing services fee fund for administrative operating expenditures of the agriculture laboratory of the Kansas department of agriculture: *Provided further*, That the director of accounts and reports shall transfer an amount or amounts specified by the secretary of agriculture from any special revenue fund or funds of the department of agriculture, which have available moneys, to the laboratory testing services fee fund: *And provided*

*further*, That the director of accounts and reports shall transmit a copy of such transfer request to the director of legislative research.

Arkansas river gaging fund.....	No limit
Veterinary examiners fee fund.....	\$379,072

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2016, for the water plan project or projects specified, the following:

Water resources cost share .....	\$1,948,289
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*Provided*, That any unencumbered balance in the water resources cost share account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That the initial allocation for grants to conservation districts for fiscal year 2016 shall be made on a priority basis, as determined by the secretary of agriculture and the provisions of the state water plan: *And provided further*, That expenditures from this account for contractual technical expertise and/or non-salary administration expenditures of the division of conservation of the Kansas department of agriculture shall not exceed the amount equal to 6.0% of the budget amount for fiscal year 2016 for the water resources cost share account.

Nonpoint source pollution assistance .....	\$1,858,350
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*Provided*, That any unencumbered balance in the nonpoint source pollution assistance account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Conservation district aid.....	\$2,092,637
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*Provided*, That any unencumbered balance in the conservation district aid account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Watershed dam construction.....	\$576,434
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*Provided*, That any unencumbered balance in the watershed dam construction account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That expenditures from the watershed dam construction account are hereby authorized for engineering contracts for watershed planning as determined by the secretary of agriculture.

Lake restoration .....	\$258,156
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*Provided*, That any unencumbered balance in the lake restoration account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Kansas water quality buffer initiatives.....	\$249,792
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*Provided*, That any unencumbered balance in the Kansas water quality buffer initiatives account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That all expendi-

tures from the Kansas water quality buffer initiatives account shall be for grants or incentives to install water quality best management practices: *And provided further*, That such expenditures may be made from this account from the approved budget amount for fiscal year 2016 in accordance with contracts, which are hereby authorized to be entered into by the secretary of agriculture, for such grants or incentives.

Riparian and wetland program ..... \$152,651

*Provided*, That any unencumbered balance in the riparian and wetland program account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Basin management ..... \$719,766

*Provided*, That any unencumbered balance in the basin management account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Water use..... \$54,077

*Provided*, That any unencumbered balance in the water use account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Interstate water issues..... \$441,678

*Provided*, That any unencumbered balance in the interstate water issues account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Conservation reserve enhancement program ..... \$446,040

*Provided*, That any unencumbered balance in the conservation reserve enhancement program account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That, in addition, fiscal year 2016 expenditures, from the conservation reserve enhancement program account, are authorized to be made by the division of conservation of the Kansas department of agriculture: *And provided further*, That all expenditures under the conservation reserve enhancement program, referred to as CREP in this subsection, are subject to the following criteria: (1) The total number of acres enrolled in Kansas in CREP for the nine fiscal years 2008 through 2016 shall not exceed 40,000 acres; (2) the number of acres eligible for enrollment in CREP in Kansas shall be limited to one-half of the number of acres represented by contracts in the federal conservation reserve program that have expired in the prior year in counties within the CREP area, except that if federal law permits the land enrolled in the CREP program to be used for agricultural purposes such as planting of agricultural commodities, including, but not limited to, grains, cellulosic or biomass materials, alfalfa, grasses, legumes or other cover crops then the number of acres eligible for enrollment shall be limited to the number of acres represented by contracts in the federal conservation reserve program that have expired

in the prior year in counties within the CREP area; (3) lands enrolled in the conservation reserve program as of January 1, 2008, shall not be eligible for enrollment in CREP; (4) no more than 25% of the acreage in CREP may be in any one county except that the last eligible enrollment offer to exceed the number of acres constituting a 25% acreage cap in any one county shall be approved; (5) no water right that is owned by a governmental entity, except a groundwater management district, shall be purchased or retired by the state or federal government pursuant to CREP; and (6) only water rights in good standing are eligible for inclusion under CREP: *And provided further*, That to be a water right in good standing the following criteria must be met: (A) At least 50% of the maximum annual quantity authorized to be diverted under the water right has been used in any three years within the most recent five-year period preceding offer submission for which irrigation water use reports are approved and made available by the division of water resources of the Kansas department of agriculture; (B) the water rights used for the acreage in CREP shall not have exceeded the maximum annual quantity authorized to be diverted during the most recent five-year period preceding offer submission for which irrigation water use reports are approved and made available by the division of water resources and shall not have been the subject of enforcement sanctions by the division of water resources during the most recent five-year period preceding offer submission for which irrigation water use reports are approved and made available by the division of water resources; and (C) the water right holder has submitted the required annual water use report required by K.S.A. 82a-732, and amendments thereto, for each of the most recent 10 years; *And provided further*, That the Kansas department of agriculture shall submit a CREP report to the senate committee on natural resources and the house committee on agriculture and natural resources at the beginning of the 2016 regular session of the legislature which shall contain a description of program activities and shall include: (i) The total water rights, measured in acre feet, retired in CREP during fiscal year 2008 through fiscal year 2016, to date, (ii) the acreage enrolled in CREP during fiscal year 2008 through fiscal year 2016, to date, (iii) the dollar amounts received and expended for CREP during fiscal year 2008 through fiscal year 2016, to date, (iv) the economic impact of the CREP, (v) the change in groundwater levels in the CREP area during fiscal year 2008 through fiscal year 2016, to date, (vi) the annual amount of water usage in the CREP area during fiscal year 2008 through fiscal year 2016, to date, (vii) an assessment of meeting each of the program objectives identified in the agreement with the farm service agency, and (viii) such other information as the Kansas department of agriculture shall specify.

(d) During the fiscal year ending June 30, 2016, the secretary of agriculture, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation



and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, or upon specific authorization in an appropriation act of the legislature, may transfer any part of any item of appropriation for fiscal year 2016 from the state water plan fund for the Kansas department of agriculture to another item of appropriation for fiscal year 2016 from the state water plan fund for the Kansas department of agriculture: *Provided*, That the secretary of agriculture shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to: (1) The director of legislative research; (2) the chairperson of the house of representatives agriculture and natural resources budget committee; and (3) the appropriate chairperson of the subcommittee on agriculture of the senate committee on ways and means.

(e) On July 1, 2015, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$128,379 from the state highway fund of the department of transportation to the water structures — state highway fund of the Kansas department of agriculture.

(f) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2016, the following:

Agriculture marketing program ..... \$561,160

*Provided*, That expenditures may be made from the agriculture marketing program account for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of agriculture in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary of agriculture therefor under the agricultural value added center program.

(g) During the fiscal year ending June 30, 2016, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made by the above agency from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 as authorized by this act or other appropriation act of the 2015 regular session of the legislature, expenditures shall be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 to prepare a zero based budget for the department of agriculture that includes fiscal year 2014 and fiscal year 2015 actual expenditures and projected expenditures for fiscal year 2016 and fiscal year 2017 detailed by each program; *Provided*: That performance measures shall be included for each program based on the zero based budget; *Provided further*, That the proposed zero based budget shall be submitted to the house appropriations committee and the senate ways and means committee prior to January 29, 2016.

Sec. 161.

KANSAS DEPARTMENT OF AGRICULTURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures ..... \$9,584,968

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated to the operating expenditures account for fiscal year 2017: *Provided further*, That expenditures from this account for official hospitality shall not exceed \$10,000.

Wheat genetics research..... \$160,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Dairy fee fund .....	No limit
Meat and poultry inspection fee fund.....	No limit
Wheat quality survey fund .....	No limit
Plant protection fee fund.....	No limit
Laboratory equipment fund .....	No limit
Water structures – state highway fund.....	No limit
Soil amendment fee fund .....	No limit
Agricultural liming materials fee fund.....	No limit
Weights and measures fee fund.....	No limit
Water appropriation certification fund.....	No limit
Water resources cost fund .....	No limit

*Provided*, That all moneys received by the secretary of agriculture from any governmental or nongovernmental source to implement the provisions of the Kansas water banking act, K.S.A. 2014 Supp. 82a-761 through 82a-773, and amendments thereto, which are hereby authorized to be applied for and received, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the water resources cost fund.

Agriculture seed fee fund .....	No limit
Chemigation fee fund .....	No limit
Agriculture statistics fund .....	No limit
Petroleum inspection fee fund .....	No limit
Water transfer hearing fund.....	\$0
Grain commodity commission services fund .....	No limit
Kansas agricultural remediation fund.....	No limit
Warehouse fee fund.....	No limit

U.S. geological survey cooperative gauge agreement grants fund ..... No limit

*Provided*, That the secretary of agriculture is hereby authorized to enter into a cooperative gauge agreement with the United States geological survey: *Provided further*, That all moneys collected for the construction or operation of river water intake gauges shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the U.S. geological survey cooperative gauge agreement grants fund: *And provided further*, That expenditures may be made from this fund to pay the costs incurred in the construction or operation of river water intake gauges.

- Agricultural chemical fee fund..... No limit
- Feeding stuffs fee fund ..... No limit
- Fertilizer fee fund ..... No limit
- Plant pest emergency response fund ..... No limit
- Pesticide use fee fund ..... No limit
- Egg fee fund ..... No limit
- Water structures fund ..... No limit
- Meat and poultry inspection fund – federal..... No limit
- EPA pesticide performance partnership grant – federal fund ..... No limit
- FEMA dam safety – federal fund ..... No limit
- FEMA – hazard mitigation map federal fund ..... No limit
- State trade and export promotion – federal fund..... No limit
- FDA tissue residue – federal fund ..... No limit
- USDA quality samples – federal fund..... No limit
- Conversion of materials and equipment fund ..... No limit
- Trademark fund ..... No limit
- Market development fund ..... No limit

*Provided*, That expenditures may be made from the market development fund for official hospitality: *Provided further*, That expenditures may be made from the market development fund for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of agriculture: *And provided further*, That all moneys received by the department of agriculture for repayment of loans made under the agricultural value added center program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the market development fund.

Reimbursement and recovery fund ..... No limit

*Provided*, That expenditures may be made from the reimbursement and recovery fund for official hospitality.

Conference registration and disbursement fund..... No limit

*Provided*, That expenditures may be made from the conference registration and disbursement fund for official hospitality.

Buffer participation incentive fund.....	No limit
Land reclamation fee fund.....	No limit
County option brand fee fund.....	No limit
Livestock brand emergency revolving fund.....	No limit
Livestock brand fee fund.....	No limit

*Provided*, That expenditures from the livestock brand fee fund for official hospitality shall not exceed \$250.

Livestock market brand inspection fee fund .....	No limit
Veterinary inspection fee fund.....	No limit
Animal dealers fee fund .....	No limit

*Provided*, That expenditures from the animal dealers fee fund for official hospitality shall not exceed \$300: *Provided further*, That expenditures shall be made from the animal dealers fee fund by the livestock commissioner for operating expenditures for an educational course regarding animals and their care and treatment as authorized by K.S.A. 47-1707, and amendments thereto, to be provided through the internet or printed booklets: *And provided further*, That, notwithstanding the provisions of any statute to the contrary, during fiscal year 2017 the Kansas department of agriculture may prorate license fees and alter license due dates as needed in order to transition to online license applications and renewals for the fiscal year ending June 30, 2017.

Animal disease control fund.....	No limit
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*Provided*, That expenditures from the animal disease control fund for official hospitality shall not exceed \$450.

Market protection promotion – federal fund .....	No limit
Health and human services retail food audit – federal fund .....	No limit
Specialty crop block grant – federal fund.....	No limit
Publications fee fund .....	No limit

*Provided*, That expenditures may be made from the publications fee fund for operating expenditures related to preparation and publication of informational or educational materials related to the programs or functions of the Kansas department of agriculture: *Provided further*, That, notwithstanding the provisions of K.S.A. 75-1005, and amendments thereto, to the contrary, the secretary of agriculture is hereby authorized to enter into a contract with a commercial publisher for the printing, distribution and sale of such materials: *And provided further*, That the secretary of agriculture is hereby authorized to collect fees from such commercial publisher pursuant to contract with the publisher for the sale of such materials: *And provided further*, That the secretary of agriculture is hereby authorized to receive and accept grants, gifts, donations or funds

from any non-federal source for the printing, publication and distribution of such materials: *And provided further*, That all moneys received from such fees or for such grants, gifts, donations or other funds received for such purpose, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the publications fee fund.

Homeland security grant – federal fund.....	No limit
USDA national agricultural statistics services – federal fund .....	No limit
Retail food good manufacturing practice management – federal fund.....	No limit
Medicated feed and FDA BSE inspection – federal fund .....	No limit
National floodplain insurance assistance (CAP) – federal fund .....	No limit
Cooperating technical partners – federal fund .....	No limit
Plant and animal disease & pest control – federal fund ....	No limit
Country of origin labeling (COOL) – federal fund.....	No limit
USDA Kansas forestry service – federal fund .....	No limit
Food safety fee fund.....	No limit
Gifts and donations fund .....	No limit

*Provided*, That the secretary of agriculture is hereby authorized to receive gifts and donations of resources and money for services for the benefit and support of agriculture and purposes related thereto: *Provided further*, That such gifts and donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the gifts and donations fund.

General fees fund.....	No limit
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*Provided*, That expenditures may be made from the general fees fund for operating expenditures for the regulatory programs of the Kansas department of agriculture and for official hospitality: *Provided further*, That the director of accounts and reports shall transfer an amount or amounts specified by the secretary of agriculture from any special revenue fund or funds of the department of agriculture, which have available moneys, to the general fee fund: *And provided further*, That the director of accounts and reports shall transmit a copy of such transfer request to the director of legislative research.

Lodging fee fund.....	No limit
Watershed protect approach/WTR RSRCE MGT fund....	No limit
NRCS contribution agreement farm bill – federal fund....	No limit
Livestock market reporting fund.....	No limit
Compliance education fee fund.....	No limit

*Provided*, That all expenditures from the compliance education fee fund

shall be for the purposes of compliance education: *Provided further*, That, notwithstanding the provisions of any statute to the contrary, during fiscal year 2017, the secretary of agriculture is hereby authorized to remit and designate amounts of moneys collected for civil fines and penalties by the department of agriculture to the state treasurer for deposit in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the compliance education fee fund: *And provided further*, That, upon receipt of each such remittance and designation, the state treasurer shall credit the entire amount of such remittance to the compliance education fee fund.

Laboratory testing services fee fund..... No limit

*Provided*, That expenditures may be made from the laboratory testing services fee fund for administrative operating expenditures of the agriculture laboratory of the Kansas department of agriculture: *Provided further*, That the director of accounts and reports shall transfer an amount or amounts specified by the secretary of agriculture from any special revenue fund or funds of the department of agriculture, which have available moneys, to the laboratory testing services fee fund: *And provided further*, That the director of accounts and reports shall transmit a copy of such transfer request to the director of legislative research.

Arkansas river gaging fund..... No limit

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2017, for the water plan project or projects specified, the following:

Water resources cost share ..... \$1,948,289

*Provided*, That any unencumbered balance in the water resources cost share account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That the initial allocation for grants to conservation districts for fiscal year 2017 shall be made on a priority basis, as determined by the secretary of agriculture and the provisions of the state water plan: *And provided further*, That expenditures from this account for contractual technical expertise and/or non-salary administration expenditures for the division of conservation of the Kansas department of agriculture shall not exceed the amount equal to 6.0% of the budget amount for fiscal year 2017 for the water resources cost share account.

Nonpoint source pollution assistance..... \$1,858,350

*Provided*, That any unencumbered balance in the nonpoint source pollution assistance account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Conservation district aid..... \$2,092,637

*Provided*, That any unencumbered balance in the conservation district

aid account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Watershed dam construction..... \$576,434

*Provided*, That any unencumbered balance in the watershed dam construction account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That expenditures from the watershed dam construction account are hereby authorized for engineering contracts for watershed planning as determined by the secretary of agriculture.

Lake restoration ..... \$258,156

*Provided*, That any unencumbered balance in the lake restoration account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Kansas water quality buffer initiatives..... \$249,792

*Provided*, That any unencumbered balance in the Kansas water quality buffer initiatives account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That all expenditures from the Kansas water quality buffer initiatives account shall be for grants or incentives to install water quality best management practices: *And provided further*, That such expenditures may be made from this account from the approved budget amount for fiscal year 2017 in accordance with contracts, which are hereby authorized to be entered into by the secretary of agriculture, for such grants or incentives.

Riparian and wetland program ..... \$152,651

*Provided*, That any unencumbered balance in the riparian and wetland program account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Basin management ..... \$613,195

*Provided*, That any unencumbered balance in the basin management account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Water use..... \$53,355

*Provided*, That any unencumbered balance in the water use account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Interstate water issues..... \$438,753

*Provided*, That any unencumbered balance in the interstate water issues account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(d) During the fiscal year ending June 30, 2017, the secretary of agriculture, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation

and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, or upon specific authorization in an appropriation act of the legislature, may transfer any part of any item of appropriation for fiscal year 2017 from the state water plan fund for the Kansas department of agriculture to another item of appropriation for fiscal year 2017 from the state water plan fund for the Kansas department of agriculture: *Provided*, That the secretary of agriculture shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to: (1) The director of legislative research; (2) the chairperson of the house of representatives agriculture and natural resources budget committee; and (3) the appropriate chairperson of the subcommittee on agriculture of the senate committee on ways and means.

(e) On July 1, 2016, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$128,379 from the state highway fund of the department of transportation to the water structures — state highway fund of the Kansas department of agriculture.

(f) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2017, the following:

Agriculture marketing program ..... \$1,055,627

*Provided*, That expenditures may be made from the agriculture marketing program account for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of agriculture in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary of agriculture therefor under the agricultural value added center program.

Sec. 162.

STATE FAIR BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures, other than refunds authorized by law and remittances of sales tax to the department of revenue, shall not exceed the following:

State fair fee fund ..... No limit

*Provided*, That expenditures from the state fair fee fund for official hospitality shall not exceed \$15,000.

State fair federal transfer fund ..... No limit

State fair special cash fund ..... No limit

State fair debt service special revenue fund..... No limit



Sec. 163.

STATE FAIR BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures, other than refunds authorized by law and remittances of sales tax to the department of revenue, shall not exceed the following:

State fair fee fund .....	No limit
<i>Provided</i> , That expenditures from the state fair fee fund for official hospitality shall not exceed \$15,000.	
State fair federal transfer fund .....	No limit
State fair special cash fund .....	No limit
State fair debt service special revenue fund.....	No limit

Sec. 164.

KANSAS WATER OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Water resources operating expenditures .....	\$1,120,864
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*Provided*, That any unencumbered balance in the water resources operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$1,500.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Local water project match fund.....	No limit
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*Provided*, That all moneys received from local government entities and instrumentalities to be used to match funds for water projects shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local water project match fund: *Provided further*, That all moneys credited to this fund shall be used to match state funds or federal funds, or both for water projects.

Water supply storage assurance fund.....	No limit
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*Provided*, That no additional water supply storage space shall be purchased in Milford, Perry, Big Hill or Hillsdale reservoirs during fiscal year 2016, unless a contract is entered into under the state water plan storage act, K.S.A. 82a-1301 et seq., and amendments thereto, to supply water to users which is not held under contract in such reservoirs.

Water supply storage acquisition fund .....	No limit
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*Provided*, That, on July 1, 2015, or as soon thereafter as moneys are available, notwithstanding the provisions of any other statute, the director of accounts and reports shall transfer \$120 from the water supply storage acquisition fund to the state general fund.

State conservation storage water supply fund.....	No limit
Water marketing fund.....	No limit
EPA wetland grant — federal fund.....	No limit
General fees fund.....	No limit

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

Indirect cost fund.....	No limit
Motor pool vehicle replacement fund.....	No limit
Reservoir storage beneficial use fund .....	No limit

*Provided*, That expenditures may be made by the above agency from the reservoir storage beneficial use fund to call water into service for beneficial uses or to complete studies or take actions necessary to ensure reservoir storage sustainability, subject to the availability of moneys credited to the reservoir storage beneficial use fund.

Arkansas river water conservation projects fund.....	No limit
Republican river water conservation projects — Nebraska moneys fund.....	No limit
Republican river water conservation projects — Colorado moneys fund.....	No limit
Lower Smoky Hill water supply access fund.....	No limit

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2016, for the state water plan project or projects specified, the following:

Assessment and evaluation.....	\$570,725
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*Provided*, That any unencumbered balance in the assessment and evaluation account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

GIS data base development .....	\$112,306
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*Provided*, That any unencumbered balance in the GIS data base devel-

opment account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

MOU — storage operations and maintenance ..... \$289,889

*Provided*, That any unencumbered balance in the MOU — storage operations and maintenance account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Stream gaging ..... \$431,282

*Provided*, That any unencumbered balance in the stream gaging account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Technical assistance to water users ..... \$364,238

*Provided*, That any unencumbered balance in the technical assistance to water users account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Streambank stabilization ..... \$400,000

Any unencumbered balance in the John Redmond reservoir bonds account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

(d) During the fiscal year ending June 30, 2016, the director of the Kansas water office, with approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2016 from the state water plan fund for the Kansas water office to another item of appropriation for fiscal year 2016 from the state water plan fund for the Kansas water office: *Provided*, That the director of the Kansas water office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to: (1) The director of legislative research; (2) the chairperson of the house of representatives agriculture and natural resources budget committee; and (3) the appropriate chairperson of the subcommittee on natural resources of the senate committee on ways and means.

(e) During the fiscal year ending June 30, 2016, if it appears that the resources are insufficient to meet in full the estimated expenditures as they become due to meet the financial obligations imposed by law on the water marketing fund of the Kansas water office as a result of a cash flow shortfall, the pooled money investment board is authorized and directed to loan to the director of the Kansas water office a sufficient amount or amounts of moneys to maintain the cash flow of the water marketing fund upon approval of each such loan by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto. No such loan shall be made unless the terms have been approved by the director of the budget. A copy of the terms of each such loan shall be submitted to the director of legislative

research. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for each such loan. Each such loan shall be repaid without interest within one year from the date of the loan.

(f) During the fiscal year ending June 30, 2016, if it appears that the resources are insufficient to meet in full the estimated expenditures as they become due to meet the financial obligations imposed by law on the water marketing fund of the Kansas water office as a result of increases in water rates, fees or charges imposed by the federal government, the pooled money investment board is authorized and directed to loan to the director of the Kansas water office a sufficient amount or amounts of moneys to reimburse the water marketing fund for increases in water rates, fees or charges imposed by the federal government and to allow the Kansas water office to spread such increases to consumers over a longer period, except that no such loan shall be made unless the terms thereof have been approved by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for each such loan. Each such loan shall bear interest at a rate equal to the net earnings rate for the pooled money investment portfolio at the time of the making of such loan. Such loan shall not be deemed to be an indebtedness or debt of the state of Kansas within the meaning of section 6 of article 11 of the constitution of the state of Kansas. Upon certification to the pooled money investment board by the director of the Kansas water office of the amount of each loan authorized pursuant to this subsection, the pooled money investment board shall transfer each such amount certified by the director of the Kansas water office from the state bank account or accounts to the water marketing fund of the Kansas water office. The principal and interest of each loan authorized pursuant to this subsection shall be repaid in payments payable at least annually for a period of not more than five years.

(g) During the fiscal year ending June 30, 2016, the director of accounts and reports shall transfer an amount or amounts specified by the director of the Kansas water office prior to April 1, 2016, from the water marketing fund to the state general fund, in accordance with the provisions of the state water plan storage act, K.S.A. 82a-1301 et seq., and amendments thereto, and rules and regulations adopted thereunder, for the purposes of making repayments to the state general fund for moneys advanced for annual capital cost payments for water supply storage space in reservoirs.

(h) During the fiscal year ending June 30, 2016, in addition to the

other purposes for which expenditures may be made by the Kansas water office from moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2016 by this or other appropriation act of the 2015 regular session of the legislature, expenditures shall be made by the Kansas water office from the state general fund or from any special revenue fund or funds for fiscal year 2016, to provide for the Kansas water office to lead database coordination of water quality and quantity data for all state water agencies and cooperating federal agencies to facilitate policy-making and such other matters relating thereto.

(i) Notwithstanding the provisions of K.S.A. 82a-1315c, and amendments thereto, or any other statute, on July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$186,148 from the water marketing fund of the Kansas water office to the state general fund.

(j) Notwithstanding the provisions of K.S.A. 82a-951, and amendments thereto, or any other statute, on July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,488,452 from the John Redmond reservoir bond account of the state water plan fund of the Kansas water office to the state general fund.

Sec. 165.

KANSAS WATER OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Water resources operating expenditures ..... \$1,160,307

*Provided*, That any unencumbered balance in the water resources operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$1,500.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Local water project match fund..... No limit

*Provided*, That all moneys received from local government entities and instrumentalities to be used to match funds for water projects shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local water project match fund: *Provided further*, That all moneys credited to this fund shall be used to match state funds or federal funds, or both for water projects.

Water supply storage assurance fund..... No limit

*Provided*, That no additional water supply storage space shall be pur-

chased in Milford, Perry, Big Hill or Hillsdale reservoirs during fiscal year 2017, unless a contract is entered into under the state water plan storage act, K.S.A. 82a-1301 et seq., and amendments thereto, to supply water to users which is not held under contract in such reservoirs.

Water supply storage acquisition fund ..... No limit

*Provided*, That, on July 1, 2016, or as soon thereafter as moneys are available, notwithstanding the provisions of any other statute, the director of accounts and reports shall transfer \$120 from the water supply storage acquisition fund to the state general fund.

State conservation storage water supply fund..... No limit

Water marketing fund..... No limit

EPA wetland grant – federal fund..... No limit

General fees fund..... No limit

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

Indirect cost fund..... No limit

Motor pool vehicle replacement fund..... No limit

Reservoir storage beneficial use fund ..... No limit

*Provided*, That expenditures may be made by the above agency from the reservoir storage beneficial use fund to call water into service for beneficial uses or to complete studies or take actions necessary to ensure reservoir storage sustainability, subject to the availability of moneys credited to the reservoir storage beneficial use fund.

Arkansas river water conservation projects fund..... No limit

Republican river water conservation projects – Nebraska moneys fund..... No limit

Republican river water conservation projects – Colorado moneys fund..... No limit

Lower Smoky Hill water supply access fund..... No limit

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2017, for the state water plan project or projects specified, the following:

Assessment and evaluation..... \$510,725

*Provided*, That any unencumbered balance in the assessment and evaluation account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

GIS data base development ..... \$112,306

*Provided*, That any unencumbered balance in the GIS data base development account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

MOU – storage operations and maintenance ..... \$289,889

*Provided*, That any unencumbered balance in the MOU – storage operations and maintenance account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Stream gaging ..... \$431,282

*Provided*, That any unencumbered balance in the stream gaging account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Technical assistance to water users ..... \$364,238

*Provided*, That any unencumbered balance in the technical assistance to water users account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

John Redmond reservoir bonds ..... \$916,550

*Provided*, That any unencumbered balance in the John Redmond reservoir bonds account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Streambank stabilization ..... \$400,000

*Provided*, That any unencumbered balance in the streambank stabilization account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(d) During the fiscal year ending June 30, 2017, the director of the Kansas water office, with approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2017 from the state water plan fund for the Kansas water office to another item of appropriation for fiscal year 2017 from the state water plan fund for the Kansas water office: *Provided*, That the director of the Kansas water office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to: (1) The director of legislative research; (2) the chairperson of the house of representatives agriculture and natural resources budget committee; and (3) the appropriate chairperson of the subcommittee on natural resources of the senate committee on ways and means.

(e) During the fiscal year ending June 30, 2017, if it appears that the resources are insufficient to meet in full the estimated expenditures as they become due to meet the financial obligations imposed by law on the

water marketing fund of the Kansas water office as a result of a cash flow shortfall, the pooled money investment board is authorized and directed to loan to the director of the Kansas water office a sufficient amount or amounts of moneys to maintain the cash flow of the water marketing fund upon approval of each such loan by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto. No such loan shall be made unless the terms have been approved by the director of the budget. A copy of the terms of each such loan shall be submitted to the director of legislative research. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for each such loan. Each such loan shall be repaid without interest within one year from the date of the loan.

(f) During the fiscal year ending June 30, 2017, if it appears that the resources are insufficient to meet in full the estimated expenditures as they become due to meet the financial obligations imposed by law on the water marketing fund of the Kansas water office as a result of increases in water rates, fees or charges imposed by the federal government, the pooled money investment board is authorized and directed to loan to the director of the Kansas water office a sufficient amount or amounts of moneys to reimburse the water marketing fund for increases in water rates, fees or charges imposed by the federal government and to allow the Kansas water office to spread such increases to consumers over a longer period, except that no such loan shall be made unless the terms thereof have been approved by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for each such loan. Each such loan shall bear interest at a rate equal to the net earnings rate for the pooled money investment portfolio at the time of the making of such loan. Such loan shall not be deemed to be an indebtedness or debt of the state of Kansas within the meaning of section 6 of article 11 of the constitution of the state of Kansas. Upon certification to the pooled money investment board by the director of the Kansas water office of the amount of each loan authorized pursuant to this subsection, the pooled money investment board shall transfer each such amount certified by the director of the Kansas water office from the state bank account or accounts to the water marketing fund of the Kansas water office. The principal and interest of each loan authorized pursuant to this subsection shall be repaid in payments payable at least annually for a period of not more than five years.



(g) During the fiscal year ending June 30, 2017, the director of accounts and reports shall transfer an amount or amounts specified by the director of the Kansas water office prior to April 1, 2017, from the water marketing fund to the state general fund, in accordance with the provisions of the state water plan storage act, K.S.A. 82a-1301 et seq., and amendments thereto, and rules and regulations adopted thereunder, for the purposes of making repayments to the state general fund for moneys advanced for annual capital cost payments for water supply storage space in reservoirs.

(h) During the fiscal year ending June 30, 2017, in addition to the other purposes for which expenditures may be made by the Kansas water office from moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2017 by this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures shall be made by the Kansas water office from the state general fund or from any special revenue fund or funds for fiscal year 2017, to provide for the Kansas water office to lead database coordination of water quality and quantity data for all state water agencies and cooperating federal agencies to facilitate policy-making and such other matters relating thereto.

(i) Notwithstanding the provisions of K.S.A. 82a-1315c, and amendments thereto, or any other statute, on July 1, 2016, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$756,450 from the water marketing fund of the Kansas water office to the state general fund.

(j) Notwithstanding the provisions of K.S.A. 82a-951, and amendments thereto, or any other statute, on July 1, 2016, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$916,550 from the John Redmond reservoir bond account of the state water plan fund of the Kansas water office to the state general fund.

Sec. 166.

KANSAS DEPARTMENT OF WILDLIFE, PARKS AND TOURISM

(a) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2016, the following:

Operating expenditures ..... \$1,747,632

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$1,000: *Provided further*, That, in addition to the other purposes for which expenditures may be made by the above agency from the operating expenditures account for fiscal year 2016, expenditures shall be made by the above agency from the operating expenditures account for fiscal year 2016 to include a pro-

vision on the calendar year 2016 applications for hunting licenses, fishing licenses and annual park permits for the applicant to make a voluntary contribution of \$2 or more to support the annual licenses issued to Kansas disabled veterans, annual licenses issued to Kansas national guard members, and annual park permits issued to Kansas national guard members: *And provided further*, That all moneys received as voluntary contributions to support the annual licenses issued to Kansas disabled veterans, annual licenses issued to Kansas national guard members, and annual park permits issued to Kansas national guard members shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the free licenses and permits fund.

State parks operating expenditures..... \$1,639,317

*Provided*, That any unencumbered balance in the state parks operating expenditures account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Travel and tourism operating expenditures..... \$1,708,086

*Provided*, That expenditures from the travel and tourism operating expenditures fund for official hospitality shall not exceed \$4,000.

Reimbursement for annual licenses issued to national guard members..... \$36,342

*Provided*, That any unencumbered balance in the reimbursement for annual licenses issued to national guard members account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That all moneys in the reimbursement for annual licenses issued to national guard members account shall be expended to pay the wildlife fee fund for the cost of fees for annual hunting and annual fishing licenses issued for the calendar year 2016 to Kansas army or air national guard members, which licenses are hereby authorized to be issued without charge to such members in accordance with policies and procedures prescribed by the secretary of wildlife, parks and tourism therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual licenses issued to national guard members account to pay the wildlife fee fund for such licenses.

Reimbursement for annual park permits issued to national guard members..... \$17,922

*Provided*, That any unencumbered balance in the reimbursement for annual park permits issued to national guard members account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That all moneys in the reimbursement for annual park permits issued to national guard members account shall be expended to pay the parks fee fund for the cost of fees for annual park vehicle permits issued for the calendar year 2016 to Kansas army or air national guard members, which annual park vehicle permits are hereby authorized to be

issued without charge to such members in accordance with policies and procedures prescribed by the secretary of wildlife, parks and tourism therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual park permits issued to national guard members account to pay the parks fee fund for such permits: *Provided further*, That not more than one annual park vehicle permit per family shall be eligible to be paid from this account.

Reimbursement for annual licenses issued to Kansas disabled veterans..... \$39,827

*Provided*, That any unencumbered balance in the reimbursement for annual licenses issued to Kansas disabled veterans account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That all moneys in the reimbursement for annual licenses issued to Kansas disabled veterans account shall be expended to pay the wildlife fee fund for the cost of fees for annual hunting and annual fishing licenses issued for the calendar year 2016 to Kansas disabled veterans, which licenses are hereby authorized to be issued without charge to such veterans in accordance with policies and procedures prescribed by the secretary of wildlife, parks and tourism therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual licenses issued to Kansas disabled veterans account to pay the wildlife fee fund for such licenses: *Provided, however*, That to qualify for such license without charge, the resident disabled veteran shall have been separated from the armed services under honorable conditions, have a disability certified by the Kansas commission on veterans affairs as being service connected and such service connected disability is equal to or greater than 30%: *And provided further*, That no other hunting or fishing licenses or permits shall be eligible to be paid from this account.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Wildlife fee fund..... \$23,666,278

*Provided*, That additional expenditures may be made from the wildlife fee fund for fiscal year 2016 for the purposes of compensating federal aid program expenditures if necessary in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further*, That all such expenditures shall be in addition to any expenditure limitation imposed upon the wildlife fee fund for fiscal year 2016: *And provided further*, That the secretary of wildlife, parks and tourism shall report all such expenditures to the governor and the legislature as appropriate: *And provided further*, That ex-

penditures from the wildlife fee fund for official hospitality shall not exceed \$2,000.

Parks fee fund ..... \$7,287,168

*Provided*, That additional expenditures may be made from the parks fee fund for fiscal year 2016 for the purposes of compensating federal aid program expenditures if necessary in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further*, That all such expenditures shall be in addition to any expenditure limitation imposed upon the parks fee fund for fiscal year 2016: *And provided further*, That the secretary of wildlife, parks and tourism shall report all such expenditures to the governor and the legislature as appropriate.

Boating fee fund ..... \$1,268,001

*Provided*, That additional expenditures may be made from the boating fee fund for fiscal year 2016 for the purposes of compensating federal aid program expenditures if necessary in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further*, That all such expenditures shall be in addition to any expenditure limitation imposed upon the boating fee fund for fiscal year 2016: *And provided further*, That the secretary of wildlife, parks and tourism shall report all such expenditures to the governor and the legislature as appropriate: *And provided further*, That expenditures from this fund for official hospitality shall not exceed \$2,000.

Central aircraft fund ..... No limit

*Provided*, That expenditures may be made by the above agency from the central aircraft fund for aircraft operating expenditures, for aircraft maintenance and repair, to provide aircraft services to other state agencies, and for the purchase of state aircraft insurance: *Provided further*, That the secretary of wildlife, parks and tourism is hereby authorized to fix, charge and collect fees for the provision of aircraft services to other state agencies: *And provided further*, That such fees shall be fixed to recover all or part of the operating expenditures incurred in providing such services: *And provided further*, That all fees received for such services shall be credited to the central aircraft fund.

Department access roads fund ..... \$1,617,268

Wildlife, parks and tourism nonrestricted fund ..... No limit

Prairie spirit rails-to-trails fee fund..... No limit

Plant and animal disease and pest control fund..... No limit

Nongame wildlife improvement fund ..... No limit

Wildlife conservation fund ..... No limit

Federally licensed wildlife areas fund..... No limit

State agricultural production fund..... No limit

Land and water conservation fund – state ..... No limit

Land and water conservation fund – local .....	No limit
Development and promotions fund.....	No limit
Department of wildlife and parks private gifts and dona- tions fund.....	No limit
Fish and wildlife restitution fund.....	No limit
Parks restitution fund.....	No limit
Nonfederal grants fund .....	No limit
Disaster grants – public assistance fund.....	No limit
Soil/water conservation fund .....	No limit
Navigation projects fund.....	No limit
Recreation resource management fund.....	No limit
Cooperative endangered species conservation fund .....	No limit
Landowner incentive program fund .....	No limit
Bulletproof vest partnership fund .....	No limit
Recreational trails program fund.....	No limit
Highway planning/construction fund .....	No limit
Plant/animal disease and pest control fund.....	No limit
Americorps – ARRA fund.....	No limit
Cooperative forestry assistance fund.....	No limit
North America wetland conservation fund .....	No limit
Wildlife services fund.....	No limit
Fish/wildlife management assistance fund .....	No limit
Fish/wildlife core act fund .....	No limit
Watershed protection/flood prevention fund .....	No limit
Suspense fund .....	No limit
Employee maintenance deduction clearing fund.....	No limit
Cabin revenue fund.....	No limit
Feed the hungry fund.....	No limit
State wildlife grants fund.....	No limit
Boating safety financial assistance fund.....	No limit
Wildlife restoration fund .....	No limit
Sport fish restoration fund.....	No limit
Outdoor recreation acquisition, development and planning fund .....	No limit
Publication and other sales fund.....	No limit

*Provided*, That in addition to other purposes for which expenditures may be made by the above agency from moneys appropriated from the publication and other sales fund for fiscal year 2016, expenditures may be made from such fund for the purpose of compensating federal aid program expenditures if necessary in order to comply with the requirements established by the United States fish and wildlife service for utilization of federal aid funds: *Provided further*, That all such expenditures shall be in addition to any expenditures made from the publication and other sales fund for fiscal year 2016: *And provided further*, That the secretary of

wildlife, parks and tourism shall report all such expenditures to the governor and legislature as appropriate.

Free licenses and permits fund.....	No limit
Enforce underage drinking law fund .....	No limit
Migratory bird monitoring .....	No limit
Voluntary public access .....	No limit
EPA – sect 319 nonpoint source fund .....	No limit
Energy efficiency/conservation block grant fund .....	No limit
Endangered species — recovery fund .....	No limit
Wetlands reserve program fund.....	No limit

(c) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$100,000 from the central aircraft fund of the Kansas department of wildlife, parks and tourism to the state general fund.

(d) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$25,000 from the prairie spirit rails-to-trails fee fund of the Kansas department of wildlife, parks and tourism to the state general fund.

(e) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$250,000 from the department access roads fund of the Kansas department of wildlife, parks and tourism to the state general fund.

Sec. 167.

KANSAS DEPARTMENT OF WILDLIFE, PARKS AND TOURISM

(a) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2017, the following:

Operating expenditures ..... \$1,755,492

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$1,000: *Provided further*, That, in addition to the other purposes for which expenditures may be made by the above agency from the operating expenditures account for fiscal year 2017, expenditures shall be made by the above agency from the operating expenditures account for fiscal year 2017 to include a provision on the calendar year 2017 applications for hunting licenses, fishing licenses and annual park permits for the applicant to make a voluntary contribution of \$2 or more to support the annual licenses issued to Kansas disabled veterans, annual licenses issued to Kansas national guard members, and annual park permits issued to Kansas national guard members: *And provided further*, That all moneys received as voluntary contributions to support the annual licenses issued to Kansas disabled veterans, annual licenses issued to Kansas national guard members, and annual park per-

mits issued to Kansas national guard members shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the free licenses and permits fund.

State parks operating expenditures..... \$1,626,371

*Provided*, That any unencumbered balance in the state parks operating expenditures account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Travel and tourism operating expenditures..... \$1,681,573

*Provided*, That expenditures from the travel and tourism operating expenditures fund for official hospitality shall not exceed \$4,000.

Reimbursement for annual licenses issued to national guard members..... \$36,342

*Provided*, That any unencumbered balance in the reimbursement for annual licenses issued to national guard members account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That all moneys in the reimbursement for annual licenses issued to national guard members account shall be expended to pay the wildlife fee fund for the cost of fees for annual hunting and annual fishing licenses issued for the calendar year 2017 to Kansas army or air national guard members, which licenses are hereby authorized to be issued without charge to such members in accordance with policies and procedures prescribed by the secretary of wildlife, parks and tourism therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual licenses issued to national guard members account to pay the wildlife fee fund for such licenses.

Reimbursement for annual park permits issued to national guard members..... \$17,922

*Provided*, That any unencumbered balance in the reimbursement for annual park permits issued to national guard members account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That all moneys in the reimbursement for annual park permits issued to national guard members account shall be expended to pay the parks fee fund for the cost of fees for annual park vehicle permits issued for the calendar year 2017 to Kansas army or air national guard members, which annual park vehicle permits are hereby authorized to be issued without charge to such members in accordance with policies and procedures prescribed by the secretary of wildlife, parks and tourism therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual park permits issued to national guard members account to pay the parks fee fund for such permits: *Provided further*, That not more than one annual park vehicle permit per family shall be eligible to be paid from this account.

Reimbursement for annual licenses issued to Kansas disabled veterans.....	\$39,827
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*Provided*, That any unencumbered balance in the reimbursement for annual licenses issued to Kansas disabled veterans account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017: *Provided further*, That all moneys in the reimbursement for annual licenses issued to Kansas disabled veterans account shall be expended to pay the wildlife fee fund for the cost of fees for annual hunting and annual fishing licenses issued for the calendar year 2017 to Kansas disabled veterans, which licenses are hereby authorized to be issued without charge to such veterans in accordance with policies and procedures prescribed by the secretary of wildlife, parks and tourism therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual licenses issued to Kansas disabled veterans account to pay the wildlife fee fund for such licenses: *Provided, however*, That to qualify for such license without charge, the resident disabled veteran shall have been separated from the armed services under honorable conditions, have a disability certified by the Kansas commission on veterans affairs as being service connected and such service connected disability is equal to or greater than 30%: *And provided further*, That no other hunting or fishing licenses or permits shall be eligible to be paid from this account.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Wildlife fee fund.....	\$24,221,459
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*Provided*, That additional expenditures may be made from the wildlife fee fund for fiscal year 2017 for the purposes of compensating federal aid program expenditures if necessary in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further*, That all such expenditures shall be in addition to any expenditure limitation imposed upon the wildlife fee fund for fiscal year 2017: *And provided further*, That the secretary of wildlife, parks and tourism shall report all such expenditures to the governor and the legislature as appropriate: *And provided further*, That expenditures from the wildlife fee fund for official hospitality shall not exceed \$2,000.

Parks fee fund .....	\$7,798,549
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*Provided*, That additional expenditures may be made from the parks fee fund for fiscal year 2017 for the purposes of compensating federal aid program expenditures if necessary in order to comply with requirements established by the United States fish and wildlife service for the utilization



of federal aid funds: *Provided further*, That all such expenditures shall be in addition to any expenditure limitation imposed upon the parks fee fund for fiscal year 2017: *And provided further*, That the secretary of wildlife, parks and tourism shall report all such expenditures to the governor and the legislature as appropriate.

Boating fee fund ..... \$1,321,998

*Provided*, That additional expenditures may be made from the boating fee fund for fiscal year 2017 for the purposes of compensating federal aid program expenditures if necessary in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further*, That all such expenditures shall be in addition to any expenditure limitation imposed upon the boating fee fund for fiscal year 2017: *And provided further*, That the secretary of wildlife, parks and tourism shall report all such expenditures to the governor and the legislature as appropriate: *And provided further*, That expenditures from this fund for official hospitality shall not exceed \$2,000.

Central aircraft fund ..... No limit

*Provided*, That expenditures may be made by the above agency from the central aircraft fund for aircraft operating expenditures, for aircraft maintenance and repair, to provide aircraft services to other state agencies, and for the purchase of state aircraft insurance: *Provided further*, That the secretary of wildlife, parks and tourism is hereby authorized to fix, charge and collect fees for the provision of aircraft services to other state agencies: *And provided further*, That such fees shall be fixed to recover all or part of the operating expenditures incurred in providing such services: *And provided further*, That all fees received for such services shall be credited to the central aircraft fund.

Department access roads fund ..... \$1,604,247

Wildlife, parks and tourism nonrestricted fund ..... No limit

Prairie spirit rails-to-trails fee fund..... No limit

Plant and animal disease and pest control fund..... No limit

Nongame wildlife improvement fund ..... No limit

Wildlife conservation fund ..... No limit

Federally licensed wildlife areas fund..... No limit

State agricultural production fund..... No limit

Land and water conservation fund – state ..... No limit

Land and water conservation fund – local ..... No limit

Development and promotions fund..... No limit

Department of wildlife and parks private gifts and donations fund..... No limit

Fish and wildlife restitution fund..... No limit

Parks restitution fund..... No limit

Nonfederal grants fund ..... No limit

Disaster grants – public assistance fund..... No limit

Soil/water conservation fund .....	No limit
Navigation projects fund.....	No limit
Recreation resource management fund.....	No limit
Cooperative endangered species conservation fund .....	No limit
Landowner incentive program fund .....	No limit
Bulletproof vest partnership fund .....	No limit
Recreational trails program fund.....	No limit
Highway planning/construction fund .....	No limit
Plant/animal disease and pest control fund.....	No limit
Americorps – ARRA fund.....	No limit
Cooperative forestry assistance fund.....	No limit
North America wetland conservation fund .....	No limit
Wildlife services fund.....	No limit
Fish/wildlife management assistance fund .....	No limit
Fish/wildlife core act fund .....	No limit
Watershed protection/flood prevention fund .....	No limit
Suspense fund .....	No limit
Employee maintenance deduction clearing fund .....	No limit
Cabin revenue fund.....	No limit
Feed the hungry fund.....	No limit
State wildlife grants fund.....	No limit
Boating safety financial assistance fund.....	No limit
Wildlife restoration fund .....	No limit
Sport fish restoration fund.....	No limit
Outdoor recreation acquisition, development and planning fund .....	No limit
Publication and other sales fund .....	No limit

*Provided*, That in addition to other purposes for which expenditures may be made by the above agency from moneys appropriated from the publication and other sales fund for fiscal year 2017, expenditures may be made from such fund for the purpose of compensating federal aid program expenditures if necessary in order to comply with the requirements established by the United States fish and wildlife service for utilization of federal aid funds: *Provided further*, That all such expenditures shall be in addition to any expenditures made from the publication and other sales fund for fiscal year 2017: *And provided further*, That the secretary of wildlife, parks and tourism shall report all such expenditures to the governor and legislature as appropriate.

Free licenses and permits fund.....	No limit
Enforce underage drinking law fund .....	No limit
Migratory bird monitoring .....	No limit
Voluntary public access .....	No limit
EPA – sect 319 nonpoint source fund .....	No limit
Energy efficiency/conservation block grant fund .....	No limit

Endangered species — recovery fund .....	No limit
Wetlands reserve program fund.....	No limit

Sec. 168.

DEPARTMENT OF TRANSPORTATION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

State highway fund .....	No limit
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*Provided*, That no expenditures may be made from the state highway fund other than for the purposes specifically authorized by this or other appropriation act.

Special city and county highway fund .....	No limit
County equalization and adjustment fund .....	\$2,500,000
Highway special permits fund .....	\$0
Highway bond debt service fund .....	No limit
Rail service improvement fund.....	No limit
Transportation revolving fund .....	No limit
Rail service assistance program loan guarantee fund.....	No limit
Railroad rehabilitation loan guarantee fund .....	No limit

*Provided*, That expenditures from the railroad rehabilitation loan guarantee fund shall not exceed the amount which the secretary of transportation is obligated to pay during the fiscal year ending June 30, 2016, in satisfaction of liabilities arising from the unconditional guarantee of payment which was entered into by the secretary of transportation in connection with the mid-states port authority federally taxable revenue re-funding bonds, series 1994, dated May 1, 1994, authorized by K.S.A. 12-3420, and amendments thereto, and guaranteed pursuant to K.S.A. 75-5031, and amendments thereto.

Interagency motor vehicle fuel sales fund .....	No limit
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*Provided*, That expenditures may be made from the interagency motor vehicle fuel sales fund to provide and sell motor vehicle fuel to the Kansas highway patrol: *Provided further*, That the secretary of transportation is hereby authorized to fix, charge and collect fees for motor vehicle fuel sold to the Kansas highway patrol: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing motor vehicle fuel to the Kansas highway patrol: *And provided further*, That all fees received for such sales of motor vehicle fuel shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the interagency motor vehicle fuel sales fund.

Coordinated public transportation assistance fund.....	No limit
Public use general aviation airport development fund.....	No limit

Highway bond proceeds fund.....	No limit
Communication system revolving fund .....	No limit
Traffic records enhancement fund .....	No limit
Other federal grants fund .....	No limit
Kansas intermodal transportation revolving fund.....	No limit

(b) Expenditures may be made by the above agency for the fiscal year ending June 30, 2016, from the state highway fund for the following specified purposes: *Provided*, That expenditures from the state highway fund for fiscal year 2016, other than refunds authorized by law for the following specified purposes, shall not exceed the limitations prescribed therefor as follows:

Agency operations ..... \$249,614,990

*Provided*, That expenditures from the agency operations account of the state highway fund for official hospitality by the secretary of transportation shall not exceed \$5,000: *Provided further*, That expenditures may be made from this account for engineering services furnished to counties for road and bridge projects under K.S.A. 68-402e, and amendments thereto.

Conference fees ..... No limit

*Provided*, That the secretary of transportation is hereby authorized to fix, charge and collect conference, training and workshop attendance and registration fees for conferences, training seminars and workshops sponsored or cosponsored by the department: *Provided further*, That such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the conference fees account of the state highway fund: *And provided further*, That expenditures may be made from this account to defray all or part of the costs of the conferences, training seminars and workshops.

Substantial maintenance ..... No limit

Claims ..... No limit

Payments for city connecting links ..... \$3,360,000

Federal local aid programs..... No limit

Bond services fees..... No limit

Other capital improvements..... No limit

*Provided*, That the secretary of transportation is authorized to make expenditures from the other capital improvements account to undertake a program to assist cities and counties with railroad crossings of roads not on the state highway system.

(c) (1) In addition to the other purposes for which expenditures may be made by the above agency from the state highway fund for fiscal year 2016, expenditures may be made by the above agency from the following capital improvement account or accounts of the state highway fund for fiscal year 2016 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Buildings – rehabilitation and repair.....	\$2,832,239
Buildings – reroofing .....	\$563,684
Buildings – other construction, renovation and repair .....	\$2,228,054

(2) In addition to the other purposes for which expenditures may be made by the above agency from the state highway fund for fiscal year 2016, expenditures may be made by the above agency from the state highway fund for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each capital improvement project account for a building or buildings in the state highway fund for one or more projects approved for prior fiscal years: *Provided*, That all expenditures from the unencumbered balance in any such project account of the state highway fund for fiscal year 2016 shall not exceed the amount of the unencumbered balance in such project account on June 30, 2015, subject to the provisions of subsection (d): *Provided further*, That all expenditures from any such project account shall be in addition to any expenditure limitation imposed on the state highway fund for fiscal year 2016.

(d) During the fiscal year ending June 30, 2016, the secretary of transportation, with the approval of the director of the budget, may transfer any part of any item of appropriation in a capital improvement project account for a building or buildings for fiscal year 2016 from the state highway fund for the department of transportation to another item of appropriation in a capital improvement project account for a building or buildings for fiscal year 2016 from the state highway fund for the department of transportation: *Provided*, That the secretary of transportation shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) On April 1, 2016, the director of accounts and reports shall transfer from the motor pool service fund of the department of administration to the state highway fund of the department of transportation an amount determined to be equal to the sum of the annual vehicle registration fees for each vehicle owned or leased by the state or any state agencies in accordance with K.S.A. 75-4611, and amendments thereto.

(f) During the fiscal year ending June 30, 2016, upon notification from the secretary of transportation that an amount is due and payable from the railroad rehabilitation loan guarantee fund, the director of accounts and reports shall transfer from the state highway fund to the railroad rehabilitation loan guarantee fund the amount certified by the secretary as due and payable.

(g) Any payment for services during the fiscal year ending June 30, 2016, from the state highway fund to other state agencies shall be in addition to any expenditure limitation imposed on the state highway fund for fiscal year 2016.

(h) For the fiscal year ending June 30, 2016, the department of trans-

portation shall prepare and submit along with the documents required under K.S.A. 75-3717, and amendments thereto, additional documents that present the revenues, transfers, and expenditures that are considered to be in support of the transportation works for Kansas program (T-WORKS) authorized by K.S.A. 68-2314b et seq., and amendments thereto: *Provided*, That documents shall include both reportable as well as nonreportable and off-budget items that reflect the revenues, transfers and expenditures associated with the comprehensive transportation program.

(i) On July 1, 2015, October 1, 2015, January 1, 2016, and April 1, 2016, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer \$32,330,902.75 from the state highway fund of the department of transportation to the state general fund: *Provided*, That the transfer of each such amount shall be in addition to any other transfer from the state highway fund of the department of transportation to the state general fund as prescribed by law: *Provided further*, That, in addition to other purposes for which transfers and expenditures may be made from the state highway fund during fiscal year 2016 and notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, transfers may be made from the state highway fund to the state general fund under this subsection during fiscal year 2016.

Sec. 169.

DEPARTMENT OF TRANSPORTATION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

State highway fund .....	No limit
<i>Provided</i> , That no expenditures may be made from the state highway fund other than for the purposes specifically authorized by this or other appropriation act.	
Special city and county highway fund .....	No limit
County equalization and adjustment fund .....	\$2,500,000
Highway special permits fund .....	\$0
Highway bond debt service fund .....	No limit
Rail service improvement fund.....	No limit
Transportation revolving fund .....	No limit
Rail service assistance program loan guarantee fund.....	No limit
Railroad rehabilitation loan guarantee fund .....	No limit

*Provided*, That expenditures from the railroad rehabilitation loan guarantee fund shall not exceed the amount which the secretary of transportation is obligated to pay during the fiscal year ending June 30, 2017, in satisfaction of liabilities arising from the unconditional guarantee of pay-

ment which was entered into by the secretary of transportation in connection with the mid-states port authority federally taxable revenue refunding bonds, series 1994, dated May 1, 1994, authorized by K.S.A. 12-3420, and amendments thereto, and guaranteed pursuant to K.S.A. 75-5031, and amendments thereto.

Interagency motor vehicle fuel sales fund ..... No limit  
*Provided*, That expenditures may be made from the interagency motor vehicle fuel sales fund to provide and sell motor vehicle fuel to the Kansas highway patrol: *Provided further*, That the secretary of transportation is hereby authorized to fix, charge and collect fees for motor vehicle fuel sold to the Kansas highway patrol: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing motor vehicle fuel to the Kansas highway patrol: *And provided further*, That all fees received for such sales of motor vehicle fuel shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the interagency motor vehicle fuel sales fund.

- Coordinated public transportation assistance fund..... No limit
- Public use general aviation airport development fund..... No limit
- Highway bond proceeds fund..... No limit
- Communication system revolving fund ..... No limit
- Traffic records enhancement fund ..... No limit
- Other federal grants fund ..... No limit
- Kansas intermodal transportation revolving fund..... No limit

(b) Expenditures may be made by the above agency for the fiscal year ending June 30, 2017, from the state highway fund for the following specified purposes: *Provided*, That expenditures from the state highway fund for fiscal year 2017, other than refunds authorized by law for the following specified purposes, shall not exceed the limitations prescribed therefor as follows:

Agency operations ..... \$256,601,308

*Provided*, That expenditures from the agency operations account of the state highway fund for official hospitality by the secretary of transportation shall not exceed \$5,000: *Provided further*, That expenditures may be made from this account for engineering services furnished to counties for road and bridge projects under K.S.A. 68-402e, and amendments thereto.

Conference fees ..... No limit  
*Provided*, That the secretary of transportation is hereby authorized to fix, charge and collect conference, training and workshop attendance and registration fees for conferences, training seminars and workshops sponsored or cosponsored by the department: *Provided further*, That such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited

to the conference fees account of the state highway fund: *And provided further*, That expenditures may be made from this account to defray all or part of the costs of the conferences, training seminars and workshops.

Substantial maintenance .....	No limit
Claims .....	No limit
Payments for city connecting links .....	\$3,360,000
Federal local aid programs.....	No limit
Bond services fees .....	No limit
Other capital improvements.....	No limit

*Provided*, That the secretary of transportation is authorized to make expenditures from the other capital improvements account to undertake a program to assist cities and counties with railroad crossings of roads not on the state highway system.

(c) (1) In addition to the other purposes for which expenditures may be made by the above agency from the state highway fund for fiscal year 2017, expenditures may be made by the above agency from the following capital improvement account or accounts of the state highway fund for fiscal year 2017 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Buildings – rehabilitation and repair.....	\$2,911,647
Buildings – reroofing .....	\$532,570
Buildings – other construction, renovation and repair .....	\$2,290,522

(2) In addition to the other purposes for which expenditures may be made by the above agency from the state highway fund for fiscal year 2017, expenditures may be made by the above agency from the state highway fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each capital improvement project account for a building or buildings in the state highway fund for one or more projects approved for prior fiscal years: *Provided*, That all expenditures from the unencumbered balance in any such project account of the state highway fund for fiscal year 2017 shall not exceed the amount of the unencumbered balance in such project account on June 30, 2016, subject to the provisions of subsection (d): *Provided further*, That all expenditures from any such project account shall be in addition to any expenditure limitation imposed on the state highway fund for fiscal year 2017.

(d) During the fiscal year ending June 30, 2017, the secretary of transportation, with the approval of the director of the budget, may transfer any part of any item of appropriation in a capital improvement project account for a building or buildings for fiscal year 2017 from the state highway fund for the department of transportation to another item of appropriation in a capital improvement project account for a building or buildings for fiscal year 2017 from the state highway fund for the department of transportation: *Provided*, That the secretary of transportation shall certify each such transfer to the director of accounts and reports and



shall transmit a copy of each such certification to the director of legislative research.

(e) On April 1, 2017, the director of accounts and reports shall transfer from the motor pool service fund of the department of administration to the state highway fund of the department of transportation an amount determined to be equal to the sum of the annual vehicle registration fees for each vehicle owned or leased by the state or any state agencies in accordance with K.S.A. 75-4611, and amendments thereto.

(f) During the fiscal year ending June 30, 2017, upon notification from the secretary of transportation that an amount is due and payable from the railroad rehabilitation loan guarantee fund, the director of accounts and reports shall transfer from the state highway fund to the railroad rehabilitation loan guarantee fund the amount certified by the secretary as due and payable.

(g) Any payment for services during the fiscal year ending June 30, 2017, from the state highway fund to other state agencies shall be in addition to any expenditure limitation imposed on the state highway fund for fiscal year 2017.

(h) For the fiscal year ending June 30, 2017, the department of transportation shall prepare and submit along with the documents required under K.S.A. 75-3717, and amendments thereto, additional documents that present the revenues, transfers, and expenditures that are considered to be in support of the transportation works for Kansas program (T-WORKS) authorized by K.S.A. 68-2314b et seq., and amendments thereto: *Provided*, That documents shall include both reportable as well as nonreportable and off-budget items that reflect the revenues, transfers and expenditures associated with the comprehensive transportation program.

(i) On July 1, 2016, October 1, 2016, January 1, 2017, and April 1, 2017, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer \$32,692,667.25 from the state highway fund of the department of transportation to the state general fund: *Provided*, That the transfer of each such amount shall be in addition to any other transfer from the state highway fund of the department of transportation to the state general fund as prescribed by law: *Provided further*, That, in addition to other purposes for which transfers and expenditures may be made from the state highway fund during fiscal year 2017 and notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, transfers may be made from the state highway fund to the state general fund under this subsection during fiscal year 2017.

Sec. 170. (a) During the fiscal year ending June 30, 2015, the director of the budget may transfer any part of any item of appropriation for an information technology project in any cabinet agency account of the state

general fund appropriated for fiscal year 2015 for such cabinet agency to another item of appropriation for an information technology project in any other cabinet agency account of the state general fund appropriated for fiscal year 2015 for such other cabinet agency. The director of the budget shall certify each such amount transferred, and shall transmit a copy of such certification to the director of legislative research.

(b) During the fiscal year ending June 30, 2016, the director of the budget may transfer any part of any item of appropriation for an information technology project in any cabinet agency account of the state general fund appropriated for fiscal year 2016 for such cabinet agency to another item of appropriation for an information technology project in any other cabinet agency account of the state general fund appropriated for fiscal year 2016 for such other cabinet agency. The director of the budget shall certify each such amount transferred, and shall transmit a copy of such certification to the director of legislative research.

(c) During the fiscal year ending June 30, 2017, the director of the budget may transfer any part of any item of appropriation for an information technology project in any cabinet agency account of the state general fund appropriated for fiscal year 2017 for such cabinet agency to another item of appropriation for an information technology project in any other cabinet agency account of the state general fund appropriated for fiscal year 2017 for such other cabinet agency. The director of the budget shall certify each such amount transferred, and shall transmit a copy of such certification to the director of legislative research.

(d) As used in this section, “cabinet agency” means (1) the department of administration, (2) the department of revenue, (3) the department of commerce, (4) the department of labor, (5) the department of health and environment, (6) the Kansas department for aging and disability services, (7) the Kansas department for children and families, (8) the department of corrections, (9) the adjutant general, (10) the Kansas highway patrol, (11) the Kansas department of agriculture, (12) the Kansas department of wildlife, parks and tourism, and (13) the department of transportation.

Sec. 171. (a) In addition to the other purposes for which expenditures may be made by the legislature from the operations (including official hospitality) account of the state general fund for the fiscal year ending June 30, 2016, expenditures shall be made by the legislature from the operations (including official hospitality) account of the state general fund for fiscal year 2016 for an additional amount of allowance equal to the amount required to provide, along with the amount of allowance otherwise payable from appropriations for the legislature to each member of the legislature at the rate prescribed by subsection (c) of K.S.A. 46-137a, and amendments thereto, an aggregate amount of allowance: (A) Equal to \$354.15 for the two-week period which coincides with the first bi-

weekly payroll period which is chargeable to fiscal year 2016 and for each of the 14 ensuing two-week periods thereafter; and (B) equal to \$354.15 for the two-week period which coincides with the biweekly payroll period which includes March 27, 2016, which is chargeable to fiscal year 2016 and for each of the four ensuing two-week periods thereafter, for each member of the legislature to defray expenses incurred between sessions of the legislature for postage, telephone, office and other incidental expenses, which are chargeable to fiscal year 2016, notwithstanding the provisions of K.S.A. 46-137a, and amendments thereto: *Provided*, That all expenditures under this subsection (a) for such purposes shall be made otherwise in the same manner that such allowance is payable to such members of the legislature for such two-week periods for which such allowance is payable in accordance with this subsection (a) and which are chargeable to fiscal year 2016.

Sec. 172. (a) In addition to the other purposes for which expenditures may be made by the legislature from the operations (including official hospitality) account of the state general fund for the fiscal year ending June 30, 2017, expenditures shall be made by the legislature from the operations (including official hospitality) account of the state general fund for fiscal year 2017 for an additional amount of allowance equal to the amount required to provide, along with the amount of allowance otherwise payable from appropriations for the legislature to each member of the legislature at the rate prescribed by subsection (c) of K.S.A. 46-137a, and amendments thereto, an aggregate amount of allowance: (A) Equal to \$354.15 for the two-week period which coincides with the first biweekly payroll period which is chargeable to fiscal year 2017 and for each of the 14 ensuing two-week periods thereafter; and (B) equal to \$354.15 for the two-week period which coincides with the biweekly payroll period which includes March 26, 2017, which is chargeable to fiscal year 2017 and for each of the four ensuing two-week periods thereafter, for each member of the legislature to defray expenses incurred between sessions of the legislature for postage, telephone, office and other incidental expenses, which are chargeable to fiscal year 2017, notwithstanding the provisions of K.S.A. 46-137a, and amendments thereto: *Provided*, That all expenditures under this subsection (a) for such purposes shall be made otherwise in the same manner that such allowance is payable to such members of the legislature for such two-week periods for which such allowance is payable in accordance with this subsection (a) and which are chargeable to fiscal year 2017.

Sec. 173. (a) On June 30, 2016, notwithstanding the provisions of K.S.A. 2014 Supp. 74-8768, and amendments thereto, or any other statute, the director of accounts and reports shall transfer the amount of any unencumbered balance in the expanded lottery act revenues fund to the state general fund: *Provided*, That the transfer of such amount shall be

in addition to any other transfer from the expanded lottery act revenues fund to the state general fund as prescribed by law.

(b) On June 30, 2016, the director of accounts and reports shall determine and notify the director of the budget, if the amount of revenue collected in the expanded lottery act revenues fund for the fiscal year ending June 30, 2016, is insufficient to fund the appropriations and transfers that are authorized from the expanded lottery act revenues fund for the fiscal year ending June 30, 2016, in accordance with the provisions of appropriation acts. The director of the budget shall certify to the director of accounts and reports the amount necessary to be transferred from the state general fund to the expanded lottery act revenues fund in order to fund all such appropriations and transfers that are authorized from the expanded lottery act revenues fund for the fiscal year ending June 30, 2016. Upon receipt of such certification, the director of accounts and reports shall transfer the amount of moneys from the state general fund to the expanded lottery act revenues fund that is required in accordance with the certification by the director of the budget under this section. At the same time as the director of the budget transmits this certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Sec. 174. (a) On June 30, 2017, notwithstanding the provisions of K.S.A. 2014 Supp. 74-8768, and amendments thereto, or any other statute, the director of accounts and reports shall transfer the amount of any unencumbered balance in the expanded lottery act revenues fund to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the expanded lottery act revenues fund to the state general fund as prescribed by law.

(b) On June 30, 2017, the director of accounts and reports shall determine and notify the director of the budget, if the amount of revenue collected in the expanded lottery act revenues fund for the fiscal year ending June 30, 2017, is insufficient to fund the appropriations and transfers that are authorized from the expanded lottery act revenues fund for the fiscal year ending June 30, 2017, in accordance with the provisions of appropriation acts. The director of the budget shall certify to the director of accounts and reports the amount necessary to be transferred from the state general fund to the expanded lottery act revenues fund in order to fund all such appropriations and transfers that are authorized from the expanded lottery act revenues fund for the fiscal year ending June 30, 2017. Upon receipt of such certification, the director of accounts and reports shall transfer the amount of moneys from the state general fund to the expanded lottery act revenues fund that is required in accordance with the certification by the director of the budget under this section. At the same time as the director of the budget transmits this certification to

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

Sec. 175. (a) During the fiscal year ending June 30, 2016, in addition to the other purposes for which expenditures may be made by the secretary for children and families, from moneys appropriated from the state general fund or any special revenue fund or funds for the Kansas department for children and families for fiscal year 2016 by this act or any other appropriation act of the 2015 regular session of the legislature, expenditures shall be made by the secretary for children and families from the state general fund or from any special revenue fund or funds for fiscal year 2016, for the secretary, on behalf of the state of Kansas, to sell and convey all of the rights, title and interest in the following tracts of real estate located in Neosho county, Kansas, subject to the provisions of this section:

The South Half of the Southeast Quarter (S/2 SE/4) of Section Nineteen (19), Township Twenty-seven (27) South, Range Eighteen (18) East of the 6th P. M., excepting therefrom five (5) tracts of land described as follows:

a. The North Ten (10) acres of the Southeast Quarter of this Southeast Quarter (SE/4 SE/4) of said section Nineteen (19);

b. Beginning at a point on Plummer Avenue, 330 feet south of the northeast corner of the South Half of the Southeast Quarter (S/2 SE/4) of said Section Nineteen (19), thence west parallel with the north line of said eighty, 1320 feet; thence south 330 feet on a line parallel with the east line of said eighty; thence east 1320 feet on a line parallel with the north line of said eighty; thence north along said east line to the point of beginning, containing 10 acres;

c. Beginning at a point 495 feet north of the southeast corner of said Section Nineteen (19), thence north 165 feet to the southeast corner of 10-acre tract previously sold to Guy Umbarger; thence west along the south line of said Umbarger 10-acre tract, 792 feet; thence south on a line parallel to the east line, 165 feet; thence east on a line parallel to said Umbarger tract to point of beginning, containing approximately 3 acres;

d. Beginning at the southeast corner of said Section Nineteen (19), thence west along the south line of said section 690 feet; thence northerly 445 feet; thence easterly 690 feet to a point on the east line of said section, 445 feet north of the southeast corner of said section; thence south along said east line 445 feet to the point of beginning. The above includes 30 feet of road right-of-way along the south side used for Seventh Street and 30 feet of road right-of-way along the east side used for Plummer Avenue. Including the road rights-of-way, the above includes 7.05 acres, more or less; and

e. Beginning at a point 30 feet north of and 690 feet west of the southeast corner of the Southeast Quarter (SE/4) of said Section Nineteen

(19); thence west along right-of-way line of present road, 1950 feet, more or less, to the west line of said Southeast Quarter (SE/4); thence north along the west line of said Southeast Quarter (SE/4), 10 feet; thence east parallel to and 10 feet north of the present right-of-way, 1950 feet, more or less, to a point 690 feet west of and 40 feet north of the southeast corner of said Southeast Quarter (SE/4); thence south 10 feet to the point of beginning, containing .44 acres, more or less, condemned for highway purposes.

(b) The real property described in subsection (a) shall be sold or conveyed to the Neosho memorial regional medical center, at the appraised value.

(c) No sale or conveyance of the real property described in subsection (a) shall be authorized or approved by the secretary for children and families without having first advised and consulted with the joint committee on state building construction.

(d) Prior to the sale or conveyance of the real property described in subsection (a), the state finance council shall approve the sale, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711(c), and amendments thereto. The matter may be submitted to the state finance council for approval at any time, including periods of time during which the legislature is in session.

(e) When the sale is made, the proceeds thereof shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the appropriate account of the state general fund or special revenue fund of the Kansas department for children and families as determined by the secretary for children and families. The secretary for children and families shall transmit a copy of such determination to the director of legislative research.

(f) The conveyance of real property authorized by this section shall not be subject to the provisions of K.S.A. 2014 Supp. 75-6609, and amendments thereto.

(g) In the event that the secretary for children and families determines that the legal description of the parcel described by this section is incorrect, the secretary of administration may convey the property utilizing the correct legal description but the deed conveying the property shall be subject to the approval of the attorney general.

Sec. 176. On June 30, 2016, the director of accounts and reports shall determine and notify the director of the budget, if the amount of revenue collected in the Kansas endowment for youth fund or children's initiatives fund for the fiscal year ending June 30, 2016, is insufficient to fund the appropriations and transfers that are authorized from the Kansas endow-

ment for youth fund or children's initiatives fund for the fiscal year ending June 30, 2016, in accordance with the provisions of appropriation acts. The director of the budget shall certify to the director of accounts and reports the amount necessary to be transferred from the state general fund to the Kansas endowment for youth fund and children's initiatives fund in order to fund all such appropriations and transfers that are authorized from the Kansas endowment for youth fund and children's initiatives fund for the fiscal year ending June 30, 2016. Upon receipt of such certification, the director of accounts and reports shall transfer the amount of moneys from the state general fund to the Kansas endowment for youth fund or children's initiatives fund that is required in accordance with the certification by the director of the budget under this section. At the same time as the director of the budget transmits this certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Sec. 177. On June 30, 2017, the director of accounts and reports shall determine and notify the director of the budget, if the amount of revenue collected in the Kansas endowment for youth fund or children's initiatives fund for the fiscal year ending June 30, 2017, is insufficient to fund the appropriations and transfers that are authorized from the Kansas endowment for youth fund or children's initiatives fund for the fiscal year ending June 30, 2017, in accordance with the provisions of appropriation acts. The director of the budget shall certify to the director of accounts and reports the amount necessary to be transferred from the state general fund to the Kansas endowment for youth fund and children's initiatives fund in order to fund all such appropriations and transfers that are authorized from the Kansas endowment for youth fund and children's initiatives fund for the fiscal year ending June 30, 2017. Upon receipt of such certification, the director of accounts and reports shall transfer the amount of moneys from the state general fund to the Kansas endowment for youth fund or children's initiatives fund that is required in accordance with the certification by the director of the budget under this section. At the same time as the director of the budget transmits this certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Sec. 178. (a) On the effective date of this act, during the fiscal year ending June 30, 2015, notwithstanding the provisions of K.S.A. 82a-1802, and amendments thereto, or any other statute, of all the moneys received from the state of Nebraska under the case of *Kansas v. Nebraska*, No. 126, Original in the Supreme Court of the United States, the state treasurer is hereby authorized and directed to credit the first \$2,000,000 received and deposited in the state treasury to the interstate water litigation fund of the attorney general: *Provided*, That, after such aggregate amount has been credited to the interstate water litigation fund of the

attorney general, then all of the moneys received from the state of Nebraska under the case of *Kansas v. Nebraska*, No. 126, Original in the Supreme Court of the United States, during fiscal year 2015 shall be credited to the Republican river water conservation projects – Nebraska moneys fund of the Kansas water office: *Provided further*, That, notwithstanding the provisions of any statute, the director of the Kansas water office, in consultation with the local stakeholders in the basin, the chief engineer and the secretary of agriculture, shall expend such moneys in the Republican river water conservation projects – Nebraska moneys fund of the Kansas water office for water improvement projects in the Republican river basin as described in K.S.A. 2014 Supp. 82a-1804(g), and amendments thereto: *Provided, however*, That, if moneys have been received from the state of Nebraska under the case of *Kansas v. Nebraska*, No. 126, Original in the Supreme Court of the United States, and the state treasurer has credited the money pursuant to K.S.A. 82a-1802, and amendments thereto, the director of accounts and reports shall transfer the amount of money which exceeds \$2,000,000 from the interstate water litigation fund of the attorney general to the Republican river water conservation projects – Nebraska moneys fund of the Kansas water office: *And provided further*, That the director of accounts and reports shall transmit a copy of such transfer to the director of legislative research and the director of the budget.

(b) On July 1, 2015, during the fiscal year ending June 30, 2016, notwithstanding the provisions of K.S.A. 82a-1802, and amendments thereto, or any other statute, of all the moneys received from the state of Nebraska under the case of *Kansas v. Nebraska*, No. 126, Original in the Supreme Court of the United States, the state treasurer is hereby authorized and directed to credit the first \$2,000,000, including any moneys credited in fiscal year 2015, received and deposited in the state treasury to the interstate water litigation fund of the attorney general: *Provided*, That, after such aggregate amount has been credited to the interstate water litigation fund of the attorney general, then all of the moneys received from the state of Nebraska under the case of *Kansas v. Nebraska*, No. 126, Original in the Supreme Court of the United States, during fiscal year 2016 shall be credited to the Republican river water conservation projects – Nebraska moneys fund of the Kansas water office: *Provided further*, That, notwithstanding the provisions of any statute, the director of the Kansas water office, in consultation with the local stakeholders in the basin, the chief engineer and the secretary of agriculture, shall expend such moneys in the Republican river water conservation projects – Nebraska moneys fund of the Kansas water office for water improvement projects in the Republican river basin as described in K.S.A. 2014 Supp. 82a-1804(g), and amendments thereto: *Provided, however*, That, if moneys have been received from the state of Nebraska under the case of *Kansas v. Nebraska*, No. 126, Original in the Supreme Court of the



United States, and the state treasurer has credited the money pursuant to K.S.A. 82a-1802, and amendments thereto, the director of accounts and reports shall transfer the amount of money which exceeds \$2,000,000 from the interstate water litigation fund of the attorney general to the Republican river water conservation projects – Nebraska moneys fund of the Kansas water office: *And provided further*, That the director of accounts and reports shall transmit a copy of such transfer to the director of legislative research and the director of the budget.

(c) On July 1, 2016, during the fiscal year ending June 30, 2017, notwithstanding the provisions of K.S.A. 82a-1802, and amendments thereto, or any other statute, of all the moneys received from the state of Nebraska under the case of *Kansas v. Nebraska*, No. 126, Original in the Supreme Court of the United States, the state treasurer is hereby authorized and directed to credit the first \$2,000,000, including any moneys credited in fiscal years 2015 and 2016, received and deposited in the state treasury to the interstate water litigation fund of the attorney general: *Provided*, That, after such aggregate amount has been credited to the interstate water litigation fund of the attorney general, then all of the moneys received from the state of Nebraska under the case of *Kansas v. Nebraska*, No. 126, Original in the Supreme Court of the United States, during fiscal year 2017 shall be credited to the Republican river water conservation projects – Nebraska moneys fund of the Kansas water office: *Provided further*, That, notwithstanding the provisions of any statute, the director of the Kansas water office, in consultation with the local stakeholders in the basin, the chief engineer and the secretary of agriculture, shall expend such moneys in the Republican river water conservation projects – Nebraska moneys fund of the Kansas water office for water improvement projects in the Republican river basin as described in K.S.A. 2014 Supp. 82a-1804(g), and amendments thereto: *Provided, however*, That, if moneys have been received from the state of Nebraska under the case of *Kansas v. Nebraska*, No. 126, Original in the Supreme Court of the United States, and the state treasurer has credited the money pursuant to K.S.A. 82a-1802, and amendments thereto, the director of accounts and reports shall transfer the amount of money which exceeds \$2,000,000 from the interstate water litigation fund of the attorney general to the Republican river water conservation projects – Nebraska moneys fund of the Kansas water office: *And provided further*, That the director of accounts and reports shall transmit a copy of such transfer to the director of legislative research and the director of the budget.

Sec. 179. (a) Notwithstanding the provisions of K.S.A. 76-719 and 76-817, and amendments thereto, or any other statute, no moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 for the state board of regents or any state educational institution as authorized by this or other appropriation act of

the 2015 or 2016 regular session of the legislature, shall be expended by the state board of regents or any state educational institution from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 to increase tuition for fiscal year 2016 above the amount of such tuition that was fixed and collected in fiscal year 2015 adjusted by the percentage increase in the consumer price index over the previous calendar year plus 2%.

(b) Notwithstanding the provisions of K.S.A. 76-719 and 76-817, and amendments thereto, or any other statute, no moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2017 for the state board of regents or any state educational institution as authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, shall be expended by the state board of regents or any state educational institution from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2017 to increase tuition for fiscal year 2017 above the amount of such tuition that was fixed and collected in fiscal year 2016 adjusted by the percentage increase in the consumer price index over the previous calendar year plus 2%.

(c) As used in this section:

(1) “State educational institution” includes each state educational institution as defined in K.S.A. 76-711, and amendments thereto, that charges more than \$2,000 in tuition rates to a resident, full-time, per semester undergraduate student.

(2) “Consumer price index” means the consumer price index, United States city average, all items, published monthly by the bureau of labor statistics of the United States department of labor.

Sec. 180. (a) On and after July 1, 2015, notwithstanding the provisions of K.S.A. 74-4927, and amendments thereto, or any other statute, no state agency shall pay to the Kansas public employees retirement system any amounts to the group insurance reserve fund attributable to the final seven pay periods of the fiscal year ending June 30, 2016, that constitute such state agency’s portion of the state’s contribution to the group insurance reserve fund under K.S.A. 74-4927, and amendments thereto.

(b) On and after July 1, 2016, notwithstanding the provisions of K.S.A. 74-4927, and amendments thereto, or any other statute, no state agency shall pay to the Kansas public employees retirement system any amounts to the group insurance reserve fund attributable to the final seven pay periods of the fiscal year ending June 30, 2017, that constitute such state agency’s portion of the state’s contribution to the group insurance reserve fund under K.S.A. 74-4927, and amendments thereto.

Sec. 181. (a) During the fiscal year ending June 30, 2016, no expenditures shall be made by any state agency named in this act from moneys appropriated from the state general fund or from any special

revenue fund or funds for fiscal year 2016 as authorized by this or other appropriation act of the 2015 regular session of the legislature, to pay for subscriptions to newspapers or magazines, including any electronic subscriptions.

(b) During the fiscal year ending June 30, 2017, no expenditures shall be made by any state agency named in this act from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 as authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, to pay for subscriptions to newspapers or magazines, including any electronic subscriptions.

(c) The provisions of this section shall not apply to the judicial branch, the state historical society, the state library, the state board of regents or any state educational institution, as defined by K.S.A. 76-711, and amendments thereto.

Sec. 182. (a) During the fiscal year ending June 30, 2016, in addition to the other purposes for which expenditures may be made by the executive director of the state historical society, from moneys appropriated from the state general fund or any special revenue fund or funds for the state historical society for fiscal year 2016 by this act or any other appropriation act of the 2015 regular session of the legislature, expenditures shall be made by the executive director of the state historical society from the state general fund or from any special revenue fund or funds for fiscal year 2016, to accept and hold, in the name of the state, the Last Chance Store, The South Fifty-Four (54') feet of Lots Fifteen (15) and Sixteen (16), in Block Forty-Seven (47), City of Council Grove, Kansas. Such real property and the improvements thereon shall be acquired in fee simple by gift, grant or designation for the purpose of establishing and maintaining it as an historic property and shall be included in the Kaw Mission state historic site. The state historical society shall have the power to do any and all things necessary to carry out the intent and purpose of this section and to make such rules and regulations for the use, enjoyment and government of the premises as may be necessary.

(b) Conveyance of the property described in subsection (a) shall not be accepted by the executive director of the state historical society until the attorney general approves the deed and determines that such conveyance would convey such land in fee simple to the state of Kansas.

(c) The provisions of K.S.A. 75-2726, and amendments thereto, shall not apply to the acquisition authorized by this section.

Sec. 183. (a) During the fiscal year ending June 30, 2016, in addition to the other purposes for which expenditures may be made by the chief executive officer of the state board of regents, from moneys appropriated from the state general fund or any special revenue fund or funds for the state board of regents for fiscal year 2016 by this act or any other appropriation act of the 2015 regular session of the legislature, expenditures

shall be made by the chief executive officer of the state board of regents from the state general fund or from any special revenue fund or funds for fiscal year 2016, for and on behalf of Pittsburg state university, to exchange and convey the tracts of real property described in subsection (b) to the city of Pittsburg, Kansas, in consideration for the city of Pittsburg exchanging and conveying the tracts of real property described in subsection (c) to Pittsburg state university. The exchange and conveyance of real property by the state board of regents under this section shall be executed in the name of the state board of regents by its chairperson and its chief executive officer. The deed for such conveyance may be by warranty deed or by quitclaim deed as determined to be in the best interests of the state by the state board of regents in consultation with the attorney general. No exchange and conveyance of real estate and improvements thereon as authorized by this section shall be made by the state board of regents until the deeds and conveyances have been reviewed and approved by the attorney general and, if warranty deeds are to be the instruments of conveyance, title reviews have been performed or title insurance has been obtained and the title opinion or the certificates of title insurance, as the case may be, have been approved by the attorney general. The conveyance authorized by this section shall not be subject to the provisions of K.S.A. 75-430a, 75-3043a, 75-6609 or 75-6611, and amendments thereto.

(b) (1) In accordance with the provisions of this section, the state board of regents is hereby authorized to exchange and convey a tract of land to the city of Pittsburg commonly known as the south of east hills addition, particularly described as follows: Part of Section Thirty Three (33), Township Thirty (30) South, Range Twenty Five (25) East of the Sixth Principal Meridian, Crawford County, Kansas, according to the United States Government Survey thereof bounded and described as follows: Beginning at a point 600 feet East of the SW corner of the North half of the NW  $\frac{1}{4}$  of said Section, thence continuing East 1766.82 feet (more or less) along the South line of the North half of the NW  $\frac{1}{4}$  to a point 300 feet West of the NE corner, SE  $\frac{1}{4}$ , NW  $\frac{1}{4}$ , thence South and parallel to the East line of the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  a distance of 435.60 feet, thence East 300 feet to the East line of the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ , thence South along the half section line 882.51 feet (more or less) to a  $\frac{3}{4}$  inch iron pipe set at center of said Section, thence East and along the half section line 500.05 feet to the centerline of creek, thence South 753.68 feet, thence West and parallel to the half section line 702.94 feet, thence North 819.46 feet (more or less) to a point being 176.88 feet West and 80.98 feet North of the center of said Section, thence West and parallel to the half section line a distance of 426.63 feet, thence North 368.58 feet, thence West 1629 feet to the East right-of-way of the Kansas City Southern Railroad, thence Northwesterly along railroad right-of-way 491.75 feet, thence East 296.15 feet, thence North 238.41 feet, thence

East 110.53 feet (more or less) to a point 600 feet East and 212.50 feet South of the SW corner, NW  $\frac{1}{4}$ , NW  $\frac{1}{4}$ , thence 212.50 feet to point of beginning. (Said Tract containing 59.0 acres, more or less).

(2) In accordance with the provisions of this section, the state board of regents is hereby authorized to exchange and convey a tract of land to the city of Pittsburg, particularly described as follows: Part of the West half (W  $\frac{1}{2}$ ) of the Northeast Quarter (NE  $\frac{1}{4}$ ) of Section Thirty Three (33), Township Thirty (30) South, Range Twenty Five (25) East of the Sixth Principal Meridian, Crawford County, Kansas, according to the United States Government Survey thereof bounded and described as follows: Beginning at the Northwest Corner of the Southwest Quarter (SW  $\frac{1}{4}$ ) of the Northeast Quarter (NE  $\frac{1}{4}$ ) of said Section Thirty Three (33); thence South along the West line of said Southwest Quarter (SW  $\frac{1}{4}$ ) of Northeast Quarter (NE  $\frac{1}{4}$ ) a distance of One Thousand Three Hundred Thirty Three (1,333) feet to a:  $\frac{3}{4}$  inch iron pipe set at the center of said Section Thirty Three (33); Thence East along the South line of said Southwest Quarter (SW  $\frac{1}{4}$ ) of the Northeast Quarter (NE  $\frac{1}{4}$ ) a distance of Five Hundred and Five Hundredths (500.05) feet to center line of creek; Thence generally North along the center line of creek a distance of Seven Hundred Eighty (780) feet, more or less to a point in center line of creek Six Hundred Twenty Nine and Twenty Four Hundredths (629.24) feet South and Four Hundred Seventy One and Four Hundredths (471.04) feet East of the Northwest corner of the Southwest Quarter (SW  $\frac{1}{4}$ ) of Northeast Quarter (NE  $\frac{1}{4}$ ) of said Section Thirty Three (33), Thence North a distance of Forty Four (44) feet to a  $\frac{1}{2}$  inch iron pipe set; Thence continuing North a distance of Two Hundred Forty Three (243) feet to a  $\frac{3}{4}$  inch iron pipe set; Thence North a distance of Twenty Three (23) feet to a point in center line of creek Three Hundred Nineteen and Twenty Four Hundredths (319.24) feet South and Four Hundred Sixty Nine and Ninety Three Hundredths (469.93) feet East of the Northwest Corner of Southwest Quarter (SW  $\frac{1}{4}$ ) of Northeast Quarter (NE  $\frac{1}{4}$ ); Thence North and West with the meander of the center line of creek a distance of One Thousand One Hundred Thirty Eight (1138) feet, more or less to a point in the center line of creek and on the West line of the Northwest Quarter (NW  $\frac{1}{4}$ ) of Northeast Quarter (NE  $\frac{1}{4}$ ) a distance of Three Hundred Sixty Three and Thirty Three Hundredths (363.33) feet North of the Northwest corner of Southwest Quarter (SW  $\frac{1}{4}$ ) of the Northeast Quarter (NE  $\frac{1}{4}$ ); Thence South along said West line of said Northwest Quarter (NW  $\frac{1}{4}$ ) of Northeast Quarter (NE  $\frac{1}{4}$ ) a distance of Three Hundred Sixty Three and Thirty Three Hundredths (363.33) feet to the point of beginning. (Said Tract containing 13.73 acres, more or less).

(c) (1) In accordance with the provisions of this section, Pittsburg state university is hereby authorized to accept title to a tract of real property of approximately 25.1 acres commonly known as the research and

development park conveyed to the university by the city of Pittsburg, particularly described as follows: Pittsburg Research and Development Park Phase II, Lots 1, 2, 3, 4 and 5.

(2) In accordance with the provisions of this section, Pittsburg state university is hereby authorized to accept title to a tract of real property particularly described as follows: Commencing at the Southwest Corner of the Northwest Quarter (NW  $\frac{1}{4}$ ) of Section 33, Township 30 South, Range 25 East of the Sixth Principal Meridian, City of Pittsburg, County of Crawford, State of Kansas; thence on a bearing of South 88 Degrees 50 Minutes 56 Seconds East (this and all following bearings are assumed) along the Southerly line of said Quarter Section, a distance of 45.01 feet to a point on the existing right-of-way line of Rouse Avenue and Centennial Avenue as established by resolution and order for Tract 21, dated August 30, 1965, said point being the true point of beginning; thence on a bearing of North 00 Degrees 03 Minutes 28 Seconds West along said existing right-of-way line, a distance of 547.10 feet to a bend point in said existing right-of-way line; thence on a bearing of North 02 Degrees 47 Minutes 29 Seconds East continuing along said existing right-of-way line, a distance of 201.20 feet to a bend point in said existing right-of-way line, thence on a bearing of North 00 Degrees 03 Minutes 28 Seconds West continuing along said existing right-of-way line a distance of 175.66 feet to the point of intersection of said existing right-of-way line with the Westerly right-of-way line of the Kansas City Southern Railroad Company as now established; thence on a bearing of South 29 Degrees 55 Minutes 56 Seconds East along said Westerly right-of-way line, a distance of 1011.10 feet to a point of intersection with the extended Southerly permanent easement line of a sanitary sewer as it now exists; thence on a bearing of North 86 Degrees 35 Minutes 46 Seconds West along said Southerly permanent easement line, a distance of 310.56 feet to a bend point in said Southerly easement line; thence on a bearing of South 87 Degrees 02 Minutes 31 Seconds West continuing along said Southerly easement line, a distance of 51.73 feet; thence on a bearing of South 44 Degrees 52 Minutes 58 Seconds West, a distance of 91.75 feet to the Northerly line of the Southwest Quarter (SW  $\frac{1}{4}$ ) of Section 33, Township 30 South, Range 25 East of the Sixth Principal Meridian; thence continuing on a bearing of South 44 Degrees 52 Minutes 58 Seconds West, a distance of 84.94 feet; thence on a bearing of North 90 Degrees 00 Minutes 00 Seconds West along a line perpendicular to the Westerly line of said Southwest Quarter Section, a distance of 27.23 feet to a point on said existing right-of-way line of Rouse Avenue and Centennial Avenue; thence on a bearing of North 00 Degrees 00 Minutes 00 Seconds East along said existing right-of-way line, a distance of 61.94 feet, to the point of beginning; the above described tract of land contains 231,726 square feet or 5.320 acres more or less.

Sec. 184.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, for the capital improvement project or projects specified, the following:

Rehabilitation and repair for state facilities.....	\$147,588
<i>Provided</i> , That any unencumbered balance in the rehabilitation and repair for state facilities account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.	
Judicial center rehabilitation and repair .....	\$73,861
<i>Provided</i> , That any unencumbered balance in the judicial center rehabilitation and repair account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.	
National bio and agro-defense facility – debt service.....	\$15,855,322
Kansas department of transportation – CTP – debt service .....	\$10,434,213
Capitol complex repair and rehabilitation.....	\$1,975,752
Restructuring debt service .....	\$3,530,798
John Redmond reservoir debt service.....	\$1,674,600
University of Kansas medical education building debt service .....	\$1,089,750
Debt service refunding.....	\$9,354,922

(b) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2016, for the capital improvement project or projects specified, the following:

Statehouse improvements — debt service.....	\$2,640,800
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(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Veterans memorial fund .....	No limit
State facilities gift fund.....	No limit
Master lease program fund .....	No limit
State buildings depreciation fund.....	No limit
Executive mansion gifts fund .....	No limit
Topeka state hospital cemetery memorial gift fund.....	No limit
Capitol area plaza authority planning fund .....	No limit

*Provided*, That the secretary of administration may accept gifts, donations and grants of money, including payments from local units of city and county government, for the development of a new master plan for the capitol plaza and the state zoning area described in K.S.A. 75-3619, and amendments thereto: *Provided further*, That all such gifts, donations and grants shall be deposited in the state treasury in accordance with the

provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the capitol area plaza authority planning fund.

Statehouse debt service – state highway fund ..... No limit

*Provided*, That on September 1, 2015, and February 1, 2016, or as soon after each date as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$10,000,000 from the state highway fund of the department of transportation to the statehouse debt service – state highway fund of the department of administration.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the building and ground fund for fiscal year 2016, expenditures may be made by the above agency from the following capital improvement account or accounts of the building and ground fund for fiscal year 2016 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Parking improvements and repair ..... No limit

(e) In addition to the other purposes for which expenditures may be made by the above agency from the building and ground fund for fiscal year 2016, expenditures may be made by the above agency from the building and ground fund for fiscal year 2016 from any unencumbered balance as of June 30, 2015, in each of the following capital improvement accounts of the building and ground fund: Parking improvements and repair: *Provided*, That the expenditures for fiscal year 2016 from the unencumbered balance of any such account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015; *Provided further*, That all expenditures from the building and ground fund for the fiscal year 2016 from the unencumbered balance in any such account shall be in addition to any expenditure limitations imposed on the building and ground fund for the fiscal year 2016.

(f) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings depreciation fund for fiscal year 2016, expenditures may be made by the above agency from the following capital improvement account or accounts of the state buildings depreciation fund for fiscal year 2016 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

State of Kansas facilities projects – debt service ..... No limit

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the state buildings depreciation fund for fiscal year 2016.

(g) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings depreciation fund for



fiscal year 2016, expenditures may be made by the above agency from the state buildings depreciation fund for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each capital improvement account of the state buildings depreciation fund for one or more projects approved for prior fiscal years: *Provided*, That expenditures from the unencumbered balance in any such account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, That all expenditures from any such account shall be in addition to any expenditure limitations imposed on the state buildings depreciation fund for fiscal year 2016.

(h) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings operating fund for fiscal year 2016, expenditures may be made by the above agency from the following capital improvement account or accounts of the state buildings operating fund for fiscal year 2016 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Memorial hall – debt service .....	No limit
Eisenhower building purchase and renovation – debt service .....	No limit

(i) In addition to the other purposes for which expenditures may be made from the intragovernmental printing service depreciation reserve fund for fiscal year 2016, expenditures may be made by the above agency from the following capital improvement account or accounts of the intragovernmental printing service depreciation reserve fund for fiscal year 2016 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair .....	\$75,000
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(j) On July 1, 2015, or as soon thereafter as moneys are available therefore, the director of accounts and reports shall transfer \$982,980 from the statehouse debt service — state highway fund of the department of administration to the state general fund.

Sec. 185.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, for the capital improvement project or projects specified, the following:

Rehabilitation and repair for state facilities.....	\$147,588
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*Provided*, That any unencumbered balance in the rehabilitation and repair for state facilities account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Judicial center rehabilitation and repair .....	\$73,861
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*Provided*, That any unencumbered balance in the judicial center reha-

bilitation and repair account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

National bio and agro-defense facility – debt service.....	\$16,247,336
Kansas department of transportation – CTP – debt service .....	\$10,436,519
Capitol complex repair and rehabilitation.....	\$1,975,753
Restructuring debt service .....	\$3,081,839
John Redmond reservoir debt service.....	\$1,673,000
University of Kansas medical education building debt service .....	\$1,089,750
Debt service refunding.....	\$12,964,920

(b) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2017, for the capital improvement project or projects specified, the following:

Statehouse improvements — debt service .....	\$2,640,800
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(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Veterans memorial fund .....	No limit
State facilities gift fund.....	No limit
Master lease program fund .....	No limit
State buildings depreciation fund.....	No limit
Executive mansion gifts fund .....	No limit
Topeka state hospital cemetery memorial gift fund.....	No limit
Capitol area plaza authority planning fund .....	No limit

*Provided*, That the secretary of administration may accept gifts, donations and grants of money, including payments from local units of city and county government, for the development of a new master plan for the capitol plaza and the state zoning area described in K.S.A. 75-3619, and amendments thereto: *Provided further*, That all such gifts, donations and grants shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the capitol area plaza authority planning fund.

Statehouse debt service – state highway fund .....	No limit
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*Provided*, That on September 1, 2016, and February 1, 2017, or as soon after each date as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$9,773,755.50 from the state highway fund of the department of transportation to the statehouse debt service – state highway fund of the department of administration.

Restructuring debt service – state highway fund .....	No limit
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*Provided*, That on September 1, 2016, or as soon thereafter as moneys

are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$452,489 from the state highway fund of the department of transportation to the restructuring debt service – state highway fund of the department of administration.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the building and ground fund for fiscal year 2017, expenditures may be made by the above agency from the following capital improvement account or accounts of the building and ground fund for fiscal year 2017 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Parking improvements and repair ..... No limit

(e) In addition to the other purposes for which expenditures may be made by the above agency from the building and ground fund for fiscal year 2017, expenditures may be made by the above agency from the building and ground fund for fiscal year 2017 from any unencumbered balance as of June 30, 2016, in each of the following capital improvement accounts of the building and ground fund: Parking improvements and repair: *Provided*, That the expenditures for fiscal year 2017 from the unencumbered balance of any such account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016; *Provided further*, That all expenditures from the building and ground fund for the fiscal year 2017 from the unencumbered balance in any such account shall be in addition to any expenditure limitations imposed on the building and ground fund for the fiscal year 2017.

(f) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings depreciation fund for fiscal year 2017, expenditures may be made by the above agency from the following capital improvement account or accounts of the state buildings depreciation fund for fiscal year 2017 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

State of Kansas facilities projects – debt service ..... No limit

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the state buildings depreciation fund for fiscal year 2017.

(g) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings depreciation fund for fiscal year 2017, expenditures may be made by the above agency from the state buildings depreciation fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each capital improvement account of the state buildings depreciation fund for one or more projects

approved for prior fiscal years: *Provided*, That expenditures from the unencumbered balance in any such account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from any such account shall be in addition to any expenditure limitations imposed on the state buildings depreciation fund for fiscal year 2017.

(h) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings operating fund for fiscal year 2017, expenditures may be made by the above agency from the following capital improvement account or accounts of the state buildings operating fund for fiscal year 2017 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Memorial hall – debt service .....	No limit
Eisenhower building purchase and renovation – debt service .....	No limit

(i) In addition to the other purposes for which expenditures may be made from the intragovernmental printing service depreciation reserve fund for fiscal year 2017, expenditures may be made by the above agency from the following capital improvement account or accounts of the intragovernmental printing service depreciation reserve fund for fiscal year 2017 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair .....	\$75,000
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(j) On July 1, 2016, or as soon thereafter as moneys are available therefore, the director of accounts and reports shall transfer \$2,086,819 from the statehouse debt service — state highway fund of the department of administration to the state general fund.

Sec. 186.

DEPARTMENT OF COMMERCE

(a) In addition to the other purposes for which expenditures may be made by the above agency from the reimbursement and recovery fund for fiscal year 2016, expenditures may be made by the above agency from the following capital improvement account or accounts of the reimbursement and recovery fund during the fiscal year 2016, for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Debt service – 1430 Topeka facilities .....	\$136,900
Rehabilitation and repair .....	No limit

(b) In addition to the other purposes for which expenditures may be made by the above agency from the Wagner Peyser employment services — federal fund for fiscal year 2016, expenditures may be made by the above agency from the following capital improvement account or accounts

of the Wagner Peyser employment services – federal fund during the fiscal year 2016, for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair ..... No limit

Sec. 187.

DEPARTMENT OF COMMERCE

(a) In addition to the other purposes for which expenditures may be made by the above agency from the reimbursement and recovery fund for fiscal year 2017, expenditures may be made by the above agency from the following capital improvement account or accounts of the reimbursement and recovery fund during the fiscal year 2017, for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Debt service – 1430 Topeka facilities ..... \$132,150

Rehabilitation and repair ..... No limit

(b) In addition to the other purposes for which expenditures may be made by the above agency from the Wagner Peyser employment services — federal fund for fiscal year 2017, expenditures may be made by the above agency from the following capital improvement account or accounts of the Wagner Peyser employment services – federal fund during the fiscal year 2017, for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair ..... No limit

Sec. 188.

INSURANCE DEPARTMENT

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Insurance department rehabilitation and repair fund ..... No limit

Sec. 189.

INSURANCE DEPARTMENT

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Insurance department rehabilitation and repair fund ..... No limit

Sec. 190.

KANSAS DEPARTMENT FOR AGING AND DISABILITY SERVICES

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2016, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects ..... \$3,000,000

*Provided*, That the secretary for aging and disability services is hereby authorized to transfer moneys during fiscal year 2016 from the rehabilitation and repair projects account to a rehabilitation and repair account for any institution, as defined by K.S.A. 76-12a01, and amendments thereto, for projects approved by the secretary for aging and disability services: *Provided further*, That expenditures also may be made from this account during fiscal year 2016 for the purposes of rehabilitation and repair for facilities of the Kansas department for aging and disability services other than any institution, as defined by K.S.A. 76-12a01, and amendments thereto.

Debt service – new state security hospital ..... \$3,844,481

Debt service – state hospitals rehabilitation and repair..... \$2,549,450

Larned state hospital – city of Larned wastewater treatment ..... \$129,620

*Provided*, That notwithstanding the provisions of K.S.A. 76-6b05, and amendments thereto, expenditures may be made by the above agency from the Larned state hospital – city of Larned wastewater treatment account of the state institutions building fund for payment of Larned state hospital’s portion of the city of Larned’s wastewater treatment system.

Parsons state hospital and training center – energy conservation improvement debt service ..... \$187,791

Kansas neurological institute – energy conservation improvement debt service ..... \$192,000

Sec. 191.

**KANSAS DEPARTMENT FOR AGING AND  
DISABILITY SERVICES**

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2017, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects ..... \$3,000,000

*Provided*, That the secretary for aging and disability services is hereby authorized to transfer moneys during fiscal year 2017 from the rehabilitation and repair projects account to a rehabilitation and repair account for any institution, as defined by K.S.A. 76-12a01, and amendments thereto, for projects approved by the secretary for aging and disability services: *Provided further*, That expenditures also may be made from this account during fiscal year 2017 for the purposes of rehabilitation and repair for facilities of the Kansas department for aging and disability services other than any institution, as defined by K.S.A. 76-12a01, and amendments thereto.

Debt service – new state security hospital ..... \$3,850,363

Debt service – state hospitals rehabilitation and repair..... \$2,589,950

Larned state hospital – city of Larned wastewater treatment .....	\$129,620
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*Provided*, That notwithstanding the provisions of K.S.A. 76-6b05, and amendments thereto, expenditures may be made by the above agency from the Larned state hospital – city of Larned wastewater treatment account of the state institutions building fund for payment of Larned state hospital’s portion of the city of Larned’s wastewater treatment system.

Parsons state hospital and training center – energy conservation improvement debt service .....	\$187,790
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Kansas neurological institute – energy conservation improvement debt service .....	\$192,000
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Sec. 192.

DEPARTMENT OF LABOR

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Employment security administration property sale fund...	No limit
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*Provided*, That the secretary of labor is hereby authorized to make expenditures from the employment security administration property sale fund during fiscal year 2016 for the unemployment insurance program: *Provided, however*, That no expenditures shall be made from this fund for the proposed purchase or other acquisition of additional real estate to provide space for the unemployment insurance program of the department of labor until such proposed purchase or other acquisition, including the preliminary plans and program statement for any capital improvement project that is proposed to be initiated and completed by or for the department of labor have been reviewed by the joint committee on state building construction.

(b) In addition to the other purposes for which expenditures may be made by the department of labor from moneys appropriated from any special revenue fund for fiscal year 2016 as authorized by this or other appropriation act of the 2015 regular session of the legislature, expenditures may be made by the department of labor for fiscal year 2016 from the moneys appropriated from any special revenue fund for the expenses of the sale, exchange or other disposition conveying title for any portion or all of the real estate of the department of labor: *Provided*, That such expenditures may be made and such sale, exchange or other disposition conveying title for any portion or all of the real estate of the department of labor may be executed or otherwise effectuated only upon specific authorization by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and

amendments thereto, and acting after receiving the recommendations of the joint committee on state building construction: *Provided, however*, That no such sale, exchange or other disposition conveying title for any portion of the real estate of the department of labor shall be executed until the proposed sale, exchange or other disposition conveying title for such real estate has been reviewed by the joint committee on state building construction: *Provided further*, That the net proceeds from the sale of any of the real estate of the department of labor shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the employment security administration property sale fund of the department of labor: *And provided further*, That expenditures from the employment security administration property sale fund shall not exceed the limitation established for fiscal year 2016 by this or other appropriation act of the 2015 regular session of the legislature except upon approval of the state finance council.

(c) In addition to the other purposes for which expenditures may be made by the above agency from the special employment security fund for fiscal year 2016, expenditures may be made by the above agency from the special employment security fund for fiscal year 2016 for the following capital improvement projects: Payment of debt service on revenue bonds issued to finance remodeling of the 401 S. Topeka building: *Provided*, That expenditures from the special employment security fund for fiscal year 2016 for such capital improvement purposes shall not exceed \$180,263: *Provided further*, That all expenditures from this fund for any such capital improvement purpose shall be in addition to any expenditure limitations imposed on the special employment security fund for fiscal year 2016.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the workmen's compensation fee fund for fiscal year 2016, expenditures may be made by the above agency from the workmen's compensation fee fund for fiscal year 2016 for the following capital improvement projects: (1) Payment of debt service on revenue bonds issued to finance remodeling of the 401 S. Topeka building: *Provided*, That expenditures from the workmen's compensation fee fund for fiscal year 2016 for such capital improvement purposes shall not exceed \$97,065; and (2) payment of rehabilitation and repair projects: *Provided*, That expenditures from the workmen's compensation fee fund for fiscal year 2016 for such capital improvement purposes shall not exceed \$152,500.

Sec. 193.

#### DEPARTMENT OF LABOR

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017,



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

Employment security administration property sale fund... No limit

*Provided*, That the secretary of labor is hereby authorized to make expenditures from the employment security administration property sale fund during fiscal year 2017 for the unemployment insurance program: *Provided, however*, That no expenditures shall be made from this fund for the proposed purchase or other acquisition of additional real estate to provide space for the unemployment insurance program of the department of labor until such proposed purchase or other acquisition, including the preliminary plans and program statement for any capital improvement project that is proposed to be initiated and completed by or for the department of labor have been reviewed by the joint committee on state building construction.

(b) In addition to the other purposes for which expenditures may be made by the department of labor from moneys appropriated from any special revenue fund for fiscal year 2017 as authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures may be made by the department of labor for fiscal year 2017 from the moneys appropriated from any special revenue fund for the expenses of the sale, exchange or other disposition conveying title for any portion or all of the real estate of the department of labor: *Provided*, That such expenditures may be made and such sale, exchange or other disposition conveying title for any portion or all of the real estate of the department of labor may be executed or otherwise effectuated only upon specific authorization by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, and acting after receiving the recommendations of the joint committee on state building construction: *Provided, however*, That no such sale, exchange or other disposition conveying title for any portion of the real estate of the department of labor shall be executed until the proposed sale, exchange or other disposition conveying title for such real estate has been reviewed by the joint committee on state building construction: *Provided further*, That the net proceeds from the sale of any of the real estate of the department of labor shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the employment security administration property sale fund of the department of labor: *And provided further*, That expenditures from the employment security administration property sale fund shall not exceed the limitation established for fiscal year 2017 by this or other appropriation act of the 2015 or 2016 regular session of the legislature except upon approval of the state finance council.

(c) In addition to the other purposes for which expenditures may be made by the above agency from the special employment security fund for fiscal year 2017, expenditures may be made by the above agency from the special employment security fund for fiscal year 2017 for the following capital improvement projects: Payment of debt service on revenue bonds issued to finance remodeling of the 401 S. Topeka building: *Provided*, That expenditures from the special employment security fund for fiscal year 2017 for such capital improvement purposes shall not exceed \$181,300; *Provided further*, That all expenditures from this fund for any such capital improvement purpose shall be in addition to any expenditure limitations imposed on the special employment security fund for fiscal year 2017.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the workmen’s compensation fee fund for fiscal year 2017, expenditures may be made by the above agency from the workmen’s compensation fee fund for fiscal year 2017 for the following capital improvement projects: (1) Payment of debt service on revenue bonds issued to finance remodeling of the 401 S. Topeka building: *Provided*, That expenditures from the workmen’s compensation fee fund for fiscal year 2017 for such capital improvement purposes shall not exceed \$97,623; and (2) payment of rehabilitation and repair projects: *Provided*, That expenditures from the workmen’s compensation fee fund for fiscal year 2017 for such capital improvement purposes shall not exceed \$195,000.

Sec. 194.

KANSAS COMMISSION ON VETERANS AFFAIRS OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, for the capital improvement project or projects specified, the following:

Veterans cemetery program rehabilitation and repair projects..... \$34,900

(b) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2016, for the capital improvement project or projects specified, the following:

Soldiers’ home rehabilitation and repair projects.....	\$150,000
Veterans’ home rehabilitation and repair projects.....	\$100,000
KSH campus telephone system replacement .....	\$88,000
KSH demolition of campus structures project.....	\$80,000
KSH Halsey hall door/threshold replacement .....	\$200,000
KSH Halsey hall whirlpool room renovation.....	\$66,000
KSH key replacement system.....	\$165,000
KSH Lincoln and Grant hall window replacement .....	\$80,000
KSH Lincoln and Grant hall entrance renovations .....	\$220,000
KVH bariatric rooms remodel .....	\$82,500

KVH campus security enhancement.....	\$110,000
KVH campus telephone system.....	\$88,000
KVH key replacement system.....	\$165,000

Sec. 195.

**KANSAS COMMISSION ON VETERANS AFFAIRS OFFICE**

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, for the capital improvement project or projects specified, the following:

Veterans cemetery program rehabilitation and repair projects.....	\$9,900
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(b) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2017, for the capital improvement project or projects specified, the following:

Soldiers' home rehabilitation and repair projects.....	\$150,000
Veterans' home rehabilitation and repair projects.....	\$100,000
KSH demolition of campus structures project.....	\$50,000
KSH Halsey hall covered entrance project.....	\$55,000
KSH Halsey hall kitchen renovation.....	\$412,500
KSH Lincoln and Grant hall ADA access upgrades.....	\$165,000
KSH Lincoln hall electrical upgrade.....	\$55,000
KSH Pershing barracks access renovation.....	\$330,000
KSH roof replacements.....	\$80,000
KVH Bleckley hall window replacement.....	\$481,500
KVH Triplett hall flooring replacement.....	\$198,000

Sec. 196.

**KANSAS STATE SCHOOL FOR THE BLIND**

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2016, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects.....	\$235,000
Security system upgrade project.....	\$355,902
Facilities conservation improvement debt service.....	\$38,600
Campus boilers and HVAC upgrades.....	\$69,000

Sec. 197.

**KANSAS STATE SCHOOL FOR THE BLIND**

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2017, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects.....	\$240,000
Security system upgrade project.....	\$309,817
Facilities conservation improvement debt service.....	\$40,459
Campus boilers and HVAC upgrades.....	\$60,000

Sec. 198.

KANSAS STATE SCHOOL FOR THE DEAF

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2016, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects .....	\$386,000
Facilities conservation improvement debt service .....	\$78,368
HVAC upgrades .....	\$20,000
Campus life safety and security .....	\$450,206

Sec. 199.

KANSAS STATE SCHOOL FOR THE DEAF

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2017, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects .....	\$290,000
Facilities conservation improvement debt service .....	\$81,646
HVAC upgrades .....	\$140,000
Campus life safety and security .....	\$300,907

Sec. 200.

STATE HISTORICAL SOCIETY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Rehabilitation and repair projects .....	\$250,000
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*Provided*, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016: *Provided further*, That during the fiscal year ending June 30, 2016, expenditures from the rehabilitation and repair projects account may be made for the purpose of replacing the state archives roof at the state historical society.

(b) In addition to the other purposes for which expenditures may be made by the above agency from the general fee fund for fiscal year 2016, expenditures may be made by the above agency from the following capital improvement account or accounts of the general fee fund for fiscal year 2016 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

State archives roof replacement .....	\$42,500
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*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the general fee fund for fiscal year 2016.

(c) In addition to other purposes for which expenditures may be made by the above agency from the private gifts, grants and bequests fund for fiscal year 2016, expenditures may be made by the above agency from the following capital improvement account or accounts of the private

gifts, grants and bequests fund for fiscal year 2016 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Grinter place south porch restoration .....	\$50,000
Cottonwood ranch stained glass window repair .....	\$15,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the private gifts, grants and bequests fund for fiscal year 2016.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the private gifts, grants and bequests fund for fiscal year 2016, expenditures may be made by the above agency from the private gifts, grants and bequests fund for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each existing capital improvement account of the private gifts, grants and bequests fee fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the private gifts, grants and bequests fund for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the private gifts, grants and bequests fund for fiscal year 2016.

(e) In addition to the other purposes for which expenditures may be made by the above agency from the historic properties fee fund for fiscal year 2016, expenditures may be made by the above agency from the historic properties fee fund for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each existing capital improvement account of the historic properties fee fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the historic properties fee fund for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the historic properties fee fund for fiscal year 2016.

(f) In addition to the other purposes for which expenditures may be made by the above agency from the state historical facilities fund for fiscal year 2016, expenditures may be made by the above agency from the state historical facilities fund for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each existing capital improvement account of the state historical facilities fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such

account on June 30, 2015: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the state historical facilities fund for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the state historical facilities fund for fiscal year 2016.

(g) In addition to the other purposes for which expenditures may be made by the above agency from the save America's treasures fund for fiscal year 2016, expenditures may be made by the above agency from the save America's treasures fund for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each existing capital improvement account of the save America's treasures fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the save America's treasures fund for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the save America's treasures fund for fiscal year 2016.

(h) In addition to the other purposes for which expenditures may be made by the above agency from the historical society capital improvement fund for fiscal year 2016, expenditures may be made by the above agency from the historical society capital improvement fund for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each existing capital improvement account of the historical society capital improvement fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the historical society capital improvement fund for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the historical society capital improvement fund for fiscal year 2016.

(i) In addition to the other purposes for which expenditures may be made by the above agency from the historical preservation grant in aid fund for fiscal year 2016, expenditures may be made by the above agency from the historical preservation grant in aid fund for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each existing capital improvement account of the historical preservation grant in aid fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, That all expenditures from the unencumbered balance of any such

account shall be in addition to any expenditure limitations imposed on the historical preservation grant in aid fund for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the historical preservation grant in aid fund for fiscal year 2016.

Sec. 201.

STATE HISTORICAL SOCIETY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Rehabilitation and repair projects ..... \$250,000

*Provided*, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(b) In addition to other purposes for which expenditures may be made by the above agency from the private gifts, grants and bequests fund for fiscal year 2017, expenditures may be made by the above agency from the following capital improvement account or accounts of the private gifts, grants and bequests fund for fiscal year 2017 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Kaw indian mission rehabilitation/interpretation project... \$293,500  
Cottonwood stone wall fence project..... \$25,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the private gifts, grants and bequests fund for fiscal year 2017.

(c) In addition to the other purposes for which expenditures may be made by the above agency from the private gifts, grants and bequests fund for fiscal year 2017, expenditures may be made by the above agency from the private gifts, grants and bequests fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account of the private gifts, grants and bequests fee fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the private gifts, grants and bequests fund for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the private gifts, grants and bequests fund for fiscal year 2017.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the historic properties fee fund for fiscal year 2017, expenditures may be made by the above agency from the historic properties fee fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account

of the historic properties fee fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the historic properties fee fund for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the historic properties fee fund for fiscal year 2017.

(e) In addition to the other purposes for which expenditures may be made by the above agency from the state historical facilities fund for fiscal year 2017, expenditures may be made by the above agency from the state historical facilities fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account of the state historical facilities fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the state historical facilities fund for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the state historical facilities fund for fiscal year 2017.

(f) In addition to the other purposes for which expenditures may be made by the above agency from the save America's treasures fund for fiscal year 2017, expenditures may be made by the above agency from the save America's treasures fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account of the save America's treasures fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the save America's treasures fund for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the save America's treasures fund for fiscal year 2017.

(g) In addition to the other purposes for which expenditures may be made by the above agency from the historical society capital improvement fund for fiscal year 2017, expenditures may be made by the above agency from the historical society capital improvement fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account of the historical society capital improvement fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the



amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the historical society capital improvement fund for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the historical society capital improvement fund for fiscal year 2017.

(h) In addition to the other purposes for which expenditures may be made by the above agency from the historical preservation grant in aid fund for fiscal year 2017, expenditures may be made by the above agency from the historical preservation grant in aid fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account of the historical preservation grant in aid fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the historical preservation grant in aid fund for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the historical preservation grant in aid fund for fiscal year 2017.

Sec. 202.

EMPORIA STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Student union refurbishing fund.....	No limit
Twin towers project revenue fund .....	No limit
Twin towers bond and interest sinking fund.....	No limit
Twin towers maintenance and equipment reserve fund....	No limit
Deferred maintenance support fund .....	No limit

(b) During the fiscal year ending June 30, 2016, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2015 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2014.

(c) In addition to the other purposes for which expenditures may be

made by the above agency from the restricted fees fund or the housing system repairs, equipment and improvement fund during the fiscal years ending June 30, 2015, or June 30, 2016, expenditures may be made by the above agency from the appropriate account or accounts of the restricted fees fund or the housing system repairs, equipment and improvement fund during fiscal year 2015 or fiscal year 2016 for a capital improvement project to plan, construct and remodel Singular/Trusler residence hall.

(d) In addition to the other purposes for which expenditures may be made by Emporia state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 or fiscal year 2017 as authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures may be made by Emporia state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 or fiscal year 2017 to raze stormont maintenance facility.

Sec. 203.

EMPORIA STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Student union refurbishing fund.....	No limit
Twin towers project revenue fund .....	No limit
Twin towers bond and interest sinking fund .....	No limit
Twin towers maintenance and equipment reserve fund....	No limit
Deferred maintenance support fund .....	No limit

(b) During the fiscal year ending June 30, 2017, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2015 or 2016 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2015.

(c) In addition to the other purposes for which expenditures may be made by the above agency from the restricted fees fund or the housing system repairs, equipment and improvement fund during the fiscal years ending June 30, 2016, or June 30, 2017, expenditures may be made by the above agency from the appropriate account or accounts of the restricted fees fund or the housing system repairs, equipment and improve-

ment fund during fiscal year 2016 or fiscal year 2017 for a capital improvement project to plan, construct and remodel Singular/Trusler residence hall.

Sec. 204.

FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Lewis field renovation – bond and interest sinking fund...	No limit
Lewis field renovation – revenue fund.....	No limit
Memorial union renovation debt service fund.....	No limit
Deferred maintenance support fund .....	No limit
Soccer facility fund.....	No limit
Wind power generation facility fund .....	No limit
Indoor practice facility .....	No limit

(b) During the fiscal year ending June 30, 2016, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2015 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2014.

(c) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds during the fiscal year ending June 30, 2016, as authorized by this or other appropriation act of the 2015 regular session of the legislature, expenditures may be made by the above agency from any special revenue fund or funds during fiscal year 2016 for a capital improvement project to plan and construct the institute of applied technology and a parking lot for such institute.

Sec. 205.

FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Lewis field renovation – bond and interest sinking fund...	No limit
Lewis field renovation – revenue fund.....	No limit
Memorial union renovation debt service fund.....	No limit

Deferred maintenance support fund .....	No limit
Soccer facility fund .....	No limit
Wind power generation facility fund .....	No limit
Indoor practice facility .....	No limit

(b) During the fiscal year ending June 30, 2017, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2015 or 2016 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2015.

(c) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds during the fiscal year ending June 30, 2017, as authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures may be made by the above agency from any special revenue fund or funds during fiscal year 2017 for a capital improvement project to plan and construct the department of art building and a parking lot for such building.

(d) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds for fiscal year 2017 as authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds for fiscal year 2017 to raze Wiest hall "B."

Sec. 206.

**KANSAS STATE UNIVERSITY**

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Engineering complex phase II private gift fund .....	No limit
Ackert hall addition – gifts and grants fund .....	No limit
Deferred maintenance support fund .....	No limit
Snyder family stadium construction fund .....	No limit

(b) During the fiscal year ending June 30, 2016, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for insti-

tutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2015 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2014.

(c) Any unencumbered balance in each of the following accounts of Kansas state university in the state general fund in excess of \$100 as of June 30, 2015, for the capital improvement project or projects specified, is hereby reappropriated for fiscal year 2016: School of architecture.

(d) In addition to the other purposes for which expenditures may be made by Kansas state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 or fiscal year 2017 authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures shall be made by Kansas state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 or for fiscal year 2017 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to expand the chilled water plant: *Provided*, That such capital improvement project is hereby approved for Kansas state university for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Kansas state university may make expenditures from the money received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the money received from the issuance of any such bonds for such capital improvement project shall not exceed \$56,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project, credit enhancement costs and any required reserves for payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from any appropriate special revenue fund or funds: *And provided further*, That Kansas state university shall make provisions for the maintenance of the chilled water plant.

(e) In addition to the other purposes for which expenditures may be made by Kansas state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 or fiscal year 2017 authorized by this or other appropriation

act of the 2015 or 2016 regular session of the legislature, expenditures shall be made by Kansas state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 or for fiscal year 2017 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to construct student housing in Salina: *Provided*, That such capital improvement project is hereby approved for Kansas state university for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Kansas state university may make expenditures from the money received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the money received from the issuance of any such bonds for such capital improvement project shall not exceed \$6,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project, credit enhancement costs and any required reserves for payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from any appropriate special revenue fund or funds: *And provided further*, That Kansas state university shall make provisions for the maintenance of the student housing.

(f) In addition to the other purposes for which expenditures may be made by Kansas state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2015 or fiscal year 2016 authorized by this or other appropriation act of the 2015 regular session of the legislature, expenditures shall be made by Kansas state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2015 or fiscal year 2016 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to expand the student union: *Provided*, That such capital improvement project is hereby approved for Kansas state university for the purpose of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Kansas state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$25,000,000, plus all

amounts required for the cost of bonds issuance, costs of interest on bonds issued for such capital improvement project during the construction of such project, credit enhancement costs and any required reserves for payment of principal interest on the bonds: *And provided further*, That all moneys received for the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from any appropriate special revenue fund or funds: *And provided further*, That Kansas state university shall make provisions for the maintenance of the area of the student union expansion.

(g) In addition to the other purposes for which expenditures may be made by Kansas state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 or fiscal year 2017 authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures shall be made by Kansas state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 or fiscal year 2017 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project for the renovation and expansion of Seaton hall, the college of architecture planning and design: *Provided*, That such capital improvement project is hereby approved for Kansas state university for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That, Kansas state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$60,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from the Kansas educational building fund or any other appropriate funds: *And provided further*, That Kansas state university shall make provision for the maintenance of Seaton hall, the college of architecture planning and design.

Sec. 207.

KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Engineering complex phase II private gift fund .....	No limit
Ackert hall addition — gifts and grants fund .....	No limit
Deferred maintenance support fund .....	No limit
Snyder family stadium construction fund .....	No limit

(b) During the fiscal year ending June 30, 2017, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2015 or 2016 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2015.

(c) There is appropriated for the above agency from the Kansas educational building fund for the fiscal year ending June 30, 2017, for the capital improvement project or projects specified as follows:

Seaton Hall, the college of architecture planning and design debt service.....	\$3,700,000
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Sec. 208.

KANSAS STATE UNIVERSITY EXTENSION SYSTEMS AND AGRICULTURE RESEARCH PROGRAMS

(a) In addition to the other purposes for which expenditures may be made by the above agency from the restricted fees fund for the fiscal year ending June 30, 2016, expenditures may be made by the above agency from the appropriate account or accounts of the restricted fees fund during fiscal year 2016 for the following capital improvement project or projects:

Equine education and research center.....	No limit
Grain science center .....	No limit
Southeast research – extension center building.....	No limit

Sec. 209.

KANSAS STATE UNIVERSITY EXTENSION SYSTEMS AND AGRICULTURE RESEARCH PROGRAMS

(a) In addition to the other purposes for which expenditures may be made by the above agency from the restricted fees fund for the fiscal year



ending June 30, 2017, expenditures may be made by the above agency from the appropriate account or accounts of the restricted fees fund during fiscal year 2017 for the following capital improvement project or projects:

Equine education and research center.....	No limit
Grain science center.....	No limit
Southeast research – extension center building.....	No limit

Sec. 210.

PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Horace Mann renovation revenue fund.....	No limit
Overman renovation revenue fund.....	No limit
Deferred maintenance support fund.....	No limit
Student health center — private gifts fund.....	No limit

(b) During the fiscal year ending June 30, 2016, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2015 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2014.

Sec. 211.

PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Horace Mann renovation revenue fund.....	No limit
Overman renovation revenue fund.....	No limit
Deferred maintenance support fund.....	No limit
Student health center — private gifts fund.....	No limit

(b) During the fiscal year ending June 30, 2017, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building

fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2015 or 2016 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2015.

Sec. 212.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, for the capital improvement project or projects specified as follows:

School of pharmacy debt service.....	\$1,632,325
School of pharmacy debt service 2009 .....	\$2,494,614

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Student union renovation revenue fund.....	No limit
Student health facility maintenance, repair, and equipment fee fund.....	No limit
Regents center revenue fund — K DFA D bonds, 1990 ...	No limit
Parking facilities surplus fund – K DFA G bonds, 1993 ....	No limit

*Provided*, That the university of Kansas may transfer moneys during fiscal year 2016 from the parking facilities surplus fund – K DFA G bonds, 1993 to the restricted fees fund.

Deferred maintenance support fund .....	No limit
Child care facility operations account fund.....	No limit
Child care facility student fee account fund.....	No limit
Student recreation & fitness center revenue fund .....	No limit
Child care facility addition fund.....	No limit

*Provided*, That the university of Kansas may transfer moneys during fiscal year 2016 from the restricted fees fund or the general fees fund to the child care facility addition fund for the capital improvement project to construct an addition to the child care facility: *Provided further*, That upon completion of the construction project, the university of Kansas may transfer unused moneys from the child care facility addition fund to the general fees fund or the restricted fees fund.

(c) During the fiscal year ending June 30, 2016, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the

state board of regents by any provision of this or other appropriation act of the 2015 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2014.

(d) In addition to the other purposes for which expenditures may be made by the university of Kansas from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 or fiscal year 2017 authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures shall be made by the university of Kansas from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 or for fiscal year 2017 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project for the earth energy environment center: *Provided*, That such capital improvement project is hereby approved for the university of Kansas for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That the university of Kansas may make expenditures from the money received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the money received from the issuance of any such bonds for such capital improvement project shall not exceed \$25,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project, credit enhancement costs and any required reserves for payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from any appropriate special revenue fund or funds: *And provided further*, That the university of Kansas shall make provisions for the maintenance of the earth energy environment center.

(e) In addition to the other purposes for which expenditures may be made by the university of Kansas from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2015 or fiscal year 2016 authorized by this or other appropriation act of the 2015 regular session of the legislature, expenditures shall be made by the university of Kansas from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2015 or fiscal year 2016 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to construct

a residence hall and dining facility: *Provided*, That such capital improvement project is hereby approved for the university of Kansas for the purpose of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That the university of Kansas may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$51,200,000, plus all amounts required for the cost of bonds issuance, costs of interest on bonds issued for such capital improvement project during the construction of such project, credit enhancement costs and any required reserves for payment of principal interest on the bonds: *And provided further*, That all moneys received for the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from any appropriate special revenue fund or funds: *And provided further*, That the university of Kansas shall make provisions for the maintenance of the residence hall and dining facility.

(f) In addition to the other purposes for which expenditures may be made by the university of Kansas from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2015 or fiscal year 2016 authorized by this or other appropriation act of the 2015 regular session of the legislature, expenditures shall be made by the university of Kansas from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2015 or fiscal year 2016 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to remodel Corbin hall: *Provided*, That such capital improvement project is hereby approved for the university of Kansas for the purpose of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That the university of Kansas may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$14,500,000, plus all amounts required for the cost of bonds issuance, costs of interest on bonds issued for such capital improvement project during the construction of such project, credit enhancement costs and any required reserves for payment of principal interest on the bonds: *And provided further*, That all moneys received for the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond cove-

nants: *And provided further*, That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from any appropriate special revenue fund or funds: *And provided further*, That the university of Kansas shall make provisions for the maintenance of Corbin hall.

(g) In addition to the provisions of section 178(c) of chapter 167 of the 2007 Session Laws of Kansas, authorizing the financing of debt service for the bonds issued to construct an addition to the law enforcement training center, debt service for any such bonds for such capital improvement projects shall be financed by appropriations from the state general fund or any appropriate special revenue fund or funds of the university of Kansas.

Sec. 213.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, for the capital improvement project or projects specified as follows:

School of pharmacy debt service.....	\$1,629,288
School of pharmacy debt service 2009 .....	\$2,491,364

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Student union renovation revenue fund .....	No limit
Student health facility maintenance, repair, and equipment fee fund .....	No limit
Regents center revenue fund – K DFA D bonds, 1990 .....	No limit
Parking facilities surplus fund – K DFA G bonds, 1993 ....	No limit

*Provided*, That the university of Kansas may transfer moneys during fiscal year 2017 from the parking facilities surplus fund – K DFA G bonds, 1993 to the restricted fees fund.

Deferred maintenance support fund .....	No limit
Child care facility operations account fund.....	No limit
Child care facility student fee account fund.....	No limit
Student recreation & fitness center revenue fund .....	No limit
Child care facility addition fund.....	No limit

*Provided*, That the university of Kansas may transfer moneys during fiscal year 2017 from the restricted fees fund or the general fees fund to the child care facility addition fund for the capital improvement project to construct an addition to the child care facility: *Provided further*, That upon completion of the construction project, the university of Kansas may transfer unused moneys from the child care facility addition fund to the general fees fund or the restricted fees fund.

(c) During the fiscal year ending June 30, 2017, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2015 or 2016 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2015.

Sec. 214.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fund — K.C. campus.....	No limit
Deferred maintenance support fund .....	No limit
Construct parking facility #4 fund.....	No limit

*Provided*, That the university of Kansas medical center may transfer moneys during fiscal year 2016 from appropriate accounts of the parking fees fund to the construct parking facility #4 fund for such capital improvement project.

(b) During the fiscal year ending June 30, 2016, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2015 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2014.

(c) In addition to the other purposes for which expenditures may be made by the university of Kansas medical center from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 or fiscal year 2017 authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures shall be made by the university of Kansas medical center from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 or for fiscal year 2017 to provide for the issuance of bonds by the Kansas development finance authority

in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to construct parking garage #5: *Provided*, That such capital improvement project is hereby approved for the university of Kansas medical center for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That the university of Kansas medical center may make expenditures from the money received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the money received from the issuance of any such bonds for such capital improvement project shall not exceed \$39,600,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project, credit enhancement costs and any required reserves for payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from any appropriate special revenue fund or funds: *And provided further*, That the university of Kansas medical center shall make provisions for the maintenance of parking garage #5.

(d) In addition to the other purposes for which expenditures may be made by the university of Kansas medical center from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 or fiscal year 2017 authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures shall be made by the university of Kansas medical center from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 or for fiscal year 2017 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to construct the health education building: *Provided*, That such capital improvement project is hereby approved for the university of Kansas medical center for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That the university of Kansas medical center may make expenditures from the money received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the money received from the issuance of any such bonds for such capital improvement project shall not exceed \$35,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project, credit enhancement costs and any required re-

serves for payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from any appropriate special revenue fund or funds: *And provided further*, That the university of Kansas medical center shall make provisions for the maintenance of the health education building.

(e) In addition to the other purposes for which expenditures may be made by the university of Kansas medical center from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 or fiscal year 2017 authorized by this or other appropriation act of the 2015 or 2016 regular session of the legislature, expenditures shall be made by the university of Kansas medical center from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2016 or for fiscal year 2017 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to construct the health education building: *Provided*, That such capital improvement project is hereby approved for the university of Kansas medical center for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That the university of Kansas medical center may make expenditures from the money received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the money received from the issuance of any such bonds for such capital improvement project shall not exceed \$25,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project, credit enhancement costs and any required reserves for payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from the state general fund or any appropriate special revenue fund or funds: *And provided further*, That the university of Kansas medical center shall make provisions for the maintenance of the health education building.

Sec. 215.

#### UNIVERSITY OF KANSAS MEDICAL CENTER

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017,



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

Parking fund – K.C. campus .....	No limit
Deferred maintenance support fund .....	No limit
Construct parking facility #4 fund .....	No limit

*Provided*, That the university of Kansas medical center may transfer moneys during fiscal year 2017 from appropriate accounts of the parking fees fund to the construct parking facility #4 fund for such capital improvement project.

(b) During the fiscal year ending June 30, 2017, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2015 or 2016 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2015.

Sec. 216.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

On campus parking reserve account fund – KDFA B bonds .....	No limit
Parking system project – maintenance fund, KDFA revenue bonds .....	No limit
On campus parking principal and interest fund – KDFA B bonds .....	No limit
Parking system project revenue fund – KDFA bonds .....	No limit
WSU housing system surplus fund .....	No limit
Deferred maintenance support fund .....	No limit
Infrastructure maintenance fund .....	No limit

(b) During the fiscal year ending June 30, 2016, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act

of the 2015 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2014.

Sec. 217.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

On campus parking reserve account fund — K DFA B bonds .....	No limit
Parking system project — maintenance fund, K DFA revenue bonds.....	No limit
On campus parking principal and interest fund — K DFA B bonds .....	No limit
Parking system project revenue fund — K DFA bonds.....	No limit
WSU housing system surplus fund.....	No limit
Deferred maintenance support fund .....	No limit
Infrastructure maintenance fund .....	No limit

(b) During the fiscal year ending June 30, 2017, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2015 or 2016 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2015.

Sec. 218.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

PEI infrastructure — debt service .....	\$5,294,875
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*Provided*, That, during the fiscal year ending June 30, 2016, in addition to the other purposes for which expenditures may be made by the state board of regents from moneys appropriated from the state general fund for fiscal year 2016 in the PEI infrastructure – debt service account of the state general fund for fiscal year 2016 after the principal payment has been received for fiscal year 2016 by the state treasurer from the postsecondary institutions that were recipients of the PEI infrastructure bond

proceeds, (1) the state board of regents may expend the amount of moneys appropriated for fiscal year 2016 in the PEI infrastructure – debt service account for the principal payment from the PEI infrastructure – debt service account for any other purpose for which moneys are appropriated for fiscal year 2016 from the state general fund for the state board of regents; or (2) the state board of regents may transfer such amount of moneys from the PEI infrastructure – debt service account of the state general fund for fiscal year 2016 to an account or accounts of the state general fund of any institution under the control and supervision of the state board of regents to be expended by the institution for a purpose for which expenditures may be made for fiscal year 2016 from such account or accounts and which is approved by the state board of regents: *Provided further*, That the state board of regents shall certify to the director of accounts and reports each such transfer of moneys from the PEI infrastructure – debt service account of the state general fund for fiscal year 2016: *And provided further*, That the state board of regents shall transmit a copy of each such certification to the director of the budget and to the director of legislative research.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Postsecondary educational infrastructure finance K DFA	
2008A revenue fund .....	No limit
Research bond debt services fund.....	No limit

(c) There is appropriated for the above agency from the Kansas educational building fund for the fiscal year ending June 30, 2016, for the capital improvement project or projects specified as follows:

Rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education.....	\$29,000,000
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*Provided*, That the state board of regents is hereby authorized to transfer moneys from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account to an account or accounts of the Kansas educational building fund of any institution under the control and supervision of the state board of regents to be expended by the institution for projects, including planning and new construction, approved by the state board of regents: *Provided, however*, That no expenditures shall be made from any such account until the proposed projects have been reviewed by the joint committee on state building construction: *Provided further*, That the state

board of regents shall certify to the director of accounts and reports each such transfer of moneys from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account: *And provided further*, That the state board of regents shall transmit a copy of each such certification to the director of the budget and to the director of legislative research: *And provided however*, That the state board of regents shall allocate the amount of money of each such transfer to be expended by the institution using the adjusted gross square footage calculation of mission critical buildings for fiscal year 2016.

Sec. 219.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

PEI infrastructure — debt service ..... \$2,607,375

*Provided*, That, during the fiscal year ending June 30, 2017, in addition to the other purposes for which expenditures may be made by the state board of regents from moneys appropriated from the state general fund for fiscal year 2017 in the PEI infrastructure – debt service account of the state general fund for fiscal year 2017 after the principal payment has been received for fiscal year 2017 by the state treasurer from the postsecondary institutions that were recipients of the PEI infrastructure bond proceeds, (1) the state board of regents may expend the amount of moneys appropriated for fiscal year 2017 in the PEI infrastructure – debt service account for the principal payment from the PEI infrastructure – debt service account for any other purpose for which moneys are appropriated for fiscal year 2017 from the state general fund for the state board of regents; or (2) the state board of regents may transfer such amount of moneys from the PEI infrastructure – debt service account of the state general fund for fiscal year 2017 to an account or accounts of the state general fund of any institution under the control and supervision of the state board of regents to be expended by the institution for a purpose for which expenditures may be made for fiscal year 2017 from such account or accounts and which is approved by the state board of regents: *Provided further*, That the state board of regents shall certify to the director of accounts and reports each such transfer of moneys from the PEI infrastructure – debt service account of the state general fund for fiscal year 2017: *And provided further*, That the state board of regents shall transmit a copy of each such certification to the director of the budget and to the director of legislative research.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such

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

Postsecondary educational infrastructure finance KDFa	
2008A revenue fund .....	No limit
Research bond debt services fund.....	No limit

(c) There is appropriated for the above agency from the Kansas educational building fund for the fiscal year ending June 30, 2017, for the capital improvement project or projects specified as follows:

Rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education.....	\$32,000,000
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*Provided*, That the state board of regents is hereby authorized to transfer moneys from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account to an account or accounts of the Kansas educational building fund of any institution under the control and supervision of the state board of regents to be expended by the institution for projects, including planning and new construction, approved by the state board of regents: *Provided, however*, That no expenditures shall be made from any such account until the proposed projects have been reviewed by the joint committee on state building construction: *Provided further*, That the state board of regents shall certify to the director of accounts and reports each such transfer of moneys from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account: *And provided further*, That the state board of regents shall transmit a copy of each such certification to the director of the budget and to the director of legislative research: *And provided however*, That the state board of regents shall allocate the amount of money of each such transfer to be expended by the institution using the adjusted gross square footage calculation of mission critical buildings for fiscal year 2017.

Sec. 220.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, for the capital improvement project or projects specified, the following:

Debt service payment for the infrastructure projects bond issue .....	\$518,137
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(b) There is appropriated for the above agency from the correctional

institutions building fund for the fiscal year ending June 30, 2016, for the capital improvement project or projects specified, the following:

Debt service payment for the infrastructure projects bond issues.....	\$500,000
Capital improvements — rehabilitation and repair of correctional institutions.....	\$4,110,675

*Provided*, That the secretary of corrections is hereby authorized to transfer moneys during fiscal year 2016 from the capital improvements – rehabilitation and repair of correctional institutions account of the correctional institutions building fund to an account or accounts of the correctional institutions building fund of any institution or facility under the jurisdiction of the secretary of corrections to be expended during fiscal year 2016 by the institution or facility for capital improvement projects and for security improvement projects including acquisition of security equipment.

Debt service payment for the prison capacity expansion projects bond issue .....	\$126,325
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(c) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2016, for the capital improvement project or projects specified, the following:

Capital improvements — rehabilitation and repair of juvenile correctional facilities.....	\$1,526,395
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*Provided*, That the secretary of the department of corrections is hereby authorized to transfer moneys during fiscal year 2016 from the capital improvements – rehabilitation and repair of juvenile correctional facilities account of the state institutions building fund to any account or accounts of the state institutions building fund of any juvenile correctional facility or institution under the general supervision and management of the secretary of the department of corrections to be expended during fiscal year 2016 for capital improvement projects approved by the secretary: *Provided further*, That the secretary of the department of corrections shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

Debt service – Topeka complex and Larned juvenile correctional facility.....	\$3,993,000
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(d) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Correctional facility infrastructure project.....	No limit
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Sec. 221.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, for the capital improvement project or projects specified, the following:

Debt service payment for the infrastructure projects bond issue .....	\$516,862
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(b) There is appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 2017, for the capital improvement project or projects specified, the following:

Debt service payment for the infrastructure projects bond issues.....	\$500,000
Capital improvements – rehabilitation and repair of correctional institutions.....	\$4,104,900

*Provided*, That the secretary of corrections is hereby authorized to transfer moneys during fiscal year 2017 from the capital improvements – rehabilitation and repair of correctional institutions account of the correctional institutions building fund to an account or accounts of the correctional institutions building fund of any institution or facility under the jurisdiction of the secretary of corrections to be expended during fiscal year 2017 by the institution or facility for capital improvement projects and for security improvement projects including acquisition of security equipment.

Debt service payment for the prison capacity expansion projects bond issue .....	\$127,100
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(c) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2017, for the capital improvement project or projects specified, the following:

Capital improvements — rehabilitation and repair of juvenile correctional facilities.....	\$516,910
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*Provided*, That the secretary of the department of corrections is hereby authorized to transfer moneys during fiscal year 2017 from the capital improvements – rehabilitation and repair of juvenile correctional facilities account of the state institutions building fund to any account or accounts of the state institutions building fund of any juvenile correctional facility or institution under the general supervision and management of the secretary of the department of corrections to be expended during fiscal year 2017 for capital improvement projects approved by the secretary: *Provided further*, That the secretary of the department of corrections shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

Debt service – Topeka complex and Larned juvenile cor-  
 rectional facility..... \$3,996,500

(d) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Correctional facility infrastructure project..... No limit  
 Sec. 222.

ATTORNEY GENERAL — KANSAS BUREAU  
 OF INVESTIGATION

(a) There is hereby appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects ..... \$100,000

*Provided*, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

KBI lab — debt service..... \$4,324,724  
 Sec. 223.

ATTORNEY GENERAL — KANSAS BUREAU  
 OF INVESTIGATION

(a) There is hereby appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects ..... \$100,000

*Provided*, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

KBI lab — debt service..... \$4,321,069  
 Sec. 224.

KANSAS HIGHWAY PATROL

(a) In addition to the other purposes for which expenditures may be made from the highway patrol training center fund for fiscal year 2016, expenditures may be made by the above agency from the highway patrol training center fund for fiscal year 2016 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair – training center – Salina ..... \$55,522

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the highway patrol training center fund for fiscal year 2016.



(b) In addition to the other purposes for which expenditures may be made from the vehicle identification number fee fund for fiscal year 2016, expenditures may be made by the above agency from the vehicle identification number fee fund for fiscal year 2016 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Training academy rehabilitation and repair..... No limit

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the vehicle identification number fee fund for fiscal year 2016.

(c) In addition to the other purposes for which expenditures may be made from the Kansas highway patrol operations fund for fiscal year 2016, expenditures may be made by the above agency from the Kansas highway patrol operations fund for fiscal year 2016 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Debt service – Topeka fleet service..... \$370,281

Scale replacement and rehabilitation and repair of buildings ..... \$253,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the Kansas highway patrol operations fund for fiscal year 2016.

(d) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$623,281 from the state highway fund of the department of transportation to the Kansas highway patrol operations fund. In addition to other purposes for which expenditures may be made from the state highway fund during fiscal year 2016 and notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, transfers and expenditures may be made from the state highway fund during fiscal year 2016 for support and maintenance of the Kansas highway patrol.

Sec. 225.

**KANSAS HIGHWAY PATROL**

(a) In addition to the other purposes for which expenditures may be made from the highway patrol training center fund for fiscal year 2017, expenditures may be made by the above agency from the highway patrol training center fund for fiscal year 2017 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair – training center – Salina ..... \$56,355

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the highway patrol training center fund for fiscal year 2017.

(b) In addition to the other purposes for which expenditures may be made from the vehicle identification number fee fund for fiscal year 2017, expenditures may be made by the above agency from the vehicle identification number fee fund for fiscal year 2017 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Training academy rehabilitation and repair ..... No limit

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the vehicle identification number fee fund for fiscal year 2017.

(c) In addition to the other purposes for which expenditures may be made from the Kansas highway patrol operations fund for fiscal year 2017, expenditures may be made by the above agency from the Kansas highway patrol operations fund for fiscal year 2017 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Debt service – Topeka fleet service..... \$367,825  
Scale replacement and rehabilitation and repair of buildings ..... \$256,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the Kansas highway patrol operations fund for fiscal year 2017.

(d) On July 1, 2016, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$623,825 from the state highway fund of the department of transportation to the Kansas highway patrol operations fund. In addition to other purposes for which expenditures may be made from the state highway fund during fiscal year 2017 and notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, transfers and expenditures may be made from the state highway fund during fiscal year 2017 for support and maintenance of the Kansas highway patrol.

Sec. 226.

ADJUTANT GENERAL

(a) On the effective date of this act, of the \$2,741,373 appropriated for the above agency for the fiscal year ending June 30, 2015, by section 253(a) of chapter 136 of the 2013 Session Laws of Kansas, from the state general fund in the debt service — rehabilitation and repair of the state-wide armories account, the sum of \$134,886 is hereby lapsed.

(b) On the effective date of this act, of the \$115,188 appropriated for the above agency for the fiscal year ending June 30, 2015, by section 253(a) of chapter 136 of the 2013 Session Laws of Kansas, from the state general fund in the debt service — armory/classroom/recreation center at PSU account, the sum of \$9,233 is hereby lapsed.

(c) On the effective date of this act, of the \$722,613 appropriated for the above agency for the fiscal year ending June 30, 2015, by section 253(a) of chapter 136 of the 2013 Session Laws of Kansas, from the state general fund in the debt service — training center account, the sum of \$29,831 is hereby lapsed.

Sec. 227.

ADJUTANT GENERAL

(a) There is hereby appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, for the capital improvement project or projects specified, the following:

Debt service — training center .....	\$475,544
Debt service – armory/classroom/recreation center at PSU .....	\$81,200
Debt service – rehabilitation and repair of the statewide armories.....	\$731,554
Rehabilitation and repair projects .....	\$163,688
State emergency operations center design.....	\$472,000

*Provided*, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

Sec. 228.

ADJUTANT GENERAL

(a) There is hereby appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, for the capital improvement project or projects specified, the following:

Debt service — training center .....	\$473,631
Debt service – armory/classroom/recreation center at PSU .....	\$83,200
Debt service – rehabilitation and repair of the statewide armories.....	\$730,269
Rehabilitation and repair projects .....	\$162,489

*Provided*, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

Any unencumbered balance in excess of \$100 as of June 30, 2016, in each of the following accounts is hereby reappropriated for fiscal year 2017: State emergency operations center design.

Sec. 229.

STATE FAIR BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such

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

State fair capital improvements fund .....	No limit
State fair fee fund .....	No limit

*Provided*, That expenditures from the state fair fee fund for official hospitality shall not exceed \$15,000.

(b) On or before the 10th of each month during the fiscal year ending June 30, 2016, the director of accounts and reports shall transfer from the state general fund to the state fair capital improvements fund interest earnings based on: (1) The average daily balance of moneys in the state fair capital improvements fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

(c) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, for the capital improvement project or projects specified, the following:

State fair debt service .....	\$845,950
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Sec. 230.

STATE FAIR BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State fair capital improvements fund .....	No limit
State fair fee fund .....	No limit

*Provided*, That expenditures from the state fair fee fund for official hospitality shall not exceed \$15,000.

(b) On or before the 10th of each month during the fiscal year ending June 30, 2017, the director of accounts and reports shall transfer from the state general fund to the state fair capital improvements fund interest earnings based on: (1) The average daily balance of moneys in the state fair capital improvements fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

(c) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, for the capital improvement project or projects specified, the following:

State fair debt service .....	\$848,550
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Sec. 231.

KANSAS DEPARTMENT OF WILDLIFE, PARKS AND TOURISM

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

2016, for the capital improvement project or projects specified, the following:

Debt service — Kansas City district office ..... \$10,395

*Provided*, That any unencumbered balance in the debt service — Kansas City district office account in excess of \$100 as of June 30, 2015, is hereby reappropriated for fiscal year 2016.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2016, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Department access road fund..... No limit

*Provided*, That, in addition to other purposes for which expenditures may be made by the above agency from the department access road fund, expenditures may be made from this fund for road improvement projects administered by the department of transportation in state parks and on public lands.

Bridge maintenance fund ..... No limit

(c) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$3,317,268 from the state highway fund of the department of transportation to the department access road fund of the Kansas department of wildlife, parks and tourism.

(d) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$200,000 from the state highway fund of the department of transportation to the bridge maintenance fund of the Kansas department of wildlife, parks and tourism.

(e) In addition to the other purposes for which expenditures may be made by the above agency from the state agricultural production fund for fiscal year 2016, expenditures may be made by the above agency from the following capital improvement account or accounts of the state agricultural production fund for fiscal year 2016 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Agricultural land capital improvements..... \$484,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the state agricultural production fund for fiscal year 2016.

(f) In addition to the other purposes for which expenditures may be made by the above agency from the parks fee fund for fiscal year 2016, expenditures may be made by the above agency from the following capital improvement account or accounts of the parks fee fund for fiscal year 2016 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Parks rehabilitation and repair projects..... \$1,200,000

Debt service – Kansas City district office ..... \$25,200  
*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the parks fee fund for fiscal year 2016.

(g) In addition to the other purposes for which expenditures may be made by the above agency from the parks fee fund for fiscal year 2016, expenditures may be made by the above agency from the parks fee fund for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each existing capital improvement account of the parks fee fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the parks fee fund for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the parks fee fund for fiscal year 2016.

(h) In addition to the other purposes for which expenditures may be made by the above agency from the boating fee fund for fiscal year 2016, expenditures may be made by the above agency from the following capital improvement account or accounts of the boating fee fund for fiscal year 2016 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Debt service – Kansas City district office .....	\$11,130
River access.....	\$100,000
Coast guard boating projects.....	\$200,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the boating fee fund for fiscal year 2016.

(i) In addition to the other purposes for which expenditures may be made by the above agency from the boating fee fund for fiscal year 2016, expenditures may be made by the above agency from the boating fee fund for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each existing capital improvement account of the boating fee fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the boating fee fund for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the boating fee fund for fiscal year 2016.

(j) In addition to the other purposes for which expenditures may be made by the above agency from the boating safety and financial assistance

fund for fiscal year 2016, expenditures may be made by the above agency from the boating safety and financial assistance fund for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each existing capital improvement account of the boating safety and financial assistance fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the boating safety and financial assistance fund for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the boating safety and financial assistance fund for fiscal year 2016.

(k) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife fee fund for fiscal year 2016, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife fee fund during fiscal year 2016 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Shooting range development .....	\$250,000
Land acquisition.....	\$100,000
Federally mandated boating access .....	\$1,490,000
Public lands major maintenance .....	\$35,000
Debt service – Kansas City office.....	\$58,275

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the wildlife fee fund for fiscal year 2016.

(l) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife fee fund for fiscal year 2016, expenditures may be made by the above agency from the wildlife fee fund for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each existing capital improvement account of the wildlife fee fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the wildlife fee fund for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the wildlife fee fund for fiscal year 2016.

(m) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife conservation fund for fiscal year 2016, expenditures may be made by the above agency from the wildlife conservation fund for fiscal year 2016 from the unencumbered

balance as of June 30, 2015, in each existing capital improvement account of the wildlife conservation fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the wildlife conservation fund for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the wildlife conservation fund for fiscal year 2016.

(n) In addition to other purposes for which expenditures may be made by the above agency from the cabin revenue fund for fiscal year 2016, expenditures may be made by the above agency from the following capital improvement account or accounts of the cabin revenue fund for fiscal year 2016 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Cabin site preparation.....	\$300,000
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*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the cabin revenue fund for fiscal year 2016.

(o) In addition to the other purposes for which expenditures may be made by the above agency from the cabin revenue fund for fiscal year 2016, expenditures may be made by the above agency from the cabin revenue fund for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each existing capital improvement account of the cabin revenue fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the cabin revenue fund for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the cabin revenue fund for fiscal year 2016.

(p) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife restoration fund for fiscal year 2016, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife restoration fund for fiscal year 2016 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Wetlands acquisition and development.....	\$450,000
Public lands major maintenance .....	\$600,000

*Provided*, That all expenditures from each such capital improvement ac-



count shall be in addition to any expenditure limitations imposed on the wildlife restoration fund for fiscal year 2016.

(q) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife restoration fund for fiscal year 2016, expenditures may be made by the above agency from the wildlife restoration fund for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each existing capital improvement account of the wildlife restoration fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the wildlife restoration fund for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the wildlife restoration fund for fiscal year 2016.

(r) In addition to the other purposes for which expenditures may be made by the above agency from the sport fish restoration program fund for fiscal year 2016, expenditures may be made by the above agency from the following capital improvement account or accounts of the sport fish restoration program fund for fiscal year 2016 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Public lands major maintenance .....	\$135,000
Dam repairs .....	\$350,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the sport fish restoration program fund for fiscal year 2016.

(s) In addition to the other purposes for which expenditures may be made by the above agency from the sport fish restoration program fund for fiscal year 2016, expenditures may be made by the above agency from the sport fish restoration program fund for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each existing capital improvement account of the sport fish restoration program fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the sport fish restoration program fund for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the sport fish restoration program fund for fiscal year 2016.

(t) In addition to the other purposes for which expenditures may be made by the above agency from the migratory waterfowl propagation and

protection fund for fiscal year 2016, expenditures may be made by the above agency from the following capital improvement account or accounts of the migratory waterfowl propagation and protection fund for fiscal year 2016 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Wetlands acquisition ..... \$200,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the migratory waterfowl propagation and protection fund for fiscal year 2016.

(u) In addition to the other purposes for which expenditures may be made by the above agency from the migratory waterfowl propagation and protection fund for fiscal year 2016, expenditures may be made by the above agency from the migratory waterfowl propagation and protection fund for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each existing capital improvement account of the migratory waterfowl propagation and protection fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the migratory waterfowl propagation and protection fund for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the migratory waterfowl propagation and protection fund for fiscal year 2016.

(v) In addition to the other purposes for which expenditures may be made by the above agency from the nongame wildlife improvement fund for fiscal year 2016, expenditures may be made by the above agency from the nongame wildlife improvement fund for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each existing capital improvement account of the nongame wildlife improvement fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the nongame wildlife improvement fund for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the nongame wildlife improvement fund for fiscal year 2016.

(w) In addition to the other purposes for which expenditures may be made by the above agency from the plant and animal disease and pest control fund for fiscal year 2016, expenditures may be made by the above agency from the plant and animal disease and pest control fund for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each existing capital improvement account of the plant and animal disease and

pest control fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the plant and animal disease and pest control fund for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the plant and animal disease and pest control fund for fiscal year 2016.

(x) In addition to the other purposes for which expenditures may be made by the above agency from the land and water conservation fund — local for fiscal year 2016, expenditures may be made by the above agency from the land and water conservation fund — local for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each existing capital improvement account of the land and water conservation fund — local: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the land and water conservation fund — local for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the land and water conservation fund — local for fiscal year 2016.

(y) In addition to the other purposes for which expenditures may be made by the above agency from the outdoor recreation acquisition, development and planning fund for fiscal year 2016, expenditures may be made by the above agency from the following capital improvement account or accounts of the outdoor recreation acquisition, development and planning fund for fiscal year 2016 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Land and water conservation development..... \$375,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the outdoor recreation acquisition, development and planning fund for fiscal year 2016.

(z) In addition to the other purposes for which expenditures may be made by the above agency from the outdoor recreation acquisition, development and planning fund for fiscal year 2016, expenditures may be made by the above agency from the outdoor recreation acquisition, development and planning fund for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each existing capital improvement account of the outdoor recreation acquisition, development and planning fund:

*Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the outdoor recreation acquisition, development and planning fund for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the outdoor recreation acquisition, development and planning fund for fiscal year 2016.

(aa) In addition to the other purposes for which expenditures may be made by the above agency from the recreational trails program fund for fiscal year 2016, expenditures may be made by the above agency from the following capital improvement account or accounts of the recreational trails program fund for fiscal year 2016 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Recreational trails program ..... \$400,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the recreational trails program fund for fiscal year 2016.

(bb) In addition to the other purposes for which expenditures may be made by the above agency from the recreational trails program fund for fiscal year 2016, expenditures may be made by the above agency from the recreational trails program fund for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each existing capital improvement account of the fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the recreational trails program fund for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the recreational trails program fund for fiscal year 2016.

(cc) In addition to the other purposes for which expenditures may be made by the above agency from the federally licensed wildlife areas fund for fiscal year 2016, expenditures may be made by the above agency from the following capital improvement account or accounts of the federally licensed wildlife areas fund for fiscal year 2016 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Agricultural land capital improvements ..... \$515,000

*Provided*, That all expenditures from each such capital improvement ac-

count shall be in addition to any expenditure limitations imposed on the federally licensed wildlife areas fund for fiscal year 2016.

(dd) In addition to the other purposes for which expenditures may be made by the above agency from the federally licensed wildlife areas fund for fiscal year 2016, expenditures may be made by the above agency from the federally licensed wildlife areas fund for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each existing capital improvement account of the federally licensed wildlife areas fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the federally licensed wildlife areas fund for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the federally licensed wildlife areas fund for fiscal year 2016.

(ee) In addition to the other purposes for which expenditures may be made by the above agency from the department of wildlife and parks gifts and donations fund for fiscal year 2016, expenditures may be made by the above agency from the department of wildlife and parks gifts and donations fund for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each existing capital improvement account of the department of wildlife and parks gifts and donations fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the department of wildlife and parks gifts and donations fund for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the department of wildlife and parks gifts and donations fund for fiscal year 2016.

(ff) In addition to the other purposes for which expenditures may be made by the above agency from the highway planning/construction fund for fiscal year 2016, expenditures may be made by the above agency from the highway planning/construction fund for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each existing capital improvement account of the highway planning/construction fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the highway planning/construction fund for fiscal year 2016 and shall be in

addition to any other expenditure limitations imposed on any such account of the highway planning/construction fund for fiscal year 2016.

(gg) In addition to the other purposes for which expenditures may be made by the above agency from the state wildlife grants fund for fiscal year 2016, expenditures may be made by the above agency from the state wildlife grants fund for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each existing capital improvement account of the state wildlife grants fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the state wildlife grants fund for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the state wildlife grants fund for fiscal year 2016.

(hh) In addition to the other purposes for which expenditures may be made by the above agency from the disaster grants — public assistance for fiscal year 2016, expenditures may be made by the above agency from the disaster grants — public assistance for fiscal year 2016 from the unencumbered balance as of June 30, 2015, in each existing capital improvement account of the disaster grants — public assistance: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the disaster grants — public assistance for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the disaster grants — public assistance for fiscal year 2016.

(ii) In addition to the other purposes for which expenditures may be made by the above agency from the nonfederal grants fund for fiscal year 2016, expenditures may be made by the above agency from the unencumbered balance as of June 30, 2015, in each capital improvement account of the nonfederal grants fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2015: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the nonfederal grants fund for fiscal year 2016 and shall be in addition to any other expenditure limitations imposed on any such account of the nonfederal grants fund for fiscal year 2016.

(jj) On July 1, 2015, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$150,000 from the

bridge maintenance fund of the Kansas department of wildlife, parks and tourism to the state general fund.

Sec. 232.

**KANSAS DEPARTMENT OF WILDLIFE, PARKS AND TOURISM**

(a) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2017, for the capital improvement project or projects specified, the following:

Debt service — Kansas City district office ..... \$10,603

*Provided*, That any unencumbered balance in the debt service — Kansas City district office account in excess of \$100 as of June 30, 2016, is hereby reappropriated for fiscal year 2017.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2017, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Department access road fund..... No limit

*Provided*, That, in addition to other purposes for which expenditures may be made by the above agency from the department access road fund, expenditures may be made from this fund for road improvement projects administered by the department of transportation in state parks and on public lands.

Bridge maintenance fund ..... No limit

(c) On July 1, 2016, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$3,304,247 from the state highway fund of the department of transportation to the department access road fund of the Kansas department of wildlife, parks and tourism.

(d) On July 1, 2016, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$200,000 from the state highway fund of the department of transportation to the bridge maintenance fund of the Kansas department of wildlife, parks and tourism.

(e) In addition to the other purposes for which expenditures may be made by the above agency from the state agricultural production fund for fiscal year 2017, expenditures may be made by the above agency from the following capital improvement account or accounts of the state agricultural production fund for fiscal year 2017 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Agricultural land capital improvement ..... \$340,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the state agricultural production fund for fiscal year 2017.

(f) In addition to the other purposes for which expenditures may be made by the above agency from the state agricultural production fund for fiscal year 2017, expenditures may be made by the above agency from the state agricultural production fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account of the state agricultural production fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the state agricultural production fund for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the state agricultural production fund for fiscal year 2017.

(g) In addition to the other purposes for which expenditures may be made by the above agency from the parks fee fund for fiscal year 2017, expenditures may be made by the above agency from the following capital improvement account or accounts of the parks fee fund for fiscal year 2017 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Parks rehabilitation and repair projects.....	\$1,200,000
Debt service – Kansas City district office .....	\$27,600

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the parks fee fund for fiscal year 2017.

(h) In addition to the other purposes for which expenditures may be made by the above agency from the parks fee fund for fiscal year 2017, expenditures may be made by the above agency from the parks fee fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account of the parks fee fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the parks fee fund for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the parks fee fund for fiscal year 2017.

(i) In addition to the other purposes for which expenditures may be made by the above agency from the boating fee fund for fiscal year 2017, expenditures may be made by the above agency from the following capital improvement account or accounts of the boating fee fund for fiscal year 2017 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:



Debt service – Kansas City district office .....	\$12,190
River access.....	\$100,000
Coast guard boating projects.....	\$200,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the boating fee fund for fiscal year 2017.

(j) In addition to the other purposes for which expenditures may be made by the above agency from the boating fee fund for fiscal year 2017, expenditures may be made by the above agency from the boating fee fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account of the boating fee fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the boating fee fund for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the boating fee fund for fiscal year 2017.

(k) In addition to the other purposes for which expenditures may be made by the above agency from the boating safety and financial assistance fund for fiscal year 2017, expenditures may be made by the above agency from the boating safety and financial assistance fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account of the boating safety and financial assistance fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the boating safety and financial assistance fund for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the boating safety and financial assistance fund for fiscal year 2017.

(l) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife fee fund for fiscal year 2017, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife fee fund during fiscal year 2017 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Shooting range development.....	\$250,000
Land acquisition.....	\$400,000
Federally mandated boating access .....	\$1,398,000
Public lands major maintenance .....	\$35,000

Debt service – Kansas City office..... \$64,607

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the wildlife fee fund for fiscal year 2017.

(m) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife fee fund for fiscal year 2017, expenditures may be made by the above agency from the wildlife fee fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account of the wildlife fee fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the wildlife fee fund for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the wildlife fee fund for fiscal year 2017.

(n) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife conservation fund for fiscal year 2017, expenditures may be made by the above agency from the wildlife conservation fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account of the wildlife conservation fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the wildlife conservation fund for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the wildlife conservation fund for fiscal year 2017.

(o) In addition to other purposes for which expenditures may be made by the above agency from the cabin revenue fund for fiscal year 2017, expenditures may be made by the above agency from the following capital improvement account or accounts of the cabin revenue fund for fiscal year 2017 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Cabin site preparation..... \$300,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the cabin revenue fund for fiscal year 2017.

(p) In addition to the other purposes for which expenditures may be made by the above agency from the cabin revenue fund for fiscal year 2017, expenditures may be made by the above agency from the cabin

revenue fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account of the cabin revenue fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the cabin revenue fund for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the cabin revenue fund for fiscal year 2017.

(q) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife restoration fund for fiscal year 2017, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife restoration fund for fiscal year 2017 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Wetlands acquisition and development .....	\$450,000
Public lands major maintenance .....	\$675,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the wildlife restoration fund for fiscal year 2017.

(r) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife restoration fund for fiscal year 2017, expenditures may be made by the above agency from the wildlife restoration fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account of the wildlife restoration fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the wildlife restoration fund for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the wildlife restoration fund for fiscal year 2017.

(s) In addition to the other purposes for which expenditures may be made by the above agency from the sport fish restoration program fund for fiscal year 2017, expenditures may be made by the above agency from the following capital improvement account or accounts of the sport fish restoration program fund for fiscal year 2017 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Public lands major maintenance .....	\$100,000
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Dam repairs ..... \$350,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the sport fish restoration program fund for fiscal year 2017.

(t) In addition to the other purposes for which expenditures may be made by the above agency from the sport fish restoration program fund for fiscal year 2017, expenditures may be made by the above agency from the sport fish restoration program fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account of the sport fish restoration program fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the sport fish restoration program fund for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the sport fish restoration program fund for fiscal year 2017.

(u) In addition to the other purposes for which expenditures may be made by the above agency from the migratory waterfowl propagation and protection fund for fiscal year 2017, expenditures may be made by the above agency from the following capital improvement account or accounts of the migratory waterfowl propagation and protection fund for fiscal year 2017 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Wetlands acquisition ..... \$200,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the migratory waterfowl propagation and protection fund for fiscal year 2017.

(v) In addition to the other purposes for which expenditures may be made by the above agency from the migratory waterfowl propagation and protection fund for fiscal year 2017, expenditures may be made by the above agency from the migratory waterfowl propagation and protection fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account of the migratory waterfowl propagation and protection fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the migratory waterfowl propagation and protection fund for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the migratory waterfowl propagation and protection fund for fiscal year 2017.

(w) In addition to the other purposes for which expenditures may be made by the above agency from the nongame wildlife improvement fund for fiscal year 2017, expenditures may be made by the above agency from the nongame wildlife improvement fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account of the nongame wildlife improvement fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the nongame wildlife improvement fund for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the nongame wildlife improvement fund for fiscal year 2017.

(x) In addition to the other purposes for which expenditures may be made by the above agency from the plant and animal disease and pest control fund for fiscal year 2017, expenditures may be made by the above agency from the plant and animal disease and pest control fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account of the plant and animal disease and pest control fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the plant and animal disease and pest control fund for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the plant and animal disease and pest control fund for fiscal year 2017.

(y) In addition to the other purposes for which expenditures may be made by the above agency from the outdoor recreation acquisition, development and planning fund for fiscal year 2017, expenditures may be made by the above agency from the following capital improvement account or accounts of the outdoor recreation acquisition, development and planning fund for fiscal year 2017 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Land and water conservation development..... \$375,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the outdoor recreation acquisition, development and planning fund for fiscal year 2017.

(z) In addition to the other purposes for which expenditures may be made by the above agency from the outdoor recreation acquisition, de-

velopment and planning fund for fiscal year 2017, expenditures may be made by the above agency from the outdoor recreation acquisition, development and planning fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account of the outdoor recreation acquisition, development and planning fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the outdoor recreation acquisition, development and planning fund for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the outdoor recreation acquisition, development and planning fund for fiscal year 2017.

(aa) In addition to the other purposes for which expenditures may be made by the above agency from the recreational trails program fund for fiscal year 2017, expenditures may be made by the above agency from the following capital improvement account or accounts of the recreational trails program fund for fiscal year 2017 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Recreational trails program ..... \$400,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the recreational trails program fund for fiscal year 2017.

(bb) In addition to the other purposes for which expenditures may be made by the above agency from the recreational trails program fund for fiscal year 2017, expenditures may be made by the above agency from the recreational trails program fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account of the fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the recreational trails program fund for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the recreational trails program fund for fiscal year 2017.

(cc) In addition to the other purposes for which expenditures may be made by the above agency from the federally licensed wildlife areas fund for fiscal year 2017, expenditures may be made by the above agency from the following capital improvement account or accounts of the federally licensed wildlife areas fund for fiscal year 2017 for the following capital

improvement project or projects, subject to the expenditure limitations prescribed therefor:

Agricultural land capital improvements..... \$435,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the federally licensed wildlife areas fund for fiscal year 2017.

(dd) In addition to the other purposes for which expenditures may be made by the above agency from the federally licensed wildlife areas fund for fiscal year 2017, expenditures may be made by the above agency from the federally licensed wildlife areas fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account of the federally licensed wildlife areas fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the federally licensed wildlife areas fund for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the federally licensed wildlife areas fund for fiscal year 2017.

(ee) In addition to the other purposes for which expenditures may be made by the above agency from the department of wildlife and parks gifts and donations fund for fiscal year 2017, expenditures may be made by the above agency from the department of wildlife and parks gifts and donations fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account of the department of wildlife and parks gifts and donations fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the department of wildlife and parks gifts and donations fund for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the department of wildlife and parks gifts and donations fund for fiscal year 2017.

(ff) In addition to the other purposes for which expenditures may be made by the above agency from the highway planning/construction fund for fiscal year 2017, expenditures may be made by the above agency from the highway planning/construction fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account of the highway planning/construction fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unen-

cumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the highway planning/construction fund for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the highway planning/construction fund for fiscal year 2017.

(gg) In addition to the other purposes for which expenditures may be made by the above agency from the state wildlife grants fund for fiscal year 2017, expenditures may be made by the above agency from the state wildlife grants fund for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account of the state wildlife grants fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the state wildlife grants fund for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the state wildlife grants fund for fiscal year 2017.

(hh) In addition to the other purposes for which expenditures may be made by the above agency from the disaster grants — public assistance for fiscal year 2017, expenditures may be made by the above agency from the disaster grants — public assistance for fiscal year 2017 from the unencumbered balance as of June 30, 2016, in each existing capital improvement account of the disaster grants — public assistance: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the disaster grants — public assistance for fiscal year 2017 and shall be in addition to any other expenditure limitations imposed on any such account of the disaster grants — public assistance for fiscal year 2017.

(ii) In addition to the other purposes for which expenditures may be made by the above agency from the nonfederal grants fund for fiscal year 2017, expenditures may be made by the above agency from the unencumbered balance as of June 30, 2016, in each capital improvement account of the nonfederal grants fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2016: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitations imposed on the nonfederal grants fund for fiscal year 2017 and shall be in addition to any other expenditure limita-



tions imposed on any such account of the nonfederal grants fund for fiscal year 2017.

Sec. 233. On July 1, 2015, K.S.A. 2014 Supp. 2-223 is hereby amended to read as follows: 2-223. (a) There is hereby established in the state treasury the state fair capital improvements fund. All expenditures of moneys in the state fair capital improvements fund shall be used for the payment of capital improvements and maintenance for the state fairgrounds and the payment of capital improvement obligations that have been financed. Capital improvement projects for the Kansas state fairgrounds are hereby approved for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute.

(b) On each June 30, the state fair board shall certify to the director of accounts and reports an amount to be transferred from the state fair fee fund to the state fair capital improvements fund, which amount shall be not less than the amount equal to 5% of the total gross receipts during the current fiscal year from state fair activities and non-fair days activities, except that:

(1) For the fiscal year ending June 30, ~~2013~~ 2016, notwithstanding the other provisions of this section, on March 1, ~~2013~~ 2016, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer from the state fair fee fund to the state fair capital improvements fund the amount equal to the greater of ~~\$250,000~~ \$300,000 or the amount equal to 5% of the total gross receipts during fiscal year ~~2013~~ 2016 from state fair activities and non-fair days activities through March 1, ~~2013~~ 2016, except that, subject to approval by the director of the budget prior to March 1, ~~2013~~ 2016, after reviewing the amounts credited to the state fair fee fund and the state fair capital improvements fund, cash flow considerations for the state fair fee fund, and the amount required to be credited to the state fair capital improvements fund pursuant to this subsection to pay the bonded debt service payment due on April 1, ~~2013~~ 2016, the state fair board may certify an amount on March 1, ~~2013~~ 2016, to the director of accounts and reports to be transferred from the state fair fee fund to the state fair capital improvements fund that is equal to the amount required to be credited to the state fair capital improvements fund pursuant to this subsection to pay the bonded debt service payment due on April 1, ~~2013~~ 2016, and shall certify to the director of accounts and reports on the date specified by the director of the budget the amount equal to the balance of the aggregate amount that is required to be transferred from the state fair fee fund to the state fair capital improvements fund for fiscal year ~~2013~~ 2016. Upon receipt of any such certification, the director of accounts and reports shall transfer mon-

eys from the state fair fee fund to the state fair capital improvements fund in accordance with such certification; *and*

(2) for the fiscal year ending June 30, ~~2014~~ 2017, notwithstanding the other provisions of this section, on March 1, ~~2014~~ 2017, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer from the state fair fee fund to the state fair capital improvements fund the amount equal to the greater of ~~\$250,000~~ \$300,000 or the amount equal to 5% of the total gross receipts during fiscal year ~~2014~~ 2017 from state fair activities and non-fair days activities through March 1, ~~2014~~ 2017, except that, subject to approval by the director of the budget prior to March 1, ~~2014~~ 2017, after reviewing the amounts credited to the state fair fee fund and the state fair capital improvements fund, cash flow considerations for the state fair fee fund, and the amount required to be credited to the state fair capital improvements fund pursuant to this subsection to pay the bonded debt service payment due on April 1, ~~2014~~ 2017, the state fair board may certify an amount on March 1, ~~2014~~ 2017, to the director of accounts and reports to be transferred from the state fair fee fund to the state fair capital improvements fund that is equal to the amount required to be credited to the state fair capital improvements fund pursuant to this subsection to pay the bonded debt service payment due on April 1, ~~2014~~ 2017, and shall certify to the director of accounts and reports on the date specified by the director of the budget the amount equal to the balance of the aggregate amount that is required to be transferred from the state fair fee fund to the state fair capital improvements fund for fiscal year ~~2014~~ 2017. Upon receipt of any such certification, the director of accounts and reports shall transfer moneys from the state fair fee fund to the state fair capital improvements fund in accordance with such certification; ~~and~~

~~(3) for the fiscal year ending June 30, 2015, notwithstanding the other provisions of this section, on March 1, 2015, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer from the state fair fee fund to the state fair capital improvements fund the amount equal to the greater of \$250,000 or the amount equal to 5% of the total gross receipts during fiscal year 2015 from state fair activities and non-fair days activities through March 1, 2015, except that, subject to approval by the director of the budget prior to March 1, 2015, after reviewing the amounts credited to the state fair fee fund and the state fair capital improvements fund, cash flow considerations for the state fair fee fund, and the amount required to be credited to the state fair capital improvements fund pursuant to this subsection to pay the bonded debt service payment due on April 1, 2015, the state fair board may certify an amount on March 1, 2015, to the director of accounts and reports to be transferred from the state fair fee fund to the state fair capital improvements fund that is equal to the amount required to be credited to the state fair capital improvements fund pursuant to this subsection to~~

~~pay the bonded debt service payment due on April 1, 2015, and shall certify to the director of accounts and reports on the date specified by the director of the budget the amount equal to the balance of the aggregate amount that is required to be transferred from the state fair fee fund to the state fair capital improvements fund for fiscal year 2015. Upon receipt of any such certification, the director of accounts and reports shall transfer moneys from the state fair fee fund to the state fair capital improvements fund in accordance with such certification.~~

(c) On each July 1, the director of accounts and reports shall transfer from the state general fund to the state fair capital improvements fund, an amount equal to the amount certified by the state fair board pursuant to subsection (b), except that: (1) No transfer from the state general fund under this subsection shall exceed \$300,000 in any fiscal year, ~~except for the fiscal year ending June 30, 2014, the transfer shall not exceed \$250,000, and for the fiscal year ending June 30, 2015, the transfer shall not exceed \$400,000;~~ and (2) ~~no moneys shall be transferred pursuant to this section from the state general fund to the state fair capital improvements fund during the fiscal year ending June 30, 2013 except for the fiscal years ending June 30, 2016, and June 30, 2017, the transfer shall not exceed \$100,000.~~

Sec. 234. On July 1, 2015, K.S.A. 2014 Supp. 12-5256 is hereby amended to read as follows: 12-5256. (a) All expenditures from the state housing trust fund made for the purposes of K.S.A. 2014 Supp. 12-5253 through 12-5255, and amendments thereto, shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the president of the Kansas housing resources corporation.

(b) (1) On July 1, ~~2013~~ 2016, on July 1, ~~2014~~ 2017, and on July 1, ~~2015~~ 2018, the director of accounts and reports shall transfer \$2,000,000 from the state economic development initiatives fund to the state housing trust fund established by K.S.A. 2014 Supp. 74-8959, and amendments thereto.

(2) Notwithstanding the provisions of K.S.A. 2014 Supp. 74-8959, and amendments thereto, to the contrary, during fiscal year ~~2013~~ 2016, fiscal year ~~2014~~ 2017, and fiscal year ~~2015~~ 2018, moneys in the state housing trust fund shall be used solely for the purpose of loans or grants to cities or counties for infrastructure or housing development in rural areas. During such fiscal years, on or before January ~~14, 2013~~ 11, 2016, January ~~13, 2014~~ 9, 2017, and January ~~12, 2015~~ 8, 2018, the president of the Kansas housing resources corporation shall submit a report concerning the activities of the state housing trust fund to the house of representatives committee on appropriations and the senate committee on ways and means.

Sec. 235. On July 1, 2015, K.S.A. 2014 Supp. 55-193, as amended by section 2 of 2015 House Bill No. 2231, is hereby amended to read as

follows: 55-193. On July 15, 1996, and on the 15th day of each calendar quarter thereafter before July 1, 2020, the director of accounts and reports shall transfer \$100,000 from the state general fund and \$200,000 from the conservation fee fund established by K.S.A. 55-143, and amendments thereto, to the abandoned oil and gas well fund established by K.S.A. 55-192, and amendments thereto, *except that no transfer shall be made pursuant to this section from the state general fund to the abandoned oil and gas well fund during state fiscal year 2016 or state fiscal year 2017.*

Sec. 236. On July 1, 2015, K.S.A. 2014 Supp. 68-2320 is hereby amended to read as follows: 68-2320. (a) On and after July 1, 1991, the secretary of transportation is hereby authorized and empowered to issue bonds of the state of Kansas, payable solely from revenues accruing to the state highway fund and transferred to the highway bond debt service fund and pledged to their payment, for the purpose of providing funds to pay costs relating to construction, reconstruction, maintenance or improvement of highways in this state and to pay all expenses incidental thereto and to the bonds. The secretary is hereby authorized to issue bonds the total principal amount of which shall not exceed \$890,000,000.

(b) In addition to the provisions of subsection (a), on and after July 1, 1999, the secretary of transportation is hereby authorized and empowered to issue bonds of the state of Kansas, payable solely from revenues accruing to the state highway fund and transferred to the highway bond debt service fund and pledged to their payment, for the purpose of providing funds to pay costs relating to construction, reconstruction, maintenance or improvement of highways in this state and to pay all expenses incidental thereto and to the bonds. The secretary is hereby authorized to issue bonds the total principal amount of which shall not exceed \$1,272,000,000.

(c) (1) In addition to the provisions of subsections (a) and (b), on and after July 1, 2010, the secretary of transportation is hereby authorized and empowered to issue additional bonds of the state of Kansas, payable solely from revenues accruing to the state highway fund and transferred to the highway bond debt service fund and pledged to their payment, for the purpose of providing funds to pay costs relating to construction, reconstruction, maintenance or improvement of highways in this state and to pay all expenses incidental thereto and to the bonds. *Except as provided further*, no bonds shall be issued by the secretary pursuant to this subsection unless the secretary certifies that, as of the date of issuance of any such series of additional bonds, the maximum annual debt service on all outstanding bonds issued pursuant to this section and K.S.A. 68-2328, and amendments thereto, including the bonds to be issued on such date, will not exceed 18% of projected state highway fund revenues for the current or any future fiscal year. *During the fiscal year ending June 30,*

*2016, and the fiscal year ending June 30, 2017, the provisions of this subsection which prescribe a limitation on the amount of the maximum annual debt service on all outstanding bonds issued pursuant to this section and K.S.A. 68-2328, and amendments thereto, for the purpose of issuing any such series of additional bonds authorized by the secretary are hereby suspended.*

(2) As used in this subsection:

(A) “Maximum annual debt service” means the maximum amount of debt service requirements on all outstanding bonds for the current or any future fiscal year;

(B) “debt service requirements” means, for each fiscal year, the aggregate principal and interest payments required to be made during such fiscal year on all outstanding bonds, including the additional bonds to be issued, less any interest subsidy payments expected to be received from the federal government, less any principal and interest payments irrevocably provided for from a dedicated escrow of United States government securities;

(C) “projected state highway fund revenues” means all revenues projected by the secretary of transportation to accrue to the state highway fund for the current or any future fiscal year; and

(D) “fiscal year” means the fiscal year of the state.

(3) Debt service requirements for variable rate bonds outstanding or proposed to be issued for the current or any future fiscal year for which the actual interest rate cannot be determined on the date of calculation shall be deemed to bear interest at an assumed rate equal to the average of the SIFMA swap index, or any successor variable rate index, for the immediately preceding five calendar years plus 1% and an amount determined by the secretary that represents the then current reasonable annual ancillary costs associated with variable rate debt, including credit enhancement, liquidity and remarketing costs; except that, debt service requirements for variable rate bonds that are hedged pursuant to an interest rate exchange or similar agreement that results in synthetic fixed rate debt shall be deemed to bear interest at the synthetic fixed rate plus .5% and an amount determined by the secretary that represents the then current reasonable annual ancillary costs associated with variable rate debt, including credit enhancement, liquidity and remarketing costs.

(4) Projected state highway fund revenues for the current or any future fiscal year for which the actual revenues cannot be determined on the date of calculation shall be deemed to be the actual revenues for the most recently completed fiscal year, adjusted in each subsequent fiscal year by a percentage equal to the historical average annual increase or decrease in revenues for the five fiscal year period prior to the current fiscal year, and further adjusted to take into account any increases or decreases in the statutory rates of any taxes or other charges or transfers that comprise a portion of the revenues.

(d) In accordance with procurement statutes, the secretary may contract with financial advisors, attorneys and such other professional services as the secretary deems necessary to carry out the provisions of this act, and to do all things necessary or convenient to carry out the powers expressly granted in this act.

Sec. 237. On July 1, 2015, K.S.A. 2014 Supp. 74-50,107, as amended by section 57 of 2015 Senate Bill No. 4, is hereby amended to read as follows: 74-50,107. (a) ~~(1) The secretary shall determine and from time to time shall redetermine the rate at which moneys shall be credited to the IMPACT program repayment fund in order to satisfy all bond repayment obligations which have been incurred to finance program costs for IMPACT programs, which shall be referred to as the debt service rate, and the rate at which moneys shall be credited to the IMPACT program services fund in order to finance program costs that are not financed by bonds, which shall be referred to as the direct funding rate. The total of the debt service rate and the direct funding rate shall be the combined rate. Each rate so determined shall be certified to the secretary of revenue. The combined rate determined under this subsection shall not exceed 2%.~~

~~(2) Upon receipt of the rates determined and certified under subsection (a)(1), the secretary of revenue shall apply daily the combined rate to that portion of the moneys withheld from the wages of individuals and collected under the Kansas withholding and declaration of estimated tax act, K.S.A. 79-3294 et seq., and amendments thereto. The amount so determined shall be credited as follows: (A) The portion attributable to the debt service rate shall be credited to the IMPACT program repayment fund, and (B) the remaining portion shall be credited to the IMPACT program services fund.~~

~~(3) The aggregate of all amounts credited to the IMPACT program repayment fund under this section during any fiscal year to pay bond repayment obligations on bonds to finance major project investments shall not exceed the amount which results when the rate of 2% is applied to all moneys withheld from the wages of individuals and received under the Kansas withholding and declaration of estimated tax act.~~

~~(4) The provisions of this subsection shall remain in effect prior to July 1, 2012.~~

~~(b) Commencing July 1, 2012 2015, and on the first day of each month thereafter during fiscal year 2013 2016, fiscal year 2014 2017, and fiscal year 2015 2018, the secretary of revenue shall apply a rate of 2% to that portion of moneys withheld from the wages of individuals and collected under the Kansas withholding and declaration of estimated tax act, K.S.A. 79-3294 et seq., and amendments thereto. The amount so determined shall be credited on a monthly basis as follows: (1) An amount necessary to meet obligations of the debt services for the IMPACT pro-~~

gram repayment fund; and (2) an amount to the IMPACT program services fund as needed for program administration; and (3) any remaining amounts to the job creation program fund created pursuant to K.S.A. 2014 Supp. 74-50,224, and amendments thereto. ~~During fiscal year 2013, the aggregate amount that is credited to the job creation program fund pursuant to this subsection shall not exceed \$10,000,000 for such fiscal year.~~ During fiscal years ~~2014 and 2015~~ 2016, 2017 and 2018 the aggregate amount that is credited to the job creation program fund pursuant to this subsection shall not exceed ~~\$360,000~~ \$3,500,000 for such fiscal year.

~~(e)~~(b) Commencing July 1, ~~2015~~ 2018, and on an annual basis thereafter, the secretary of revenue shall estimate the amount equal to the amount of net savings realized from the elimination, modification or limitation of any credit, deduction or program pursuant to the provisions of this act as compared to the expense deduction provided for in K.S.A. 2014 Supp. 79-32,143a, and amendments thereto. Whereupon such amount of savings in accordance with appropriation acts shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount to the credit of the job creation program fund created pursuant to K.S.A. 2014 Supp. 74-50,224, and amendments thereto. In addition, such other amount or amounts of money may be transferred from the state general fund or any other fund or funds in the state treasury to the job creation program fund in accordance with appropriation acts.

Sec. 238. On July 1, 2015, K.S.A. 2014 Supp. 74-8963 is hereby amended to read as follows: 74-8963. (a) For the purpose of financing a capital improvement project relating to a national bio and agro defense facility, the Kansas development finance authority is hereby authorized to issue one or more series of revenue bonds pursuant to the Kansas development finance authority act, K.S.A. 74-8901 et seq., and amendments thereto, in an amount necessary to provide a deposit or deposits to the bioscience development fund, which is hereby created in the state treasury and shall be administered by the department of administration in accordance with the provisions of this section and K.S.A. 2014 Supp. 74-8964 through 74-8967, and amendments thereto, in a total amount not to exceed \$105,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project, cost of bond insurance or other credit enhancement for the bonds and any required reserves for the payment of principal and interest on the bonds, for a capital improvement project relating to a national bio and agro defense facility, including, but not limited to, land acquisition, site preparation, fencing, central utility plant facility construction and improvements, including

electric, water and sewer utility infrastructure construction and equipment, lift stations, street grading, paving, graveling, macadamizing, curbing, guttering and surfacing, street light fixture connections and facilities, underground gas, water, heating and electrical services and connections, sidewalks and parking facilities, drives and driveway approaches, landscaping and plantings and related facilities and amenities to develop and finance the project. The provisions of this subsection shall not apply on and after July 1, 2013, through June 30, ~~2015~~ 2017.

(b) On and after the effective date of this act, prior to the issuance of any bonds pursuant to this section, the capital improvement project described in subsection (a) shall be approved for the department of administration for the purposes of ~~subsection (b) of K.S.A. 74-8905(b)~~, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority shall be approved by the Kansas development finance authority in accordance with K.S.A. 74-8901 et seq., and amendments thereto, and, for all bonds issued on or after the effective date of this act, shall be approved by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in ~~subsection (c) of K.S.A. 75-3711c(c)~~, and amendments thereto, except that such approval also may be given when the legislature is in session. The provisions of this subsection shall not apply on and after July 1, 2013, through June 30, ~~2015~~ 2017.

(c) On and after July 1, 2013, through June 30, ~~2015~~ 2017, for the purpose of financing a capital improvement project relating to a national bio and agro defense facility, the Kansas development finance authority is hereby authorized to issue one or more series of revenue bonds pursuant to the Kansas development finance authority act, K.S.A. 74-8901 et seq., and amendments thereto, in an amount necessary to provide a deposit or deposits to the bioscience development fund, in a total amount not to exceed \$307,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project, cost of bond insurance or other credit enhancement for the bonds and any required reserves for the payment of principal and interest on the bonds, for a capital improvement project relating to a national bio and agro defense facility, including, but not limited to, land acquisition, site preparation, fencing, facility construction and improvements, central utility plant facility construction and improvements, including electric, water and sewer utility infrastructure construction and equipment, lift stations, street grading, paving, graveling, macadamizing, curbing, guttering and surfacing, street light fixture connections and facilities, underground gas, water, heating and electrical services and connections, sidewalks and parking facilities, drives and driveway approaches, landscaping and plantings and related facilities and amenities to develop and finance the project.



(d) On and after July 1, 2013, through June 30, ~~2015~~ 2017, prior to the issuance of any bonds pursuant to subsection (c):

(1) The capital improvement project described in subsection (c) shall be approved for the department of administration for the purposes of ~~subsection (b) of K.S.A. 74-8905(b)~~, and amendments thereto; and

(2) the authorization of the issuance of bonds by the Kansas development finance authority shall be approved by the:

(A) Kansas development finance authority in accordance with K.S.A. 74-8901 et seq., and amendments thereto; and

(B) state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in ~~subsection (c) of K.S.A. 75-3711(c)~~, and amendments thereto, except that such approval also may be given when the legislature is in session. Prior to the approval of the issuance of such bonds, except for any bonds that the state finance council has already approved prior to July 1, 2013, the state finance council shall have reviewed the signed contract from the United States department of homeland security for the construction of such capital improvement project and confirmed that such contract contains provisions that any additional costs or any change orders of such capital improvement project shall be paid by the United States department of homeland security and that construction will proceed in accordance with the provisions of such contract.

(e) The department of administration may only make expenditures from the moneys received from the issuance of any bonds pursuant to this section for those purposes set forth in subsection (a) for the capital improvement project.

(f) The debt service for any such bonds issued pursuant to this section shall be financed by appropriations from the state general fund or any appropriate special revenue fund or funds.

(g) The date of maturity on bonds issued pursuant to this section shall not be fixed for a period of time which exceeds 20 years from the date of issuance.

(h) The proceeds from the sale of any bonds, other than refunding bonds, issued pursuant to this section, after payment of any costs related to the issuance of such bonds, shall be paid by the Kansas development finance authority to the department of administration to be applied to the payment of the costs of the capital improvement project authorized pursuant to this section as requested by the secretary of administration and by resolution of the Kansas development finance authority.

Sec. 239. K.S.A. 2014 Supp. 74-99b34 is hereby amended to read as follows: 74-99b34. (a) The bioscience development and investment fund is hereby created. The bioscience development and investment fund shall not be a part of the state treasury and the funds in the bioscience development and investment fund shall belong exclusively to the authority.

(b) Distributions from the bioscience development and investment fund shall be for the exclusive benefit of the authority, under the control of the board and used to fulfill the purpose, powers and duties of the authority pursuant to the provisions of K.S.A. 2014 Supp. 74-99b01 et seq., and amendments thereto.

(c) The secretary of revenue and the authority shall establish the base year taxation for all bioscience companies and state universities. The secretary of revenue, the authority and the board of regents shall establish the number of bioscience employees associated with state universities and report annually and determine the increase from the taxation base annually. The secretary of revenue and the authority may consider any verifiable evidence, including, but not limited to, the NAICS code assigned or recorded by the department of labor for companies with employees in Kansas, when determining which companies should be classified as bioscience companies.

(d) (1) Except as provided in subsection (d)(2), (d)(3), (h), (i) ~~or~~, (j) *or (k)*, for a period of 15 years from the effective date of this act, the state treasurer shall pay annually 95% of withholding above the base, as certified by the secretary of revenue, upon Kansas wages paid by bioscience employees to the bioscience development and investment fund. Such payments shall be reconciled annually. On or before the 10th day of each month, the director of accounts and reports shall transfer from the state general fund to the bioscience development and investment fund interest earnings based on:

(A) The average daily balance of moneys in the bioscience development and investment fund for the preceding month; and

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

(2) (A) For fiscal year ~~2013~~ 2016, fiscal year ~~2014~~ 2017 and fiscal year ~~2015~~ 2018, the first \$1,000,000 that the secretary of revenue certifies to the state treasurer of the annual 95% of withholding above the base, upon Kansas wages paid by bioscience employees, shall be transferred by the director of accounts and reports from the state general fund to the following: The center of innovation for biomaterials in orthopaedic research – Wichita state university fund.

(B) There is hereby established in the state treasury the center of innovation for biomaterials in orthopaedic research — Wichita state university fund which shall be administered by Wichita state university. All moneys credited to the fund shall be used for research and development. All expenditures from the center of innovation for biomaterials in orthopaedic research – Wichita state university fund shall be made in accordance with appropriation acts and upon warrants of the director of accounts and reports issued pursuant to expenditures approved by the president of Wichita state university or by the person or persons designated by the president of Wichita state university.

(3) (A) For fiscal year ~~2013~~ 2016, fiscal year ~~2014~~ 2017 and fiscal year ~~2015~~ 2018, the next \$5,000,000 that the secretary of revenue certifies to the state treasurer of the annual 95% of withholding above the base, upon Kansas wages paid by bioscience employees above the first \$1,000,000 certified pursuant to subsection (d)(2)(A), shall be transferred by the director of accounts and reports from the state general fund to the following: The national bio agro-defense facility fund at Kansas state university.

(B) There is hereby established in the state treasury the national bio agro-defense facility fund which shall be administered by Kansas state university in accordance with the strategic plan adopted by the governor's national bio agro-defense facility steering committee. All moneys credited to the fund shall be used in accordance with the governor's national bio agro-defense facility steering committee's plan with the approval of the president of Kansas state university. All expenditures from the national bio agro-defense facility fund shall be made in accordance with appropriation acts and upon warrants of the director of accounts and reports issued pursuant to expenditures approved by the steering committee and the president of Kansas state university or by the person or persons designated by the president of Kansas state university.

(e) The cumulative amounts of funds paid by the state treasurer to the bioscience development and investment fund shall not exceed \$581,800,000.

(f) The division of post audit is hereby authorized to conduct a post audit in accordance with the provisions of the legislative post audit act, K.S.A. 46-1106 et seq., and amendments thereto.

(g) At the direction of the authority, the fund may be held in the custody of and invested by the state treasurer, provided that the bioscience development and investment fund shall at all times be accounted for in a separate report from all other funds of the authority and the state.

(h) *During the fiscal year ending June 30, 2015, the aggregate amount that is directed to be transferred from the state general fund to the bioscience development and investment fund pursuant to subsection (d)(1) plus interest earnings pursuant to subsection (d)(1) shall not exceed \$13,000,000 for such fiscal year.*

(i) During the fiscal year ending June 30, 2016, the aggregate amount that is directed to be transferred from the state general fund to the bioscience development and investment fund pursuant to subsection (d)(1) plus interest earnings pursuant to subsection (d)(1) shall not exceed ~~\$35,000,000~~ \$13,000,000 for such fiscal year.

~~(j)~~(j) During the fiscal year ending June 30, ~~2015~~ 2017, the aggregate amount that is directed to be transferred from the state general fund to the bioscience development and investment fund pursuant to subsection (d)(1) plus interest earnings pursuant to subsection (d)(1) shall not exceed ~~\$32,000,000~~ \$13,000,000 for such fiscal year.

~~(j)~~(k) During the fiscal year ending June 30, ~~2014~~ 2018, the aggregate

amount that is directed to be transferred from the state general fund to the bioscience development and investment fund pursuant to subsection (d)(1) plus interest earnings pursuant to subsection (d)(1) shall not exceed ~~\$10,000,000~~ \$13,000,000 for such fiscal year.

Sec. 240. On July 1, 2015, K.S.A. 2014 Supp. 75-6702 is hereby amended to read as follows: 75-6702. (a) The last appropriation bill passed in any regular session of the legislature shall be the omnibus reconciliation spending limit bill. Each bill which is passed during a regular session of the legislature and which appropriates or transfers money from the state general fund for the ensuing fiscal year shall contain a provision that such bill shall take effect and be in force from and after the effective date of the omnibus reconciliation spending limit bill for that regular session of the legislature or from and after such effective date and a subsequent date or an event occurring after such effective date.

(b) Except as provided in subsection (c), the maximum amount of expenditures and demand transfers from the state general fund that may be authorized by act of the legislature during the 2004 regular session of the legislature and each regular session of the legislature thereafter, is hereby fixed so that there will be an ending balance in the state general fund for the ensuing fiscal year that is equal to 7.5% or more of the total amount authorized to be expended or transferred by demand transfer from the state general fund in such fiscal year.

(c) The provisions of subsection (b) are hereby suspended for the fiscal year ending June 30, ~~2014~~ 2016, and the fiscal year ending June 30, ~~2015~~ 2017, and shall not prescribe a maximum amount of expenditures and demand transfers from the state general fund that may be authorized by act of the legislature during the ~~2013 or 2014~~ 2015 or 2016 regular session of the legislature.

Sec. 241. On July 1, 2015, K.S.A. 2014 Supp. 76-775 is hereby amended to read as follows: 76-775. (a) Subject to the other provisions of this act, on the first day of the first state fiscal year commencing after receiving a certification of receipt of a qualifying gift under K.S.A. 2014 Supp. 76-774, and amendments thereto, the director of accounts and reports shall transfer from the state general fund the amount determined by the director of accounts and reports to be the earnings equivalent award for such qualifying gift for the period of time between the date of certification of the qualifying gift and the first day of the ensuing state fiscal year to either: (1) The endowed professorship account of the faculty of distinction matching fund of the eligible educational institution, in the case of a certification of a qualifying gift to an eligible educational institution that is a state educational institution; or (2) the faculty of distinction program fund of the state board of regents, in the case of a certification of a qualifying gift to an eligible institution that is not a state educational institution. Subject to the other provisions of this act, on each

July 1 thereafter, the director of accounts and reports shall make such transfer from the state general fund of the earnings equivalent award for such qualifying gift for the period of the preceding state fiscal year. All transfers made in accordance with the provisions of this subsection shall be considered demand transfers from the state general fund, except that all such transfers during the fiscal years ending ~~June 30, 2013~~, June 30, ~~2014~~ 2016, June 30, ~~2015~~ 2017, and June 30, ~~2016~~ 2018, shall be considered to be revenue transfers from the state general fund.

(b) There is hereby established in the state treasury the faculty of distinction program fund which shall be administered by the state board of regents. All moneys transferred under this section to the faculty of distinction program fund of the state board of regents shall be paid to eligible educational institutions that are not state educational institutions for earnings equivalent awards for qualifying gifts to such eligible educational institutions. The state board of regents shall pay from the faculty of distinction program fund the amount of each such transfer to the eligible educational institution for the earnings equivalent award for which such transfer was made under this section.

(c) The earnings equivalent award for an endowed professorship shall be determined by the director of accounts and reports and shall be the amount of interest earnings that the amount of the qualifying gift certified by the state board of regents would have earned at the average net earnings rate of the pooled money investment board portfolio for the period for which the determination is being made.

(d) The total amount of new qualifying gifts which may be certified to the director of accounts and reports under this act during any state fiscal year for all eligible educational institutions shall not exceed \$30,000,000. The total amount of new qualifying gifts which may be certified to the director of accounts and reports under this act during any state fiscal year for any individual eligible educational institution shall not exceed \$10,000,000. No additional qualifying gifts shall be certified by the state board of regents under this act when the total of all transfers from the state general fund for earnings equivalent awards for qualifying gifts pursuant to this section and amendments thereto for a fiscal year is equal to or greater than \$8,000,000 in fiscal year 2011 and in each fiscal year thereafter.

Sec. 242. On July 1, 2015, K.S.A. 2014 Supp. 76-783 is hereby amended to read as follows: 76-783. (a) (1) The Kansas development finance authority is hereby authorized to issue from time to time bonds on behalf of the board of regents in such principal amounts as the Kansas development finance authority and the board of regents determine to be necessary to provide sufficient funds to finance scientific research and development facilities, including, but not limited to, the payment of interest on such bonds, the establishment of reserves to secure such bonds,

costs of issuance, refunding any outstanding bonds, and all other expenditures of the board of regents incident to and necessary or convenient to carry out the powers and functions authorized by this act. The Kansas development finance authority shall not issue any bond or bonds on behalf of the corporation formed by the board of regents under this act. The Kansas development finance authority shall not issue bonds under this act for more than \$120,000,000, in the aggregate, plus all amounts required for costs of any bond issuance, costs of interest on any bond issued or obtained for such scientific research and development facilities and any required reserves for payment of principal and interest on any such bond.

(2) Except as may otherwise be expressly provided by the board of regents, every obligation of the board of regents with respect to such bonds shall be an obligation of the board of regents payable out of any revenues or moneys of the board of regents derived from annual appropriations of the legislature. Subject only to any agreements with holders of particular bonds pledging any particular revenues, the board of regents shall use moneys derived from scientific research and development facilities to provide funds sufficient to pay principal and interest on any bonds issued pursuant to this act commencing after the date a project is completed and has been accepted by the board of regents. Subject to the provisions of appropriation acts, payment of principal and interest on the bonds shall be made by the state board of regents from annual appropriations by the legislature from such revenues as are furnished by the board of regents, or from any other available funds, in amounts sufficient to pay principal and interest on the bonds until the bonds are finally paid.

(3) Upon acceptance by the board of regents of each project initiated and completed under this act and upon a determination by the board of regents that the period for repayment of debt for such project is to commence, the board of regents shall certify to the director of accounts and reports that principal and interest payments for such project are to commence and the dates and amounts of all principal and interest payments for such project. Pursuant to each such certification and commencing on or after July 1, 2004, the director of accounts and reports shall transfer, from the state general fund to the debt service fund or funds at a state educational institution as specified in the certification for such project, the amount certified on or before the respective payment date therefor. Transfers shall be made under this section pursuant to any such certification on or after July 1, 2004. All such transfers during the fiscal years ending ~~June 30, 2013~~, June 30, ~~2014~~ 2016, June 30, ~~2015~~ 2017, and June 30, ~~2016~~ 2018, shall be considered to be revenue transfers from the state general fund. The aggregate of all such transfers from the state general fund during any fiscal year shall not exceed \$10,000,000 and the aggregate of all such transfers from the state general fund under this section shall not exceed \$50,000,000. The Kansas development finance authority and

the board of regents shall enter into contracts with respect to the scientific research and development facilities financed under this act prescribing the obligation of the board of regents and the state educational institutions to provide for repayment of amounts of bond debt service in addition to those amounts provided for by transfers under this section from the state general fund.

(b) (1) The bonds shall be authorized by a resolution adopted by the board of directors of the Kansas development finance authority.

(2) Except as otherwise provided in this act, bonds issued by the Kansas development finance authority under authority of this act shall be subject to the provisions of K.S.A. 74-8901 et seq., and amendments thereto.

(c) Any resolution authorizing the board of regents to incur any obligation with respect to bonds issued by the Kansas development finance authority may contain such provisions as deemed appropriate by the board of regents for the purpose of carrying out the purposes of this act and securing such bonds, which shall be a part of the contract with the holders thereof, including, but not limited to, provisions:

(1) Pledging all or any part of the revenues of the board of regents derived from scientific research and development facilities to secure the payment of the bonds or of any issue thereof, subject to such agreements with bondholders as may then exist;

(2) the setting aside of reserves or sinking funds and the regulation and disposition thereof;

(3) limitations on the issuance of additional bonds or other obligations, the terms upon which additional bonds or obligations may be issued and secured, and the refunding of outstanding or other bonds;

(4) defining the acts or omissions to act which shall constitute a default in the obligations and duties of the board of regents to the Kansas development finance authority, the applicable bond trustee or the holders of the bonds, except that such rights and remedies shall not be inconsistent with the general laws of this state and the other provisions of this act; and

(5) any other matters, of like or different character, which in any way affect the security or protection of the holders of the notes or bonds.

(d) Any of the provisions relating to any bonds described in this section may be set forth in a trust indenture, loan agreement, lease agreement or other financing document authorized by a resolution of the board of regents or the board of directors of the Kansas development finance authority.

(e) The bonds of each issue may, in the discretion of the board of directors of the Kansas development finance authority, be made redeemable before maturity at such prices and under such terms and conditions as may be determined by the board of directors of the Kansas development finance authority. Bonds issued on behalf of the board of regents

shall mature at such time, not exceeding 30 years from their date of issue, as may be determined by the board of regents and the board of directors of the Kansas development finance authority. The bonds may be issued as serial bonds payable in annual installments or as term bonds or as a combination thereof. The bonds shall bear interest at such rate either fixed or variable, be in such denominations, be in such form, either coupon or registered, carry such registration privileges, be executed in such manner, be payable in such medium of payment and at such place, and be subject to such terms of redemption as provided in the resolution of trust indenture. The bonds may be sold by the Kansas development finance authority, at public or private sale, at such price as the board of directors of the Kansas development finance authority shall determine.

(f) In case any officer of the Kansas development finance authority whose signature or a facsimile of whose signature appears on any bonds or coupons attached thereto ceases to be such officer before the delivery thereof, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

(g) Any bonds issued by the Kansas development finance authority pursuant to this section, and the income therefrom (including any profit from the sale thereof) shall at all times be free from taxation by the state or any agency, political subdivision or instrumentality of the state, including income and property taxes.

(h) Any holder of bonds issued under the provisions of this act, or any coupons appertaining thereto and the trustee under any trust agreement or resolution authorizing the issuance of such bonds, except the rights under this act may be restricted by such trust agreement or resolution, may, either at law or in equity by suit, action, mandamus or other proceeding, protect and enforce any and all rights under the laws of the state or granted under this act or under such agreement or resolution, or under any other contract executed by the board of regents pursuant to this act, and may enforce and compel the performance of all duties required by this act or by such trust agreement or resolution to be performed by the board of regents or by an officer thereof.

(i) The bonds shall be special, limited obligations of the Kansas development finance authority and the state shall not be liable for bonds issued by the Kansas development finance authority on behalf of the board of regents, and such bonds shall not constitute a debt of the state.

(j) Neither the board of regents, the board of the Kansas development finance authority nor any authorized employee of the board of regents or the Kansas development finance authority shall be personally liable for such bonds by reason of the issuance thereof.

(k) Nothing in this act shall be construed as a restriction or limitation upon any other powers which the board of regents might otherwise have under any other law of this state, and this act is cumulative to any such



powers. This act does and shall be construed to provide a complete, additional and alternative method for the doing of the things authorized thereby and shall be regarded as supplemental and additional to powers conferred by other laws. The issuance of bonds under the provisions of this act need not comply with the requirements of any other state law applicable to the issuance of bonds. No proceedings, notice or approval shall be required for the issuance of any bonds or any instrument as security therefor, except as is provided in this act.

(l) Any of the provisions relating to bonds described in this section may be included in any contracts between the board of regents and the Kansas development finance authority relating to obligations of the Kansas development finance authority issued on behalf of the board of regents.

Sec. 243. On July 1, 2015, K.S.A. 2014 Supp. 76-7,107 is hereby amended to read as follows: 76-7,107. (a) (1) On July 1, 2008, or as soon thereafter as sufficient moneys are available, \$7,000,000 shall be transferred by the director of accounts and reports from the state general fund to the infrastructure maintenance fund established by K.S.A. 2014 Supp. 76-7,104, and amendments thereto.

(2) No moneys shall be transferred by the director of accounts and reports from the state general fund to the infrastructure maintenance fund established by K.S.A. 2014 Supp. 76-7,104, and amendments thereto, during the fiscal year ending ~~June 30, 2013~~, June 30, ~~2014~~ 2016, June 30, ~~2015~~ 2017, and June 30, ~~2016~~ 2018, pursuant to this section.

(b) All transfers made in accordance with the provisions of this section shall be considered to be demand transfers from the state general fund.

(c) All moneys credited to the infrastructure maintenance fund shall be expended or transferred only for the purpose of paying the cost of projects approved by the state board pursuant to the state educational institution long-term infrastructure maintenance program.

Sec. 244. On July 1, 2015, K.S.A. 2014 Supp. 79-2959 is hereby amended to read as follows: 79-2959. (a) There is hereby created the local ad valorem tax reduction fund. All moneys transferred or credited to such fund under the provisions of this act or any other law shall be apportioned and distributed in the manner provided herein.

(b) On January 15 and on July 15 of each year, the director of accounts and reports shall make transfers in equal amounts which in the aggregate equal 3.63% of the total retail sales and compensating taxes credited to the state general fund pursuant to articles 36 and 37 of chapter 79 of Kansas Statutes Annotated, and amendments thereto, during the preceding calendar year from the state general fund to the local ad valorem tax reduction fund, except that: (1) No moneys shall be transferred from the state general fund to the local ad valorem tax reduction fund

during state fiscal years ~~2013, 2014, and 2015~~, 2016, 2017 and 2018; and (2) the amount of the transfer on each such date shall be \$27,000,000 during fiscal year ~~2016~~ 2019 and all fiscal years thereafter. All such transfers are subject to reduction under K.S.A. 75-6704, and amendments thereto. All transfers made in accordance with the provisions of this section shall be considered to be demand transfers from the state general fund, except that all such transfers during fiscal year ~~2016~~ 2019 shall be considered to be revenue transfers from the state general fund.

(c) The state treasurer shall apportion and pay the amounts transferred under subsection (b) to the several county treasurers on January 15 and on July 15 in each year as follows: (1) Sixty-five percent of the amount to be distributed shall be apportioned on the basis of the population figures of the counties certified to the secretary of state pursuant to K.S.A. 11-201, and amendments thereto, on July 1 of the preceding year; and (2) thirty-five percent of such amount shall be apportioned on the basis of the equalized assessed tangible valuations on the tax rolls of the counties on November 1 of the preceding year as certified by the director of property valuation.

Sec. 245. On July 1, 2015, K.S.A. 2014 Supp. 79-2964 is hereby amended to read as follows: 79-2964. There is hereby created the county and city revenue sharing fund. All moneys transferred or credited to such fund under the provisions of this act or any other law shall be allocated and distributed in the manner provided herein. The director of accounts and reports in each year on July 15 and December 10, shall make transfers in equal amounts which in the aggregate equal 2.823% of the total retail sales and compensating taxes credited to the state general fund pursuant to articles 36 and 37 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, during the preceding calendar year from the state general fund to the county and city revenue sharing fund, except that no moneys shall be transferred from the state general fund to the county and city revenue sharing fund during state fiscal years ~~2013, 2014, 2015 and 2016~~, 2017 and 2018. All such transfers are subject to reduction under K.S.A. 75-6704, and amendments thereto. All transfers made in accordance with the provisions of this section shall be considered to be demand transfers from the state general fund.

Sec. 246. On July 1, 2015, K.S.A. 2014 Supp. 79-3425i is hereby amended to read as follows: 79-3425i. On January 15 and July 15 of each year, the director of accounts and reports shall transfer a sum equal to the total taxes collected under the provisions of K.S.A. 79-6a04 and 79-6a10, and amendments thereto, and annual commercial vehicle fees collected pursuant to K.S.A. 2014 Supp. 8-143m, and amendments thereto, and credited to the state general fund during the six months next preceding the date of transfer, from the state general fund to the special city and county highway fund, created by K.S.A. 79-3425, and amendments

thereto, except that: (1) Such transfers are subject to reduction under K.S.A. 75-6704, and amendments thereto; (2) no moneys shall be transferred from the state general fund to the special city and county highway fund during ~~state fiscal year 2013~~, state fiscal year ~~2014~~ 2016, state fiscal year ~~2015~~ 2017, or state fiscal year ~~2016~~ 2018; (3) all transfers under this section shall be considered to be demand transfers from the state general fund; and (4) (A) on each January 14, April 14, July 14 and October 14 of state fiscal years ~~2012, 2013, 2014, 2015~~ and 2016, 2017 and 2018 the state treasurer shall determine the amount of money to be paid the counties and cities on such dates of such year, pursuant to K.S.A. 79-3425c, and amendments thereto, and make the following adjustments prior to the apportionment and payment specified in K.S.A. 79-3425c, and amendments thereto: (i) The following amounts shall be added to the apportionment and payment to be paid to the following counties: Barton county, \$7,984.99; Butler county, \$96,937.27; Douglas county, \$128,245.99; Leavenworth county, \$55,766.22; Shawnee county, \$267,356.20; and (ii) the following amounts shall be deducted from the apportionment and payment to the following counties: Allen county, \$3,839.12; Anderson county, \$2,957.98; Atchison county, \$4,345.79; Barber county, \$1,813.76; Bourbon county, \$2,945.98; Brown county, \$1,590.14; Chase county, \$1,364.54; Chautauqua county, \$539.42; Cherokee county, \$5,874.25; Cheyenne county, \$1,317.84; Clark county, \$757.32; Clay county, \$968.54; Cloud county, \$2,774.68; Coffey county, \$2,894.76; Comanche county, \$446.63; Cowley county, \$2,116.31; Crawford county, \$5,558.19; Decatur county, \$1,615.15; Dickinson county, \$6,024.00; Doniphan county, \$2,626.24; Edwards county, \$1,580.33; Elk county, \$525.08; Ellis county, \$8,774.46; Ellsworth county, \$2,334.37; Finney county, \$5,837.57; Ford county, \$7,048.03; Franklin county, \$6,898.28; Geary county, \$976.57; Gove county, \$1,058.76; Graham county, \$1,409.48; Grant county, \$1,936.03; Gray county, \$2,355.25; Greeley county, \$941.53; Greenwood county, \$2,701.29; Hamilton county, \$1,060.71; Harper county, \$1,466.35; Harvey county, \$7,863.46; Haskell county, \$1,335.39; Hodgeman county, \$959.20; Jackson county, \$4,647.68; Jefferson county, \$6,701.43; Jewell county, \$1,211.66; Johnson county, \$115,947.72; Kearny county, \$1,160.82; Kingman county, \$2,801.87; Kiowa county, \$1,441.36; Labette county, \$5,563.25; Lane county, \$652.48; Lincoln county, \$1,203.05; Linn county, \$3,772.22; Logan county, \$1,169.58; Lyon county, \$8,236.73; Marion county, \$3,681.52; Marshall county, \$3,878.17; McPherson county, \$8,652.66; Meade county, \$1,048.56; Miami county, \$10,701.45; Mitchell county, \$3,466.79; Montgomery county, \$8,377.29; Morris county, \$1,955.91; Morton county, \$1,200.61; Nemaha county, \$3,774.74; Neosho county, \$5,507.28; Ness county, \$991.77; Norton county, \$1,800.14; Osage county, \$2,327.93; Osborne county, \$1,882.73; Ottawa county, \$2,063.91; Pawnee county, \$1,802.09; Phillips county, \$2,622.20; Pottawatomie county,

\$6,512.08; Pratt county, \$2,187.16; Rawlins county, \$1,119.60; Reno county, \$12,935.71; Republic county, \$2,272.31; Rice county, \$1,722.51; Riley county, \$11,149.53; Rooks county, \$2,252.51; Rush county, \$1,235.76; Russell county, \$577.59; Saline county, \$14,049.86; Scott county, \$1,340.37; Sedgwick county, \$117,126.91; Seward county, \$4,488.67; Sheridan county, \$1,786.11; Sherman county, \$194.37; Smith county, \$1,993.99; Stafford county, \$2,029.27; Stanton county, \$991.97; Stevens county, \$638.08; Sumner county, \$5,908.68; Thomas county, \$3,388.44; Trego county, \$1,781.87; Wabaunsee county, \$2,354.10; Wallace county, \$994.33; Washington county, \$2,554.75; Wichita county, \$1,333.92; Wilson county, \$3,659.10; Woodson county, \$1,214.90; Wyandotte county, \$16,818.00; (B) after determining and including such additions and deductions, the resulting apportionment and payment shall be paid by the state treasurer to the counties and cities prescribed therefor, notwithstanding the provisions of K.S.A. 79-3425c, and amendments thereto, or any other statute, each January 14, April 14, July 14 and October 14 of state fiscal years 2012, 2013, 2014, 2015 and 2016, with the requirement that the additional moneys received by each such county shall be deposited and administered in accordance with K.S.A. 79-3425c, and amendments thereto, including any redistributions provided for by that statute, except that the state treasurer shall calculate the annual equalization payment to each county without considering the deductions or additions to quarterly distributions required by subsection (a)(4)(A); and (C) acceptance of the payments made pursuant to this subsection (a)(4) shall be deemed as payment in full and a release of any liability from the county to the state treasurer for payments from the special city and county highway fund for state fiscal years 2000 through 2009.

Sec. 247. On July 1, 2015, K.S.A. 2014 Supp. 79-34,156 is hereby amended to read as follows: 79-34,156. ~~On the effective date of this act, for the fiscal year ending June 30, 2014, the director of accounts and reports shall transfer \$200,000 from the state highway fund to the Kansas qualified biodiesel fuel producer incentive fund. No moneys shall be transferred from the state highway fund or from the state general fund to the Kansas qualified biodiesel fuel producer incentive fund during the fiscal year ending June 30, 2015.~~ On July 1, 2015, and quarterly thereafter, the director of accounts and reports shall transfer ~~\$875,000~~ \$50,000 from the state highway fund to the Kansas qualified biodiesel fuel producer incentive fund. ~~If sufficient moneys are not available in the state highway fund for such transfer on July 1, 2016, and on the first day of any calendar quarter thereafter, in any such fiscal year, then the director of accounts and reports shall transfer on such date the amount available in the state highway fund in accordance with this section and shall transfer on such date, or as soon thereafter as moneys are available therefor, the amount~~

equal to the insufficiency from the state general fund to the Kansas qualified biodiesel fuel producer incentive fund.

Sec. 248. On July 1, 2015, K.S.A. 2014 Supp. 79-34,171 is hereby amended to read as follows: 79-34,171. (a) On January 1, 2009, and quarterly thereafter, the director of accounts and reports shall transfer \$400,000 from the state general fund to the Kansas retail dealer incentive fund, except that no moneys shall be transferred pursuant to this section from the state general fund to the Kansas retail dealer incentive fund during the fiscal years ending ~~June 30, 2013~~, June 30, ~~2014~~ 2016, June 30, ~~2015~~ 2017, or June 30, ~~2016~~ 2018. On and after July 1, 2009, the unobligated balance in the Kansas retail dealer incentive fund shall not exceed \$1.5 million. If the unobligated balance of the fund exceeds \$1.1 million at the time of a quarterly transfer, the transfer shall be limited to the amount necessary for the fund to reach a total of \$1.5 million.

(b) There is hereby created in the state treasury the Kansas retail dealer incentive fund. All moneys in the Kansas retail dealer incentive fund shall be expended by the secretary of the department of revenue for the payment of incentives to Kansas retail dealers who sell and dispense renewable fuels or biodiesel through a motor fuel pump in accordance with the provisions of K.S.A. 2014 Supp. 79-34,170 through 79-34,175, and amendments thereto.

(c) All moneys remaining in the Kansas retail dealer incentive fund upon the expiration of K.S.A. 2014 Supp. 79-34,170 through 79-34,175, and amendments thereto, shall be credited by the state treasurer to the state general fund.

Sec. 249. On July 1, 2015, K.S.A. 2014 Supp. 79-4804 is hereby amended to read as follows: 79-4804. (a) After the transfer of moneys pursuant to K.S.A. 2014 Supp. 79-4806, and amendments thereto, an amount equal to 85% of the balance of all moneys credited to the state gaming revenues fund shall be transferred and credited to the state economic development initiatives fund. Expenditures from the state economic development initiatives fund shall be made in accordance with appropriations acts for the financing of such programs supporting and enhancing the existing economic foundation of the state and fostering growth through the expansion of current, and the establishment and attraction of new, commercial and industrial enterprises as provided by this section and as may be authorized by law and not less than 1/2 of such money shall be distributed equally among the congressional districts of the state. Except as provided by subsection (g), all moneys credited to the state economic development initiatives fund shall be credited within the fund, as provided by law, to an account or accounts of the fund which are created by this section.

(b) There is hereby created the Kansas capital formation account in the state economic development initiatives fund. All moneys credited to

the Kansas capital formation account shall be used to provide, encourage and implement capital development and formation in Kansas.

(c) There is hereby created the Kansas economic development research and development account in the state economic development initiatives fund. All moneys credited to the Kansas economic development research and development account shall be used to promote, encourage and implement research and development programs and activities in Kansas and technical assistance funded through state educational institutions under the supervision and control of the state board of regents or other Kansas colleges and universities.

(d) There is hereby created the Kansas economic development endowment account in the state economic development initiatives fund. All moneys credited to the Kansas economic development endowment account shall be accumulated and invested as provided in this section to provide an ongoing source of funds which shall be used for economic development activities in Kansas, including, but not limited to, continuing appropriations or demand transfers for programs and projects which shall include, but are not limited to, specific community infrastructure projects in Kansas that stimulate economic growth.

(e) Except as provided in subsection (f), the director of investments may invest and reinvest moneys credited to the state economic development initiatives fund in accordance with investment policies established by the pooled money investment board under K.S.A. 75-4232, and amendments thereto, in the pooled money investment portfolio. All moneys received as interest earned by the investment of the moneys credited to the state economic development initiatives fund shall be deposited in the state treasury and credited to the Kansas economic development endowment account of such fund.

(f) Moneys credited to the Kansas economic development endowment account of the state economic development initiatives fund may be invested in government guaranteed loans and debentures as provided by law in addition to the investments authorized by subsection (e) or in lieu of such investments. All moneys received as interest earned by the investment under this subsection of the moneys credited to the Kansas economic development endowment account shall be deposited in the state treasury and credited to the Kansas economic development endowment account of the state economic development initiatives fund.

(g) Except as provided further, in each fiscal year, the director of accounts and reports shall make transfers in equal amounts on July 15 and January 15 which in the aggregate equal \$2,000,000 from the state economic development initiatives fund to the state water plan fund created by K.S.A. 82a-951, and amendments thereto. No moneys shall be transferred from the state economic development initiatives fund to the state water plan fund on such dates during state fiscal year 2014. In state fiscal year 2015, the director of accounts and reports shall make transfers

~~in equal amounts on July 15 and January 15 which in the aggregate equal \$800,000 from the state economic development initiatives fund to the state water plan fund 2016, state fiscal year 2017 and state fiscal year 2018. No other moneys credited to the state economic development initiatives fund shall be used for: (1) Water-related projects or programs, or related technical assistance; or (2) any other projects or programs, or related technical assistance, which meet one or more of the long-range goals, objectives and considerations set forth in the state water resource planning act.~~

Sec. 250. On July 1, 2015, K.S.A. 2014 Supp. 82a-953a is hereby amended to read as follows: 82a-953a. During each fiscal year, the director of accounts and reports shall transfer \$6,000,000 from the state general fund to the state water plan fund created by K.S.A. 82a-951, and amendments thereto, one-half of such amount to be transferred on July 15 and one-half to be transferred on January 15, except that no moneys shall be transferred from the state general fund to the state water plan fund during the fiscal years ending June 30, ~~2013 2016~~, June 30, ~~2014 2017~~, and June 30, ~~2015 2018~~.

Sec. 251. K.S.A. 2014 Supp. 74-99b34 and 74-99b34a are hereby repealed.

Sec. 252. On July 1, 2015, K.S.A. 2014 Supp. 2-223, 12-5256, 55-193, as amended by section 2 of 2015 House Bill No. 2231, 68-2320, 74-50,107, as amended by section 57 of 2015 Senate Bill No. 4, 74-8963, 75-6702, 76-775, 76-783, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,156, 79-34,171, 79-4804 and 82a-953a are hereby repealed.

Sec. 253. *Severability.* If any provision or clause of this act or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

Sec. 254. *Appeals to exceed expenditure limitations.* (a) Upon written application to the governor and approval of the state finance council, expenditures from special revenue funds may exceed the amounts specified in this act.

(b) This section shall not apply to the expanded lottery act revenues fund, the state economic development initiatives fund, the children's initiative fund, the state water plan fund or the Kansas endowment for youth fund, or to any account of any such funds.

Sec. 255. *Savings.* (a) Any unencumbered balance as of June 30, 2015, in any special revenue fund, or account thereof, of any state agency named in this act which is not otherwise specifically appropriated or limited for fiscal year 2016 by this or any other appropriation act of the 2015 regular session of the legislature, is hereby appropriated for the fiscal year

ending June 30, 2016, for the same use and purpose as the same was heretofore appropriated.

(b) Any unencumbered balance as of June 30, 2016, in any special revenue fund, or account thereof, of any state agency named in this act which is not otherwise specifically appropriated or limited for fiscal year 2017 by this act or any other appropriation act of the 2015 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 2017, for the same use and purpose as the same was heretofore appropriated.

(c) This section shall not apply to the expanded lottery act revenues fund, the state economic development initiatives fund, the children's initiatives fund, the state water plan fund, the Kansas endowment for youth fund, the Kansas educational building fund, the state institutions building fund, or the correctional institutions building fund, or to any account of any of such funds.

Sec. 256. (a) During the fiscal year ending June 30, 2016, all moneys which are lawfully credited to and available in any bond special revenue fund, which are not otherwise specifically appropriated or limited by this or other appropriation act of the 2015 regular session of the legislature, are hereby appropriated for the fiscal year ending June 30, 2016, for the state agency for which the bond special revenue fund was established for the purposes authorized by law for expenditures from such bond special revenue fund.

(b) During the fiscal year ending June 30, 2017, all moneys which are lawfully credited to and available in any bond special revenue fund, which are not otherwise specifically appropriated or limited by this or other appropriation act of the 2015 regular session of the legislature, are hereby appropriated for the fiscal year ending June 30, 2017, for the state agency for which the bond special revenue fund was established for the purposes authorized by law for expenditures from such bond special revenue fund.

(c) As used in this section, "bond special revenue fund" means any special revenue fund or account thereof established in the state treasury prior to or on or after the effective date of this act for the deposit of the proceeds of bonds issued by the Kansas development finance authority, for the payment of debt service for bonds issued by the Kansas development finance authority, or for any related purpose in accordance with applicable bond covenants.

Sec. 257. *Federal grants.* (a) During the fiscal year ending June 30, 2016, each federal grant or other federal receipt which is received by a state agency named in this act and which is not otherwise appropriated to that state agency for fiscal year 2016 by this or other appropriation act of the 2015 regular session of the legislature, is hereby appropriated for fiscal year 2016, for that state agency for the purpose set forth in such federal grant or receipt, except that no expenditure shall be made from



and no obligation shall be incurred against any such federal grant or other federal receipt, which has not been previously appropriated or reappropriated or approved for expenditure by the governor, until the governor has authorized the state agency to make expenditures therefrom.

(b) During the fiscal year ending June 30, 2017, each federal grant or other federal receipt which is received by a state agency named in this act and which is not otherwise appropriated to that state agency for fiscal year 2017 by this or other appropriation act of the 2015 regular session of the legislature, is hereby appropriated for fiscal year 2017 for that state agency for the purpose set forth in such federal grant or receipt, except that no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt, which has not been previously appropriated or reappropriated or approved for expenditure by the governor, for fiscal year 2017, until the governor has authorized the state agency to make expenditures from such federal grant or other federal receipt for fiscal year 2017.

(c) In addition to the other purposes for which expenditures may be made by any state agency which is named in this act and which is not otherwise authorized by law to apply for and receive federal grants, expenditures may be made by such state agency from moneys appropriated for fiscal year 2016 and fiscal year 2017 by this act or any other appropriation act of the 2015 regular session of the legislature to apply for and receive federal grants during fiscal year 2016 and fiscal year 2017, which federal grants are hereby authorized to be applied for and received by such state agencies: *Provided*, That no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt, which has not been previously appropriated or reappropriated or approved for expenditure by the governor, until the governor has authorized the state agency to make expenditures therefrom.

Sec. 258. (a) (1) Any correctional institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2015 regular session of the legislature, and having an unencumbered balance as of June 30, 2015, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2016, for the same uses and purposes as originally appropriated unless specific provision is made for lapsing such appropriation.

(2) This subsection shall not apply to the unencumbered balance in any account of the correctional institutions building fund that was encumbered for any fiscal year commencing prior to July 1, 2014.

(b) (1) Any correctional institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2015 regular session of the legislature, and having an unencumbered balance as of June 30, 2016, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2017, for the same uses

and purposes as originally appropriated unless specific provision is made for lapsing such appropriation.

(2) This subsection shall not apply to the unencumbered balance in any account of the correctional institutions building fund that was encumbered for any fiscal year commencing prior to July 1, 2015.

Sec. 259. (a) (1) Any Kansas educational building fund appropriation heretofore appropriated to any institution named in this or other appropriation act of the 2015 regular session of the legislature and having an unencumbered balance as of June 30, 2015, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2016, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

(2) This subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund that was encumbered for any fiscal year commencing prior to July 1, 2014.

(b) (1) Any Kansas educational building fund appropriation heretofore appropriated to any institution named in this or other appropriation act of the 2015 regular session of the legislature and having an unencumbered balance as of June 30, 2016, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2017, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

(2) This subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund that was encumbered for any fiscal year commencing prior to July 1, 2015.

Sec. 260. (a) (1) Any state institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2015 regular session of the legislature and having an unencumbered balance as of June 30, 2015, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2016, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

(2) This subsection shall not apply to the unencumbered balance in any account of the state institutions building fund that was encumbered for any fiscal year commencing prior to July 1, 2014.

(b) (1) Any state institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2015 regular session of the legislature and having an unencumbered balance as of June 30, 2016, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2017, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

(2) This subsection shall not apply to the unencumbered balance in

any account of the state institutions building fund that was encumbered for any fiscal year commencing prior to July 1, 2015.

Sec. 261. (a) Any transfers of money during the fiscal year ending June 30, 2016, from any special revenue fund of any state agency named in this act to the audit services fund of the division of post audit under K.S.A. 46-1121, and amendments thereto, shall be in addition to any expenditure limitation imposed on any such fund for the fiscal year ending June 30, 2016.

(b) Any transfers of money during the fiscal year ending June 30, 2017, from any special revenue fund of any state agency named in this act to the audit services fund of the division of post audit under K.S.A. 46-1121, and amendments thereto, shall be in addition to any expenditure limitation imposed on any such fund for the fiscal year ending June 30, 2017.

Sec. 262. This act shall take effect and be in force from and after its publication in the Kansas register.

Approved June 16, 2015.

Published in the *Kansas Register* June 26, 2015.

† Section 142(f) was line-item vetoed.

† Section 143(f) was line-item vetoed.

(See Messages from the Governor)

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## CHAPTER 105

HOUSE BILL No. 2142  
(Amends Chapters 99 and 102)

AN ACT concerning taxation; reconciling amendments to certain statutes; amending K.S.A. 2014 Supp. 79-2925b, as amended by section 2 of 2015 House Substitute for Senate Bill No. 270 and repealing the existing section; also repealing K.S.A. 2014 Supp. 79-2925b, as amended by section 5 of 2015 Senate Substitute for House Bill No. 2109.

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

Section 1. K.S.A. 2014 Supp. 79-2925b, as amended by section 2 of 2015 House Substitute for Senate Bill No. 270, is hereby amended to read as follows: 79-2925b. (a) Without a majority vote so providing, the governing body of any municipality shall not approve any appropriation or budget, as the case requires, which may be funded by revenue produced from property taxes, and which provides for funding with such revenue in an amount exceeding that of the next preceding year, adjusted to reflect changes in the consumer price index for all urban consumers as published by the United States department of labor for the preceding calendar year. If the total tangible property valuation in any municipality increases from the next preceding year due to increases in the assessed

valuation of existing tangible property and such increase exceeds changes in the consumer price index, the governing body shall lower the amount of ad valorem tax to be levied to the amount of ad valorem tax levied in the next preceding year, adjusted to reflect changes in the consumer price index. This subsection shall not apply to ad valorem taxes levied under K.S.A. 76-6b01 and 76-6b04 and section 11 of 2015 House Substitute for Senate Bill No. 7, and amendments thereto, and any other ad valorem tax levy which was previously approved by the voters of such municipality. Except as provided in subsection (g), notwithstanding the requirements of this subsection, nothing herein shall prohibit a municipality from increasing the amount of ad valorem tax to be levied if the municipality approves the increase with a majority vote of the governing body by the adoption of a resolution and publishes such vote as provided in subsection (c).

(b) Revenue that, in the current year, is produced and attributable to the taxation of:

- (1) New improvements to real property;
- (2) increased personal property valuation, other than increased valuation of oil and gas leaseholds and mobile homes;
- (3) property located within added jurisdictional territory; or
- (4) property which has changed in use shall not be considered when determining whether revenue produced from property has increased from the next preceding year.

(c) In the event the governing body votes to approve any appropriation or budget, as the case requires, which may be funded by revenue produced from property taxes, and which provides for funding with such revenue in an amount exceeding that of the next preceding year as provided in subsection (a), notice of such vote shall be published in the official county newspaper of the county where such municipality is located.

(d) The provisions of this section shall be applicable to all fiscal and budget years commencing on and after the effective date of this act.

(e) The provisions of this section shall not apply to revenue received from property tax levied for the sole purpose of repayment of the principal of and interest upon bonded indebtedness, temporary notes and no-fund warrants.

(f) For purposes of this section, "municipality" means any political subdivision of the state which levies an ad valorem tax on property and includes, but is not limited to, any county, township, municipal university, school district, community college, drainage district or other taxing district. "Municipality" shall not include any such political subdivision or taxing district which receives \$1,000 or less in revenue from property taxes in the current year.

(g) *On and after January 1, 2018:* (1) In the case of cities and counties, any resolution by the governing body otherwise required by this

section to adopt any appropriation or budget which provides for funding by property tax revenue in an amount exceeding that of the next preceding year as adjusted pursuant to subsection (a) to reflect changes in the consumer price index, shall not become effective unless such resolution has been submitted to and approved by a majority of the qualified electors of the city or county voting at an election called and held thereon, except as otherwise provided. The election shall be called and held in the manner provided by K.S.A. 10-120, and amendments thereto, at the next regularly scheduled election to be held in August or November, or may be a mail ballot election, conducted in accordance with K.S.A. 25-431 et seq., and amendments thereto, or may be a special election called by the city or county. Nothing in this subsection shall prevent any city or county from holding more than one election in any year.

(2) A resolution by the governing body of a city or county otherwise required by the provisions of this section shall not be required to be approved by an election required by subsection (g)(1) under the following circumstances:

(A) The increase in the amount of ad valorem tax to be levied that is greater than the change in the consumer price index is due to:

(i) Costs for new infrastructure or improvements to existing infrastructure to support new improvements to property exempt from property taxation pursuant to the provisions of K.S.A. 79-201 et seq., and amendments thereto, such as hospitals, schools and churches, or exempt additions to or improvements to property so exempt from property taxation;

(ii) bond and interest payments;

(iii) an increase in property subject to taxation as the result of the expiration of any abatement of property from property tax;

(iv) increases in road construction costs when such construction has been once approved by a resolution of the governing body of the city or county;

(v) special assessments;

(vi) judgments levied against the city or county or expenses for legal counsel and for defense of legal actions against the city or county or officers of the city or county;

(vii) new expenditures that are specifically mandated by federal or state law; or

(viii) an increase in property subject to taxation as the result of new construction;

(B) the assessed valuation has declined in one or more of the next preceding three calendar years and the increase in the amount of funding for the budget or appropriation from revenue produced from property taxes does not exceed the average amount of funding from such revenue of the next preceding three calendar years, adjusted to reflect changes in

the consumer price index for all urban consumers as published by the United States department of labor for the preceding calendar year; or

(C) the increase in the amount of ad valorem tax to be levied is less than the change in the consumer price index plus the loss of assessed property valuation that has occurred as the result of legislative action, judicial action or a ruling by the board of tax appeals.

Sec. 2. K.S.A. 2014 Supp. 79-2925b, as amended by section 2 of 2015 House Substitute for Senate Bill No. 270 and 79-2925b, as amended by section 5 of 2015 Senate Substitute for House Bill No. 2109 are hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.

Approved June 30, 2015.

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## CHAPTER 106

## SENATE CONCURRENT RESOLUTION No. 1601

A CONCURRENT RESOLUTIONS relating to a committee to inform the governor that the two houses of the legislature are duly organized and ready to receive communications.

*Be it resolved by the Senate of the State of Kansas, the House of Representatives concurring therein:* That a committee of two members from the Senate and three members from the House of Representatives be appointed to wait upon the governor, and inform the governor that the two houses of the legislature are duly organized and are ready to receive any communications the governor may have to present.

Adopted by the House January 12, 2015.

Adopted by the Senate January 12, 2015.

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## CHAPTER 107

## HOUSE CONCURRENT RESOLUTION No. 5001

A CONCURRENT RESOLUTION providing for a joint session of the Senate and House of Representatives for the purpose of hearing a message from the Governor.

*Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein:* That the Senate and the House of Representatives meet in joint session in Representative Hall at 6:00 p.m. on January 15, 2015, for the purpose of hearing the message of the Governor.

*Be it further resolved:* That a committee of two members from the Senate and three members from the House of Representatives be appointed to wait upon the Governor.

*Be it further resolved:* That a committee of two members from the Senate and three members from the House of Representatives be appointed to wait upon the Lieutenant Governor.

Adopted by the House January 12, 2015.

Adopted by the Senate January 13, 2015.

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## CHAPTER 108

## HOUSE CONCURRENT RESOLUTION No. 5002

A CONCURRENT RESOLUTION adopting joint rules for the Senate and House of Representatives for the 2015-2016 biennium.

*Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein:* That the following joint rules shall be the joint rules of the Senate and House of Representatives for the 2015-2016 biennium.

JOINT RULES  
OF THE  
SENATE AND HOUSE OF REPRESENTATIVES  
2015-2016

**Joint rule 1. Joint rules; application and date of expiration; adoption, amendment, suspension and revocation.** (a) *Joint rules; expiration, adoption, amendment, suspension and revocation; vote required.* Joint rules are adopted under the authority of section 8 of article 2 of the Constitution of the State of Kansas and shall govern matters made subject thereto except when otherwise specifically provided by joint rule. Joint rules shall expire at the conclusion of the terms of representatives. Joint rules shall be adopted, amended, suspended and revoked by concurrent resolution of the two houses of the legislature. Concurrent resolutions adopting joint rules shall receive the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified in each house.

(b) *Amendment, suspension or revocation of joint rules; previous notice; vote required.* After one day's previous notice, joint rules may be amended, suspended or revoked by the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified in each house. Upon the filing of such notice in either house, a message shall be sent to the other house advising of the filing of such notice and the reading of the message shall constitute notice to the members of such house. If such previous notice is not given, the affirmative vote of  $\frac{2}{3}$  of the members then elected (or appointed) and qualified in each house shall be required for the amendment, suspension or revocation of a joint rule.

(c) *Amendment, suspension or revocation of joint rules at commencement of legislative session; vote required; conditions.* Notwithstanding any provision of this rule to the contrary, no notice shall be required for the adoption of a concurrent resolution amending, suspending or revoking any one or more joint rules at the commencement of a legislative session, and adoption of any such concurrent resolution shall require only the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified in each house, subject to the following con-



ditions: (1) The concurrent resolution is sponsored by the speaker or the president, and (2) either (a) a copy thereof is mailed to each member of the legislature by deposit in the United States mails not later than 11:00 p.m. on the Thursday preceding the Monday on which the legislative session is to commence or (b) in lieu of mailing, copies of the concurrent resolution are made available to members on the first day of the legislative session and final action is taken on a subsequent legislative day.

**Joint rule 2. Joint sessions.** (a) *Joint session called by concurrent resolution; vote required; time, place and subject matter.* A joint session of the senate and house of representatives may be called by concurrent resolution adopted by the affirmative vote of not less than a majority of the members elected (or appointed) and qualified in each house of the legislature or as may otherwise be prescribed by law. Any such resolution shall fix the time and place of the joint session, and the subject matter to be considered at the joint session. Joint sessions shall consider only such matters as are prescribed by law or by the concurrent resolution calling such joint session.

(b) *Presiding officer at joint sessions; record of joint session; rules applicable.* The speaker of the house of representatives shall preside at all joint sessions of the senate and house of representatives, and the clerk of the house of representatives shall keep a record of the proceedings thereof and shall enter the record of each such session in the journal of the house of representatives. The rules of the house of representatives and the joint rules of the two houses, insofar as the same may be applicable shall be the rules for joint sessions of the two houses.

(c) *Votes in joint session; taking; requirements.* All votes in a joint session shall be taken by yeas and nays, and in taking the same it shall be the duty of the secretary of the senate first to call the names of the members of the senate, and after which the clerk of the house of representatives shall in like manner call the names of the members of the house. Each member of the senate and the house of representatives present shall be required to vote on all matters considered in joint session, unless excused by a vote of a majority of the members of both houses present.

**Joint rule 3. Conference committee procedure.** (a) *Action by house of origin of bill or concurrent resolution amended by other house.* When a bill or concurrent resolution is returned to the house of origin with amendments by the other house, the house of origin may: (1) Concur in such amendments; (2) refuse to concur in such amendments; or (3) refuse to concur in such amendments and request a conference on the bill or concurrent resolution.

(b) *Concurrence by house of origin; concurrence prior to taking action on conference committee report by other house; final action; effect of failure of motion to concur.* The house of origin of any bill or concurrent resolution may concur in any amendments made by the other house,

except that if the bill or concurrent resolution has been referred to a conference committee such action may only be taken prior to the taking of final action upon the conference committee report upon such bill or concurrent resolution by the other house. A vote in the house of origin of any bill or concurrent resolution on a motion to concur in amendments to such bill or concurrent resolution by the other house shall be considered action on the final passage of the bill or concurrent resolution and the affirmative and negative votes thereon shall be entered in the journal. If the motion to concur is upon amendments to a bill or concurrent resolution for which a conference committee has been appointed and action has not been taken upon the report of such committee by the other house and such motion fails, the bill or concurrent resolution shall not be deemed to have been killed thereby and the motion to concur may be renewed but not on the same legislative day. If the motion to concur is upon amendments to a bill or concurrent resolution for which a conference committee has not been appointed and such motion fails, the bill or concurrent resolution shall be deemed to be killed.

(c) *Motion to nonconcur; when considered final action; effect of adoption of motion.* A vote in the house of origin of any bill or concurrent resolution on a motion to nonconcur or to refuse to concur in amendments to such bill or concurrent resolution by the other house which is not coupled with a request for the appointment of a conference committee shall be considered action on final passage of the bill or concurrent resolution and the affirmative and negative votes thereon shall be entered in the journal, and the bill or concurrent resolution shall be deemed killed on the adoption thereof.

(d) *House of origin refusal to concur or nonconcur; request for conference; procedure.* When a bill or concurrent resolution is returned by either house to the house of origin with amendments, and the house of origin refuses to concur or to nonconcur therein, a conference may be requested by a majority vote of the members present and voting. Such request shall be transmitted to the other house by message which shall include the names of the conferees on the part of the requesting house. Upon receipt of any such message, the receiving house may, in like manner, approve such conference, and shall thereupon notify the requesting house by message stating the names of its conferees.

(e) *Membership; appointment; chairperson; house of origin of substitute or materially changed bill or concurrent resolution; meetings of conference committee.* Each conference committee shall consist of three members of the senate and three members of the house of representatives, unless otherwise fixed by agreement of the president of the senate and speaker of the house. Senate members shall be appointed by the president of the senate and house members shall be appointed by the speaker of the house of representatives. The president or the speaker may replace any conferee previously appointed by such person. Not less

than one member appointed from each house shall be a member of the minority political party of such house except when such representation for such house is waived by the minority leader of such house. In all cases, the first-named member of the house of origin of the bill or concurrent resolution assigned to the committee shall be chairperson of the conference committee. The house of origin of a substitute bill or substitute concurrent resolution shall be the house in which the bill or concurrent resolution in its original form was introduced. The chairperson of a conference committee on a bill or concurrent resolution the subject matter of which has been ruled to be materially changed shall be a member of the house which amended the bill or concurrent resolution to materially change the subject matter. Each conference committee shall meet on the call of its chairperson. All meetings of conference committees shall be open to the public and no meeting shall be adjourned to another time or place in order to subvert such policy.

(f) *Conference committee reports; matters which may be included; report not subject to amendment; house which acts first on report; copies of reports; reports considered under any order of business.* Only subject matters which are or have been included in the bill or concurrent resolution in conference or in bills or concurrent resolutions which have been passed or adopted in either one or both houses during the current biennium of the legislature may be included in the report of the conference committee on any bill or concurrent resolution except in any appropriations bill there may be included a proviso relating to any such item of appropriation. Subject to any limitations imposed under the constitution of the state of Kansas, no more than a total of four additional bills or concurrent resolutions or parts of bills or concurrent resolutions in conference or bills or concurrent resolutions or parts of bills or concurrent resolutions which have passed in either one or both houses during the current biennium of the legislature may be included in the report of the conference committee on any bill or concurrent resolution, except that reports of conference committees on any taxation bill are not subject to the limitation contained in this provision. A conference committee report shall not be subject to amendment. The original signed conference committee report shall be submitted to and acted upon first by the house other than the house of origin of the bill or concurrent resolution. Except when a conference committee report is an agree to disagree coupled with a request that a new conference committee be appointed or is a recommendation to accede to or recede from all amendments of the second house, electronic and paper copies of the report shall be made available to all members of the house considering the report not later than 30 minutes before the time of its consideration, except that if the report is more than six pages in length no paper copies will be required to be distributed to individual members provided that at least 10 paper copies of the report are made available to members at the clerk's or secretary's

desk at the front of the respective house. By written notice, the majority leader may direct the clerk or secretary to increase from six pages to some greater number of pages the size of conference committee reports that need not be distributed by paper copies to individual members pursuant to this rule. The affirmative vote of  $\frac{2}{3}$  of the members present in the house at the time of consideration of the report shall be sufficient to dispense with distribution of copies of the conference committee report to all members of that house. Reports of conference committees may be received and considered under any order of business.

(g) *Signatures required on conference committee reports.* All initial conference committee reports other than an agreement to disagree coupled with a request that a new conference committee be appointed shall be signed by all of the conferees. All initial conference committee reports which are an agreement to disagree coupled with a request that a new conference committee be appointed shall be signed by a majority of the conferees appointed in each house. If a conference committee report which is an agreement to disagree coupled with a request that a new conference committee be appointed is not adopted, a subsequent conference committee report shall be signed by all conferees unless a subsequent conference committee report which is an agreement to disagree coupled with a request that a new conference committee be appointed is adopted, in which case a conference committee report subsequent to the adoption of such report shall be signed by a majority of the conferees appointed in each house. All other conference committee reports shall be signed by a majority of the conferees appointed in each house.

(h) *Vote to adopt conference committee report final action; effect of failure of motion to adopt conference committee report.* The vote to adopt the report of a conference committee, other than a report of failure to agree coupled with a recommendation for appointment of a new conference committee, shall be considered final action on the bill or concurrent resolution and the affirmative and negative votes thereon shall be entered in the journal. If the motion fails, the bill or concurrent resolution shall be deemed to be killed. If the motion on a conference committee report which is an agreement to disagree coupled with a request that a new conference committee be appointed fails, the bill or concurrent resolution shall not be deemed to have been killed thereby and remains in conference.

(i) *Report of conference committee unable to agree; effect of failure to request new conference committee; effect of failure of motion to adopt report requesting new conference committee.* If a conference committee upon any bill or concurrent resolution is unable to agree, it shall report that fact to both houses. Such report may request that a new conference committee be appointed thereon. If the committee so reports but fails to request the appointment of a new conference committee thereon, the bill or concurrent resolution shall be deemed to have been killed upon

the adoption by either house of such report. If the motion to adopt a report requesting the appointment of a new conference committee fails, the bill or concurrent resolution shall be deemed to be killed.

(j) *Bills or concurrent resolutions under consideration by conference committees and reports thereof; carryover from odd-numbered to even-numbered year.* Bills or concurrent resolutions under consideration by a conference committee, or a report of which has been filed but no action taken thereon in either house, at the time of adjournment of a regular session of the legislature held in an odd-numbered year shall remain alive during the interim and may be considered by the committee and legislature as the case may be at the regular session held in the following even-numbered year.

**Joint rule 4. Deadlines for introduction and consideration of bills.** The senate and house of representatives shall observe the following schedule of deadlines in making requests for drafting and in the introduction and consideration of bills.

(a) *Bill request deadline for individual members.* Except for bills introduced pursuant to (i) of this rule, no request to draft bills, except those made by committees, through their respective chairpersons, shall be made to, or accepted by, the office of the revisor of statutes after the hour of 5:00 p.m. on February 2, 2015, during the 2015 regular session and on February 1, 2016, during the 2016 regular session.

(b) *Bill introduction deadline for individual members.* Except as provided in (i) of this rule, no bill sponsored by a member or members shall be introduced in either house of the legislature after the hour of adjournment on February 11, 2015, during the 2015 regular session and on February 10, 2016, during the 2016 regular session. Such deadline for the introduction of bills by individual members may be changed to an earlier date in either house at any time by resolution duly adopted by the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified in such house.

(c) *Bill request deadline for certain committees.* Except for bills to be introduced pursuant to (i) of this rule, no committee except the committee on ways and means of the senate, the committee on assessment and taxation of the senate, select committees of either house when so authorized, the committee on federal and state affairs of either house or the house committees on calendar and printing, appropriations and taxation shall make a request to the office of the revisor of statutes for any bill to be drafted for sponsorship by such committee after the hour of 5:00 p.m. on February 9, 2015, during the 2015 regular session and on February 8, 2016, during the 2016 regular session.

(d) *Bill introduction deadline for certain committees.* Except as provided in (i) of this rule, no bill sponsored by any committee of either house of the legislature, except the committee on ways and means of the senate, the committee on assessment and taxation of the senate, select

committees of either house when so authorized, the committee on federal and state affairs of either house or the house committees on calendar and printing, appropriations and taxation shall be introduced in either house after the hour of adjournment on February 13, 2015, during the 2015 regular session and on February 12, 2016, during the 2016 regular session.

(e) *House of origin bill consideration deadline.* No bill, except bills sponsored by, referred to or acted upon by the committee on ways and means of the senate, the committee on assessment and taxation of the senate, select committees of either house when so authorized, the committee on federal and state affairs of either house or the house committees on calendar and printing, appropriations and taxation shall be considered in the house in which such bill originated after the hour of adjournment on February 27, 2015, during the 2015 regular session and on February 26, 2016, during the 2016 regular session.

(f) *Second house bill consideration deadline.* No bill, except bills sponsored by, referred to or acted upon by the committee on ways and means of the senate, the committee on assessment and taxation of the senate, select committees of either house when so authorized, the committee on federal and state affairs of either house or the house committees on calendar and printing, appropriations and taxation shall be considered by either house, not the house of origin of such bill, after the hour of adjournment on March 25, 2015, during the 2015 regular session and March 23, 2016, during the 2016 regular session.

(g) *Exceptions to limitation of (d), (e) and (f); procedure.* Specific exceptions to the limitations prescribed in subsections (d), (e) and (f) may be made in either house by resolution adopted by the affirmative vote of not less than a majority of the members of such house then elected (or appointed) and qualified.

(h) *Deadline which falls on day neither house in session; effect.* In the event that any deadline prescribed in this rule falls on a day that neither house of the legislature is in session, such deadline shall be observed on the next following day that either house is in session.

(i) *Bills introduced in odd-numbered years after deadlines; effect.* Bills may be introduced by members and committees in regular sessions occurring in an odd-numbered year after the times prescribed in (b) and (d) of this rule, but there shall be no final action thereon by either house during the session when introduced. Such bills shall be held over for consideration at the next succeeding regular session held in an even-numbered year.

(j) *Modification of schedule of deadlines for introduction and consideration of bills; procedure.* In any regular session a concurrent resolution may be adopted by the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified in each house setting forth a different schedule of deadlines for introduction and consideration of bills for that session and the provisions of such concurrent resolution

shall apply to such session notwithstanding provisions of this rule to the contrary.

(k) *Bill consideration deadline; exceptions.* No bills shall be considered by the Legislature after April 3, 2015, during the 2015 regular session and after April 1, 2016, during the 2016 regular session except bills vetoed by the Governor, the omnibus appropriation act and the omnibus reconciliation spending limit bill provided for under K.S.A. 75-6702, and amendments thereto. This subsection (k) may be suspended for the consideration of a specific bill or bills not otherwise exempt under this subsection by the affirmative vote of a majority of the members then elected (or appointed) and qualified in the house in which the bill is to be considered.

**Joint rule 5. Closure of meetings to consider matters relating to security.** Any standing committee of the House of Representatives, any standing committee of the Senate, the Legislative Coordinating Council, any joint committee of both houses of the legislature, any special or select committee of the House of Representatives or the Senate, the House of Representatives in session, the Senate in session or a joint session of the House of Representatives and the Senate may meet in closed, executive session for the purpose of receiving information and considering matters relating to the security of state officers or employees, or both, or the security of buildings and property under the ownership or control of the State of Kansas.

**Joint rule 6. Floor amendments to bills making appropriations.** Unless by majority consent to correct an error in drafting, no amendment from the floor in either house of the legislature to increase the amount of expenditures that would be authorized in a provision of an appropriations bill shall be in order unless the amendment contains a provision reducing, by a like or greater amount, expenditures that would be authorized in another provision of such appropriations bill. Notwithstanding any rule in either house of the legislature, those portions of a motion to amend a bill as described in this rule shall be indivisible.

Adopted by the House February 17, 2015.

Adopted by the Senate February 16, 2015.

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## CHAPTER 109

## SENATE CONCURRENT RESOLUTION No. 1604

A CONCURRENT RESOLUTION relating to the adjournment of the senate and house of representatives for a period of time during the 2015 regular session of the legislature.

*Be it resolved by the Senate of the State of Kansas, the House of Representatives concurring therein:* That the legislature shall adjourn at the close of business of the daily session convened on February 26, 2015, and shall reconvene on March 4, 2015, pursuant to adjournment of the daily session convened on February 26, 2015; and

*Be it further resolved:* That the chief clerk of the house of representatives and the secretary of the senate and employees specified by the director of legislative administrative services for such purpose shall attend to their duties each day during periods of adjournment, Sundays excepted, for the purpose of receiving messages from the governor and conducting such other business as may be required; and

*Be it further resolved:* That members of the legislature shall not receive the per diem compensation and subsistence allowances provided for in K.S.A. 46-137a(a) and (b), and amendments thereto, for any day within a period in which both houses of the legislature are adjourned for more than two days, Sundays excepted; and

*Be it further resolved:* That members of the legislature attending a legislative meeting of whatever nature when authorized pursuant to law, or by the legislative coordinating council, the president of the senate or the speaker of the house of representatives, and members of a conference committee attending a meeting of the conference committee authorized by the president of the senate and the speaker of the house of representatives during any period of adjournment for which members are not authorized compensation and allowances pursuant to K.S.A. 46-137a, and amendments thereto, shall receive compensation and travel expenses or allowances as provided by K.S.A. 75-3212, and amendments thereto.

Adopted by the House February 26, 2015.

Adopted by the Senate February 26, 2015.

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## CHAPTER 110

HOUSE CONCURRENT RESOLUTION No. 5016  
(Amended by Chapter 111)

A CONCURRENT RESOLUTION relating to the adjournment of the senate and house of representatives for periods during the 2015 regular session of the legislature.

*Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein:* That the legislature shall adjourn at the close of business of the daily session convened on March 25, 2015, and shall reconvene on March 30, 2015, pursuant to adjournment of the daily session convened on March 25, 2015; and

*Be it further resolved:* That the legislature shall adjourn at the close of business of the daily session convened on April 3, 2015, and shall reconvene on April 29, 2015, pursuant to adjournment of the daily session convened on April 3, 2015; and

*Be it further resolved:* That the chief clerk of the house of representatives and the secretary of the senate and employees specified by the director of legislative administrative services for such purpose shall attend to their duties each day during periods of adjournment, Sundays excepted, for the purpose of receiving messages from the governor and conducting such other business as may be required; and

*Be it further resolved:* That members of the legislature shall not receive the per diem compensation and subsistence allowances provided for in K.S.A. 46-137a (a) and (b), and amendments thereto, for any day within a period in which both houses of the legislature are adjourned for more than two days, Sundays excepted; and

*Be it further resolved:* That members of the legislature attending a legislative meeting of whatever nature when authorized pursuant to law, or by the legislative coordinating council, the president of the senate or the speaker of the house of representatives, and members of a conference committee attending a meeting of the conference committee authorized by the president of the senate and the speaker of the house of representatives during any period of adjournment for which members are not authorized compensation and allowances pursuant to K.S.A. 46-137a, and amendments thereto, shall receive compensation and travel expenses or allowances as provided by K.S.A. 75-3212, and amendments thereto.

Adopted by the House March 25, 2015.

Adopted by the Senate March 25, 2015.

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## CHAPTER 111

HOUSE CONCURRENT RESOLUTION No. 5017  
(Amends Chapter 110)

A CONCURRENT RESOLUTION amending 2015 House Concurrent Resolution No. 5016, relating to the adjournment of the senate and house of representatives for periods during the 2015 regular session of the legislature.

*Be it resolved by the the House of Representatives of the State of Kansas, the Senate concurring therein:* That 2015 House Concurrent Resolution No. 5016 is hereby amended to read as follows: “That the legislature shall adjourn at the close of business of the daily session convened on March 25, 2015, and shall reconvene on March 30, 2015, pursuant to adjournment of the daily session convened on March 25, 2015; and

*Be it further resolved:* That the legislature shall adjourn at the close of business of the daily session convened on April ~~2~~, 2015, and shall reconvene on April 29, 2015, pursuant to adjournment of the daily session convened on April ~~2~~, 2015; and

*Be it further resolved:* That the chief clerk of the house of representatives and the secretary of the senate and employees specified by the director of legislative administrative services for such purpose shall attend to their duties each day during periods of adjournment, Sundays excepted, for the purpose of receiving messages from the governor and conducting such other business as may be required; and

*Be it further resolved:* That members of the legislature shall not receive the per diem compensation and subsistence allowances provided for in K.S.A. 46-137a (a) and (b), and amendments thereto, for any day within a period in which both houses of the legislature are adjourned for more than two days, Sundays excepted; and

*Be it further resolved:* That members of the legislature attending a legislative meeting of whatever nature when authorized pursuant to law, or by the legislative coordinating council, the president of the senate or the speaker of the house of representatives, and members of a conference committee attending a meeting of the conference committee authorized by the president of the senate and the speaker of the house of representatives during any period of adjournment for which members are not authorized compensation and allowances pursuant to K.S.A. 46-137a, and amendments thereto, shall receive compensation and travel expenses or allowances as provided by K.S.A. 75-3212, and amendments thereto.”

Adopted by the House April 2, 2015.

Adopted by the Senate April 2, 2015.

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## CHAPTER 112

## HOUSE CONCURRENT RESOLUTION No. 5019

A CONCURRENT RESOLUTION relating to the adjournment of the senate and the house of representatives for a period of time during the 2015 regular session of the legislature.

*Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein:* That the legislature shall adjourn at the close of business of the daily session convened on May 21, 2015, and shall reconvene on May 26, 2015, pursuant to adjournment of the daily session convened on May 21, 2015; and

*Be it further resolved:* That the chief clerk of the house of representatives and the secretary of the senate and employees specified by the director of legislative administrative services for such purpose shall attend to their duties each day during periods of adjournment, Sundays excepted, for the purpose of receiving messages from the governor and conducting such other business as may be required; and

*Be it further resolved:* That members of the legislature shall not receive the per diem compensation and subsistence allowances provided for in K.S.A. 46-137a(a) and (b), and amendments thereto, for any day within a period in which both houses of the legislature are adjourned for more than two days, Sundays excepted; and

*Be it further resolved:* That members of the legislature attending a legislative meeting of whatever nature when authorized pursuant to law, or by the legislative coordinating council, the president of the senate or the speaker of the house of representatives, and members of a conference committee attending a meeting of the conference committee authorized by the president of the senate and the speaker of the house of representatives during any period of adjournment for which members are not authorized compensation and allowances pursuant to K.S.A. 46-137a, and amendments thereto, shall receive compensation and travel expenses or allowances as provided by K.S.A. 75-3212, and amendments thereto.

Adopted by the House May 21, 2015.

Adopted by the Senate May 21, 2015.

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## CHAPTER 113

## SENATE CONCURRENT RESOLUTION No. 1607

A CONCURRENT RESOLUTION relating to the 2015 regular session of the legislature and providing for an adjournment thereof.

*Be it resolved by the Senate of the State of Kansas, the House of Representatives concurring therein:* That the legislature shall adjourn at the close of business of the daily session convened on June 12, 2015, until the hour of 10:00 a.m. on June 26, 2015, at which time the legislature shall reconvene and shall continue in session until sine die adjournment at the close of business on June 26, 2015; and

*Be it further resolved:* That the chief clerk of the house of representatives and the secretary of the senate and employees specified by the director of legislative administrative services for such purpose shall attend their duties each day during periods of adjournment, Sundays excepted, for the purpose of receiving messages from the governor and conducting such other business as may be required; and

*Be it further resolved:* That members of the legislature shall not receive the per diem compensation and subsistence allowances provided for in K.S.A. 46-137a(a) and (b), and amendments thereto, for any day within a period in which both houses of the legislature are adjourned for more than two days, Sundays excepted; and

*Be it further resolved:* That members of the legislature attending a legislative meeting of whatever nature when authorized pursuant to law, or by the President of the Senate, the Speaker of the House of Representatives or the Legislative Coordinating Council during the period of adjournment for which members are not authorized per diem compensation and subsistence allowances pursuant to K.S.A. 46-137a, and amendments thereto, shall receive compensation and travel expenses or allowances as provided by K.S.A. 75-3212, and amendments thereto.

Adopted by the House June 12, 2015.

Adopted by the Senate June 12, 2015.

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## CHAPTER 114

**Executive Reorganization Order No. 43**

Section 1. (a) The department of health and environment was established by K.S.A. 75-5601 *et seq.*

(b) Within the department of health and environment there are three divisions: division of public health, the division of environment and the division of health care finance.

(c) Within the division of public health there are various bureaus and programs which carry out and administer the multiple functions of the department.

(d) Included among those bureaus of the division of public health is the bureau of family health. Within the bureau of family health there is the child placing agency and residential programs section. Among other functions, this bureau licenses and regulates foster care and other residential facilities.

(e) The department for children and families was established by K.S.A. 75-5301 *et seq.*

(f) Within the department for children and families there is an economic and employment services section that, among other functions, determines eligibility for services under Title XIX of the Social Security Act, known as Medicaid and eligibility for services for state funded medical services.

(g) Except as otherwise provided by this order, beginning January 1, 2016 all the powers, duties and functions of the department for children and families, economic and employment services section that, among other functions, determines eligibility for services under Title XIX of the Social Security Act, known as Medicaid and eligibility for services for state funded medical services are hereby transferred to and imposed upon the department for health and environment and the secretary of the department of health and environment.

(h) Except as otherwise provided by this order, beginning July 1, 2015 all the powers, duties and functions of the department of health and environment, division of public health section for child placing agencies and residential facilities which, among other things, licenses and regulates foster care and other residential facilities are hereby transferred to and imposed upon the Kansas department for children and families and the secretary of the department for children and families.

(i) The department for children and families shall be the successor in every way to the powers, duties and functions of the bureau of family health, child placing agency and residential programs section in which the same were vested prior to the effective date of this order. Every act performed in the exercise of such transferred power, duties and functions by or under the authority of the department of health and environment, division of public health, bureau of family health, child placing agency

and residential programs section shall be deemed to have the same force and effect as if performed by the department of health and environment in which such powers, duties, and functions were vested prior to the effective date of this order.

(j) The department of health and environment shall be the successor in every way to the powers, duties and functions of the department for children and families concerning duties and functions of the department for children and families, economic and employment services section that determines eligibility for services under Title XIX of the Social Security Act (Medicaid) and eligibility for state funded medical services in which the same were vested prior to the effective date of this order. Every act performed in the exercise of such transferred power, duties and functions by or under the authority of the department for children and families, economic and employment services section that, among other functions, determines eligibility for services under Title XIX of the Social Security Act, known as Medicaid and eligibility for services for state funded medical services, that pertains to determining eligibility for Medicaid and state funded medical services shall be deemed to have the same force and effect as if performed by the department for children and families in which such powers, duties, and functions were vested prior to the effective date of this order.

Section 2. (a) The department for children and families or designees appointed by the secretary shall be the successor in every way to the powers, duties, and functions of any state agency department, board, commission or council, providing services and creating systems in order to comply with the provisions of any laws or regulations affecting the department of health and environment, division of public health, bureau of family health, child placing and residential programs. Every act performed in the exercise of such transferred powers, duties, and functions by or under the authority of the department for children and families shall be deemed to have the same force and effect as if performed by any state agency, department, board, commission or council in which such powers, duties and functions were vested prior to the date of this order.

(b) The department of health and environment or designees appointed by the secretary shall be the successor in every way to the powers, duties, and functions of any state agency department, board, commission or council, providing services and creating systems in order to comply with the provisions of any laws or regulations affecting the department for children and families, eligibility and employment services section which pertains to determining eligibility for Medicaid services. Every act performed in the exercise of such transferred powers, duties, and functions by or under the authority of the department of health and environment shall be deemed to have the same force and effect as if performed by any

state agency, department, board, commission or council in which such powers, duties and functions were vested prior to the date of this order.

(c) Wherever the department of health and environment, pertaining to the duties or functions of the child placing agency and residential programs section division of public health, bureau of family health, or words of like effect is referred to or designated by statute, contract, memorandum, agreement or other document and such reference is in regard to any of the powers, duties or functions transferred to the department for children and families, such reference or designation shall be deemed to apply to the department for children and families.

(d) Wherever the department for children and families, economic and employment services section that determines eligibility for services under Title XIX of the Social Security Act (Medicaid) and state funded medical services, or words of like effect are referred to or designated by statute, contract, memorandum, agreement or other document and such reference is in regard to any of the powers, duties or functions transferred to the department of health and environment, such reference or designation shall be deemed to apply to the department of health and environment.

(e) All rules and regulations, orders and directives of the Kansas department of health and environment which relate to the functions transferred by this order, and which are in effect on the effective date of this order, shall continue to be effective and shall be deemed to be rules and regulations, orders and directives of the secretary of the department for children and families respective to the duties that the secretary for children and families is assuming by this order.

(f) All rules and regulations, orders and directives of the Kansas department for children and families which relate to the functions transferred by this order, and which are in effect on the effective date of this order, shall continue to be effective and shall be deemed to be rules and regulations, orders and directives of the secretary of the department of health and environment respective to the duties that the secretary of health and environment is assuming by this order.

Section 3. (a) The balance of all funds or accounts thereof appropriated or reappropriated for the Kansas department of health and environment or any state agency, department, board, commission or council, relating to the powers, duties and functions transferred by this order are hereby transferred within the state treasury to the department for children and families respective to the powers, duties and functions transferred by this order.

(b) The balance of all funds or accounts thereof appropriated or reappropriated for the Kansas department for children and families or any state agency, department, board, commission or council, relating to the powers, duties and functions transferred by this order are hereby transferred within the state treasury to the department of health and environ-

ment respective to the powers, duties and functions transferred by this order.

(c) Liability for the accrued compensation or salaries of officers and employees who are transferred to the department for children and families under this order shall be assumed and paid by the department for children and families, respective to the powers, duties and functions transferred by this order.

(d) Liability for the accrued compensation or salaries of officers and employees who are transferred to the department of health and environment under this order shall be assumed and paid by the department of health and environment, respective to the powers, duties and functions transferred by this order.

Section 4. (a) When any conflict arises as to the disposition of any property, power, duty or function or the unexpended balance of any appropriation as a result of any abolition or transfer made by or under the authority of this order, such conflict shall be resolved by the governor, whose decision shall be final.

(b) The department for children and families and the department of health and environment shall respectively succeed to all property, property rights and records which were used for or pertain to the performance of powers, duties and functions transferred by this order.

Section 5. (a) No suit, action, or other proceeding, judicial or administrative, lawfully commenced, or which could have been commenced, by or against any state agency or program mentioned in this order, or by or against any officer of the state in such officer's official duties, shall abate by reason of the governmental reorganization effected under the provisions of this order. The Court may allow any such suit, action or other proceeding to be maintained by or against the successor of any such state agency or any officer affected.

(b) No criminal action commenced or which could have been commenced by the state shall abate by the taking effect of this order.

Section 6. (a) All officers and employees of the Kansas department of health and environment, who immediately prior to the effective date of this order, are engaged in the exercise and performance of the powers, duties and functions transferred by this order, as well as all officers and employees of the Kansas department of health and environment who are determined by the secretary of the Kansas department for children and families and the secretary of the Kansas department of health and environment to be engaged in providing administrative, technical or other support services that are essential to the exercise and performance of the powers, duties and functions transferred by this order, are hereby transferred to the department for children and families, respective to the powers, duties and functions transferred to the department by this order. All



classified officers and employees so transferred shall retain their status as classified employees.

(b) All officers and employees of the Kansas department for children and families, who immediately prior to the effective date of this order, are engaged in the exercise and performance of the powers, duties and functions transferred by this order, as well as all officers and employees of the Kansas department for children and families who are determined by the secretary of the Kansas department of health and environment and the secretary of the Kansas department for children and families to be engaged in providing administrative, technical or other support services that are essential to the exercise and performance of the powers, duties and functions transferred by this order, are hereby transferred to the department of health and environment, respective to the powers, duties and functions transferred to the department by this order. All classified officers and employees so transferred shall retain their status as classified employees.

(c) Officer and employees of the Kansas department of health and environment and officers and employees of the Kansas department for children and families transferred by this order shall retain all retirement benefits and leave balances and rights which had accrued or vested prior to the date of transfer. The service of each such officer or employee so transferred shall be deemed to have been continuous. Any subsequent transfers, layoffs or abolitions of classified service positions under Kansas civil service act shall be made in accordance with the civil service laws and any rules and regulations adopted thereunder. Nothing in this order shall affect the classified status of any transferred person employed by either the Kansas department of health and environment or the Kansas department for children and families prior to the date of transfer.

(d) Notwithstanding the effective date of this order, the provisions of this order prescribing the transfer of officers and employees from the Kansas department of health and environment and the Kansas department for children and families, the date of transfer of each such officer or employee shall commence at the start of a payroll period.

Section 7. Except as otherwise provided by this order, all of the provisions of this order shall take effect and have the force of general law on July 1, 2015, unless disapproved by either house of the Kansas legislature as provided by subsection 6 of article 1 of the Constitution of Kansas, and unless so disapproved, this order is to be published as and with the acts of the legislature and the statutes of this state.

SAM BROWNBACK, *Governor*

Approved January 16, 2015.

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**MESSAGES FROM THE GOVERNOR****Executive Reorganization Order No. 43**

Pursuant to Article 1, Section 6(b) of the Constitution of the State of Kansas, I am transmitting this day Executive Reorganization Order No. 43 to both houses of the Kansas Legislature. Simultaneous with this Order, I am transmitting the accompanying Governor's Message.

This reorganization affects operations at the Kansas Department of Health and Environment and the Kansas Department for Children and Families.

Beginning July 1, 2015 the Department for Children and Families will assume foster care licensing responsibilities that currently fall under KDHE. DCF is responsible for child welfare services in Kansas. Placing that responsibility under DCF will help streamline the process and further the agency's ability to monitor the entire foster care system and serve those in need.

This Executive Reorganization Order also transfers Medicaid eligibility processing duties from DCF to KDHE on January 1, 2016. KDHE is the State Medicaid agency and currently has employees in the Division of Health Care Finance with knowledge and expertise in Medicaid eligibility. Combining the current KDHE and DCF work groups that manage Medicaid eligibility will improve service by reducing the Kansas Medicaid Payment Error Rate Measurement by coordinating staff training and ensuring uniform implementation of policy and processing changes.

This will be a positive change for both agencies and the State of Kansas. The reorganization will allow DCF to better monitor the entire foster care system. It will also enhance the coordination between when a client applies for Medicaid, is determined eligible and receives medical services.

My administration looks forward to working with the Kansas Legislature on this and other solutions to provide better service to the citizens of Kansas.

SAM BROWNBACK, *Governor*

Dated January 16, 2015.

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## House Substitute for SENATE BILL No. 117

AN ACT regulating traffic; relating to transportation network companies, transportation network company services, regulation.

*Message to the Legislature of the State of Kansas:*

While I appreciate the legislature's hard work on this legislation, I believe this bill is premature. To overregulate or improperly regulate an emerging industry before the marketplace actors make proper arrangements is to invite more problems, not less.

Kansas should be known as a state that embraces economic growth and innovation. The jobs created by this new industry can bring opportunity to many Kansas families. An open and free marketplace often results in higher quality products at a more affordable price.

This will allow companies like Uber to continue and expand operations in Kansas, where they otherwise would not be able to do so.

I applaud the discussions that have taken place nationally between the emerging ride-sharing industry and insurance companies. Similar discussions now need to take place with the banking community, which understandably wants to ensure its financial interests are also protected.

I also applaud the legislature's interest in protecting the safety of our citizens. I strongly support background checks for ride-sharing drivers. However, the ride-sharing industry believes the background requirement as currently written, weakens rather than strengthens, the level of scrutiny placed on its potential drivers.

Therefore, I believe more time, more collaboration, and more discussion will ultimately result in a better public policy product for Kansas. In the meantime, local municipalities will regulate the ride-sharing industry just as they have always done with traditional passenger transportation companies. At this moment in time, they are better equipped to understand the unique and emerging challenges and opportunities the ride-sharing industry brings to their communities.

Though I am vetoing this bill, I am also calling upon ride-sharing companies, insurers, banks and credit unions, to work with our legislature to resolve their differences. These discussions have already begun among Uber and many major insurance companies. The same should begin with banks and credit unions. I look forward to reviewing a new bill that results from these conversations.

Pursuant to Article 2, Section 14(a) of the Constitution of the State of Kansas, I hereby veto House Substitute for Senate Bill 117.

SAM BROWBACK, *Governor*

Dated April 20, 2015

Governor's veto overridden.

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## House Substitute for SENATE BILL No. 112

AN ACT making and concerning appropriations for fiscal years ending June 30, 2015, June 30, 2016, June 30, 2017, June 30, 2018, and June 30, 2019, for state agencies; authorizing and directing payment of certain claims against the state; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2014 Supp. 2-223, 12-5256, 55-193, as amended by section 2 of 2015 House Bill No. 2231, 68-2320, 74-50,107, as amended by section 57 of 2015 Senate Bill No. 4, 74-8963, 74-99b34, 75-6702, 76-775, 76-783, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,156, 79-34,171, 79-4804 and 82a-953a and repealing the existing sections; also repealing K.S.A. 2014 Supp. 74-99b34a.

*Message to the Legislature of the State of Kansas*

I want to thank every member of the Kansas Legislature for their hard work during the 2015 session. I greatly appreciate their efforts to control spending by addressing our three major expenditure drivers: education, Medicaid, and KPERS.

This two-year budget will continue to fund the core services of state government to July 1, 2017. I will work to find efficiencies to limit the size of state government while protecting core services vital to the citizens of Kansas.

Pursuant to Article 2, Section 14 of the Constitution of the State of Kansas, I hereby return House Substitute for Senate Bill No. 112 with my signature approving the bill, except for the items enumerated below.

**Kansas Board of Regents**  
**SGF Transfer to Postsecondary Education**  
**Performance-Based Incentives Fund**

The Board of Regents offered as a line-item veto — and I have vetoed — approximately \$1.9 million in unspent funding in both FY 16 and 17 from a post-secondary education performance-based incentives fund.

Sections 142(f) and 143(f) are vetoed in their entirety.

This new program grants funds to postsecondary institutions for the GED Accelerator for students who wish to complete their GED and receive an educational accreditation. The FY 2015 transfer of \$1.9 million from the State General Fund will finance the program for several years. Therefore, the transfer can be suspended in FY 2016 and FY 2017 to preserve State General Fund resources.

SAM BROWNBACK, *Governor*

Dated June 16, 2015.

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## INDEX TO BILLS

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### NUMERICAL INDEX TO SENATE BILLS

No.	Ch.	No.	Ch.	No.	Ch.
4	1	47	10	124	35
7	4	52	60	127	40
8	17	73	12	150	13
11	86	76	18	154	57
12	95	91	75	156	37
13	3	95	22	189	61
14	59	101	69	206	97
21	9	105	64	228	39
34	87	108	21	240	38
36	36	109	14	252	20
38	67	112	104	270	102
43	15	113	94	276	65
45	16	117	43	290	66
46	2	120	19		

### NUMERICAL INDEX TO HOUSE BILLS

No.	Ch.	No.	Ch.	No.	Ch.
2003	91	2097	50	2225	46
2005	81	2101	41	2228	84
2006	23	2103	25	2231	44
2009	30	2104	88	2233	74
2010	101	2106	70	2240	51
2013	47	2109	99	2246	28
2023	6	2111	53	2254	31
2025	89	2124	79	2256	68
2042	55	2126	24	2258	42
2043	56	2135	103	2259	34
2044	48	2142	105	2267	11
2048	96	2149	63	2275	27
2051	54	2154	76	2281	98
2053	5	2155	62	2331	93
2055	90	2159	71	2336	32
2061	58	2170	72	2352	83
2064	45	2183	85	2353	92
2066	7	2192	26	2364	80
2085	8	2193	29	2391	52
2090	49	2216	33	2395	73
2094	100	2223	82		
2095	77	2224	78		

### NUMERICAL INDEX TO SENATE CONCURRENT RESOLUTIONS

No.	Ch.	No.	Ch.	No.	Ch.
1601	106	1604	109	1607	113

**NUMERICAL INDEX TO HOUSE CONCURRENT RESOLUTIONS**

No.	Ch.	No.	Ch.	No.	Ch.
5001 .....	107	5016 .....	110	5019 .....	112
5002 .....	108	5017 .....	111		

**EXECUTIVE REORGANIZATION ORDER**

No.	Ch.
43 .....	114

2015 SESSION LAWS INDEX

Chapter

**2nd Lieutenant Justin L Sisson memorial highway;**  
roads and bridges,  
commemorative signage; requiring the secretary of  
transportation to collect sufficient funds prior to installation;  
designating the 2nd Lieutenant Justin L Sisson Memorial  
Highway, the George Ablah expressway, the Kenneth W Bernard  
memorial highway and the Bert Cantwell memorial interchange;  
certain bridge inspections ..... 40

A

**Abandoned oil and gas well fund;**  
making and concerning appropriations for fiscal years ending  
June 30, 2015, June 30, 2016, June 30, 2017, June 30, 2018, and  
June 30, 2019, for state agencies,  
authorizing and directing payment of certain claims against the  
state; authorizing certain transfers, capital improvement projects  
and fees, imposing certain restrictions and limitations, and  
directing or authorizing certain receipts, disbursements,  
procedures and acts incidental to the foregoing ..... 104

oil and gas,  
oil and gas wells; licensing of well operators, fees; abandoned  
oil and gas well fund, extension ..... 44

**ABLE savings program, Kansas;**  
enacting,  
financial organizations; relating to the Kansas money transmitter  
act, the Kansas mortgage business act, remote service units;  
enacting the Kansas ABLE savings program ..... 33

**Abortifacient drugs;**  
abortion,  
administration of abortifacient drugs ..... 84

**Abortion;**  
administration of abortifacient drugs ..... 84  
creating the Kansas unborn child protection from dismemberment

abortion act .....	22
<b>Abstracters' board of examiners;</b>	
appropriations .....	1, 104
<b>Accident and health insurance;</b>	
insurance,	
life insurance companies; reserve valuation method;	
principle-based valuation; standard nonforfeiture law .....	10
<b>Accountancy, board of;</b>	
appropriations .....	1, 104
<b>Accounts and reports;</b>	
making and concerning appropriations for fiscal years ending	
June 30, 2015, June 30, 2016, June 30, 2017, June 30, 2018, and	
June 30, 2019, for state agencies,	
authorizing and directing payment of certain claims against the	
state; authorizing certain transfers, capital improvement projects	
and fees, imposing certain restrictions and limitations, and	
directing or authorizing certain receipts, disbursements,	
procedures and acts incidental to the foregoing .....	104
<b>Achieving a better life experience;</b>	
enacting the Kansas ABLE savings program,	
financial organizations; relating to the Kansas money transmitter	
act, the Kansas mortgage business act, remote service units;	
enacting the Kansas ABLE savings program .....	33
<b>Actuaries;</b>	
insurance,	
life insurance companies; reserve valuation method;	
principle-based valuation; standard nonforfeiture law .....	10
risk-based capital instructions; property and casualty actuarial	
opinion law .....	24
<b>Adjutant general;</b>	
appropriations .....	1, 104
military justice, Kansas code of,	
commanding officer's nonjudicial punishment .....	66
servicemembers and veterans of the United States armed forces,	
private sector employment; postsecondary educational	
institution tuition; diversions and sentencing; servicemember	
and military spouse expedited professional credentialing .....	76
<b>Administration, department of;</b>	
alternative project delivery,	
notice requirements and selection procedure .....	11



## Chapter

appropriations .....	1, 103, 104
courts,	
district magistrate judge jurisdiction and power; county law	
libraries, code of civil procedure, items allowable as costs; court	
costs, fees, fines and restitution; debts owed to courts .....	53
information technology,	
office of information technology services; providing for	
information technology audits .....	101
reconciling amendments to certain statutes .....	100
retirement and pensions,	
Kansas public employees retirement system and systems	
thereunder; revenue bonds to finance a portion of unfunded	
actuarial liability of KPERS; requirements and procedures;	
employer contribution rates .....	39
<b>Administration, secretary of;</b>	
alternative project delivery,	
notice requirements and selection procedure .....	11
state building projects,	
negotiating committees; alternative procurement .....	73
state officers and employees,	
duties of the secretary of administration; essential state	
employees .....	86
<b>Administrative hearings, office of;</b>	
appropriations .....	104
reconciling amendments to certain statutes .....	100
<b>Administrative procedure act, Kansas;</b>	
alcoholic beverages .....	82
<b>Adult care homes;</b>	
aging and disability services, secretary for,	
powers, duties and functions; programs for all-inclusive care for	
the elderly; ERO No. 41 trailer bill .....	56
human trafficking and related crimes,	
commercial sexual exploitation of a child; civil action for victims;	
restitution .....	94
<b>Aggravated battery;</b>	
crimes, punishment and criminal procedure,	
battery; criminal history; aggravated battery, driving under the	
influence; out-of-state misdemeanors; search warrants .....	90
<b>Aggravated criminal damage to property;</b>	
scrap metal, regulated,	

relating to the crimes of theft and criminal damage to property; sentencing; evidence at preliminary examination; regulation of scrap metal dealers; unlawful acts; penalties; creating the scrap metal theft reduction fee fund .....	96
<b>Aggravated human trafficking;</b>	
human trafficking and related crimes, commercial sexual exploitation of a child; civil action for victims; restitution .....	94
<b>Aging and disability services, Kansas department for;</b>	
appropriations .....	1, 104
civil commitment of sexually violent predators .....	95
crimes, punishment and criminal procedure, battery; criminal history; aggravated battery, driving under the influence; out-of-state misdemeanors; search warrants .....	90
reconciling amendments to certain statutes .....	100
<b>Aging and disability services, secretary for;</b>	
powers, duties and functions, programs for all-inclusive care for the elderly; ERO No. 41 trailer bill .....	56
<b>Agricultural liming materials;</b>	
agriculture, department of, water conservation areas; agricultural liming materials; the Arkansas river gaging fund .....	37
<b>Agriculture;</b>	
agriculture, department of, water conservation areas; agricultural liming materials; the Arkansas river gaging fund .....	37
conservation division of Kansas department of agriculture, state conservation commission; powers and duties .....	58
elections, certain municipalities and special districts; filling vacancies of nominees; presidential preference primary .....	88
making and concerning appropriations for fiscal years ending June 30, 2015, June 30, 2016, June 30, 2017, June 30, 2018, and June 30, 2019, for state agencies, authorizing and directing payment of certain claims against the state; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing .....	104

**Agriculture, department of, division of animal health;**  
 animal care,  
     veterinary practice act, Kansas; licensure; providing for an  
     institutional license to practice veterinary medicine; the Kansas  
     pet animal act; euthanasia ..... 61

**Agriculture, department of, division of conservation;**  
 agriculture,  
     relating to the Kansas department of agriculture division of  
     conservation; state conservation commission; powers and duties . 58

**Agriculture, department of, division of water resources;**  
 water,  
     diversion of water; chief engineer; multi-year flex accounts; local  
     enhanced management areas; public water supply storage ..... 60

**Agriculture, Kansas department of;**  
 appropriations ..... 1, 104  
 domesticated deer,  
     identification of deer ..... 2  
 water conservation areas,  
     agricultural liming materials; the Arkansas river gaging fund ..... 37

**Air quality act, Kansas;**  
 utilities,  
     electric generating units and carbon dioxide emission standards;  
     establishment of state performance standards, legislative review;  
     state corporation commission; secretary of health and  
     environment; creating the clean power plan implementation study  
     committee ..... 74

**Alcoholic beverage control, director of;**  
 cigarettes and tobacco products,  
     smoking; the directory and certification of tobacco product  
     manufacturers; disclosure of information and criminal penalties ..... 79

**Alcoholic beverage control, division of;**  
 alcoholic beverages ..... 82

**Alcoholic beverages** ..... 82

**All-terrain vehicles;**  
 motor vehicles,  
     definitions ..... 12  
     reconciling amendments to certain statutes ..... 100

**Alternative project delivery;**  
 notice requirements and selection procedure ..... 11

**Amendments of articles of incorporation;**

corporations and business entities, business filings with the secretary of state; limited liability companies .....	65
<b>Amnesty;</b>	
taxation, sales and compensating use tax, rates, distribution thereof, food; income tax, subtraction modifications, credits, individual development accounts, low income scholarship program; motor vehicle taxation; taxation of cigarettes and electronic cigarettes; sales tax authority for Bourbon, Douglas and Thomas counties; property taxation, consolidated fire districts and fire districts; rural opportunity zones; land banks; creating the joint committee on tax exemptions and income tax credits .....	99
<b>Animal care;</b>	
veterinary practice act, Kansas, licensure; providing for an institutional license to practice veterinary medicine; the Kansas pet animal act; euthanasia .....	61
<b>Animal health commissioner;</b>	
animal care, veterinary practice act, Kansas; licensure; providing for an institutional license to practice veterinary medicine; the Kansas pet animal act; euthanasia .....	61
domesticated deer, identification of deer .....	2
<b>Annexation;</b>	
cities .....	91
<b>Apportioned fleet registration;</b>	
motor vehicles, registration; decals for license plates, serial numbers; apportioned fleet registration, mileage applications, fees and calculations; permanent registration of certain vehicles, annual report; commercial drivers' licenses, endorsements or restrictions; size limitations of certain vehicles, exceptions, forage cutters .....	49
<b>Appraisers;</b>	
educational courses, taxation; board of tax appeals; small claims and expedited hearing division, hearing officers; members, qualifications and salary .....	51
<b>Appropriations;</b>	
abstracters' board of examiners .....	1,104
accountancy, board of .....	1,104

**Chapter**

adjutant general .....	1, 104
administration, department of .....	1, 103, 104
administrative hearings, office of .....	104
aging and disability services, Kansas department for .....	1, 104
agriculture, Kansas department of .....	1, 104
attorney general .....	1, 104
attorney general—Kansas bureau of investigation .....	1, 104
bank commissioner, state .....	1, 104
barbering, Kansas board of .....	1, 104
behavioral sciences regulatory board .....	1, 104
blind, Kansas state school for the .....	104
children and families, Kansas department for .....	1, 104
citizens' utility ratepayer board .....	1, 104
commerce, department of .....	1, 104
corporation commission, state .....	104
corrections, department of .....	1, 104
cosmetology, Kansas state board of .....	1, 104
credit unions, state department of .....	1, 104
deaf, Kansas state school for the .....	104
dental board, Kansas .....	1, 104
education, department of .....	4, 92, 104
emergency medical services board .....	1, 104
Emporia state university .....	104
fair board, state .....	104
fire marshal, state .....	1, 104
Fort Hays state university .....	104
governmental ethics commission .....	1, 104
governor's department .....	104
guardianship program, Kansas .....	104
healing arts, state board of .....	1, 104
health and environment, department of—division of environment .....	1, 104
health and environment, department of—division of health care finance .....	1, 104
health and environment, department of—division of public health ...	104
health care stabilization fund board of governors .....	1, 104
hearing instruments, Kansas board of examiners in fitting and dispensing of .....	1, 104
highway patrol, Kansas .....	1, 104
historical society, state .....	104

housing resources corporation, Kansas .....	104
human rights commission, Kansas .....	104
indigents' defense services, state board of .....	104
information technology services, office of .....	104
insurance department .....	104
judicial branch .....	1, 81
judicial council .....	1, 104
Kansas state university .....	104
Kansas state university extension systems and agriculture research programs .....	1, 104
Kansas state university veterinary medical center .....	104
labor, department of .....	1, 104
legislative coordinating council .....	1, 104
legislature .....	1, 104
lottery, Kansas .....	1, 104
mortuary arts, state board of .....	1, 104
nursing, board of .....	1, 104
optometry, board of examiners in .....	1, 104
peace officers' standards and training, Kansas commission on .....	1, 104
pharmacy, state board of .....	1, 104
Pittsburg state university .....	104
post audit, division of .....	1, 104
public employees retirement system, Kansas .....	1, 104
racing and gaming commission, Kansas .....	104
real estate appraisal board .....	1, 104
real estate commission, Kansas .....	1, 104
regents, state board of .....	1, 104
revenue, department of .....	1, 104
secretary of state .....	104
securities commissioner of Kansas, office of the .....	1, 104
sentencing commission, Kansas .....	104
state library .....	104
state treasurer .....	1, 104
tax appeals, state board of .....	1, 104
technical professions, state board of .....	1, 104
transportation, department of .....	1, 104
university of Kansas .....	104
university of Kansas medical center .....	104
veterans affairs office, Kansas commission on .....	1, 104
veterinary examiners, state board of .....	104

## Chapter

water office, Kansas .....	104
Wichita state university .....	104
wildlife, parks and tourism, Kansas department of .....	1, 104
<b>Architectural services;</b>	
technical professions .....	78
<b>Arkansas river gaging fund;</b>	
agriculture, department of,	
water conservation areas; agricultural liming materials; the	
Arkansas river gaging fund .....	37
<b>Armed forces;</b>	
servicemembers and veterans of the United States armed forces,	
private sector employment; postsecondary educational institution	
tuition; diversions and sentencing; servicemember and military	
spouse expedited professional credentialing .....	76
<b>Articles of incorporation;</b>	
corporations and business entities,	
business filings with the secretary of state; limited liability	
companies .....	65
<b>Articles of organization;</b>	
corporations and business entities,	
business filings with the secretary of state; limited liability	
companies .....	65
reconciling amendments to certain statutes .....	100
<b>Assessed valuation per pupil;</b>	
education,	
financing and instruction thereof; making and concerning	
appropriations for the fiscal years ending June 30, 2015, June 30,	
2016, and June 30, 2017, for the department of education; creating	
the classroom learning assuring student success act .....	4
<b>Assistance;</b>	
public assistance,	
medical assistance fee fund, privilege fees and TANF cash	
assistance .....	98
social welfare,	
Kansas department for children and families; eligibility	
requirements for assistance .....	42
<b>Associated general contractors of Kansas;</b>	
alternative project delivery,	
notice requirements and selection procedure .....	11
<b>At-risk pupils;</b>	

education,	
financing and instruction; state board of regents; university support staff; making and concerning appropriations for the fiscal years ending June 30, 2016, and June 30, 2017, for the department of education .....	92
financing and instruction thereof; making and concerning appropriations for the fiscal years ending June 30, 2015, June 30, 2016, and June 30, 2017, for the department of education; creating the classroom learning assuring student success act .....	4
<b>ATM transaction limits;</b>	
public assistance,	
medical assistance fee fund, privilege fees and TANF cash assistance .....	98
<b>Attorney general;</b>	
appropriations .....	1,104
cigarettes and tobacco products,	
smoking; the directory and certification of tobacco product manufacturers; disclosure of information and criminal penalties .....	79
civil commitment of sexually violent predators .....	95
driving,	
driving under the influence and other driving offenses; DUI-IID designation; DUI-IID designation fund; authorized restrictions of driving privileges, ignition interlock device; expungement of convictions and diversions .....	71
elections,	
voting; penalties for voting crimes; prosecution of election crimes .....	87
firearms,	
carrying of concealed firearms; personal and family protection act .....	16
possession .....	93
human trafficking and related crimes,	
commercial sexual exploitation of a child; civil action for victims; restitution .....	94
public bodies or agencies,	
state of Kansas and local units of government; providing certain powers to the attorney general for investigation of violations of the open records act and the open meetings act; attorney general's open government fund .....	68
roofing contractor registration,	



## Chapter

exemption of certain general contractors .....	31
scrap metal, regulated,	
relating to the crimes of theft and criminal damage to property;	
sentencing; evidence at preliminary examination; regulation of	
scrap metal dealers; unlawful acts; penalties; creating the scrap	
metal theft reduction fee fund .....	96
uniform interstate family support act .....	64
utilities,	
electric generating units and carbon dioxide emission standards;	
establishment of state performance standards, legislative review;	
state corporation commission; secretary of health and	
environment; creating the clean power plan implementation	
study committee .....	74
vision care services act,	
powers and duties of the commissioner of insurance; powers	
and duties of the attorney general .....	97
<b>Attorney general—Kansas bureau of investigation;</b>	
appropriations .....	1, 104
<b>Attorney general's open government fund;</b>	
public bodies or agencies,	
state of Kansas and local units of government; providing certain	
powers to the attorney general for investigation of violations of	
the open records act and the open meetings act; attorney	
general's open government fund .....	68
<b>Attorneys;</b>	
crimes, punishment and criminal procedure,	
battery; criminal history; aggravated battery, driving under the	
influence; out-of-state misdemeanors; search warrants .....	90
<b>Audits;</b>	
information technology,	
office of information technology services; providing for	
information technology audits .....	101
<b>Augmentation;</b>	
water,	
diversion of water; chief engineer; multi-year flex accounts; local	
enhanced management areas; public water supply storage .....	60
<b>Autism spectrum disorder;</b>	
insurance,	
coverage for autism spectrum disorder; motor vehicle liability	
insurance, mailing notice of termination of coverage; certain	

financial examinations, consulting fees, examination period;  
surplus lines insurance, gross premiums and tax thereon ..... 83

**Autocycles;**  
motor vehicles,  
autocycles, definitions, safety belts, child passenger safety  
restraints, requirements; distinctive license plates, providing for  
the omega psi phi license plate ..... 48

**Automobiles and other vehicles;**  
aging and disability services, secretary for,  
powers, duties and functions; programs for all-inclusive care for  
the elderly; ERO No. 41 trailer bill ..... 56

driving,  
driving under the influence and other driving offenses; DUI-IID  
designation; DUI-IID designation fund; authorized restrictions  
of driving privileges, ignition interlock device; expungement of  
convictions and diversions ..... 71

judicial branch,  
court fees, docket fees and court costs; dispositive motions;  
judicial branch surcharge fund, electronic filing and management  
fund and judicial branch docket fee fund; making and concerning  
appropriations for the fiscal years ending June 30, 2016, and  
June 30, 2017, for the judicial branch ..... 81

motor vehicles,  
autocycles, definitions, safety belts, child passenger safety  
restraints, requirements; distinctive license plates, providing for  
the omega psi phi license plate ..... 48

definitions ..... 12

registration; decals for license plates, serial numbers;  
apportioned fleet registration, mileage applications, fees and  
calculations; permanent registration of certain vehicles, annual  
report; commercial drivers' licenses, endorsements or restrictions;  
size limitations of certain vehicles, exceptions, forage cutters ..... 49

registration of vehicles, penalties, evidence of renewal;  
commercial drivers' licenses, examination fees, commercial  
driver's license drive test fee fund ..... 47

reconciling amendments to certain statutes ..... 100

regulating traffic,  
transportation network companies, transportation network  
company services, regulation ..... 43

transportation network company services act, Kansas,

definitions; transportation network company requirements;  
 transportation network company drivers; liens on personal  
 vehicles ..... 69  
 veterans,  
 license plates for disabled veterans; parking in certain public  
 parking spaces ..... 23

**B**

**Background checks;**  
 post audit, division of ..... 30  
**Bad faith assertions of patent infringement;**  
 patent infringement,  
 Kansas consumer protection act ..... 67  
**Ballots;**  
 elections,  
 certain municipalities and special districts; filling vacancies of  
 nominees; presidential preference primary ..... 88  
 voting; penalties for voting crimes; prosecution of election  
 crimes ..... 87  
**Bank commissioner, state;**  
 appropriations ..... 1, 104  
 banking code ..... 38  
 financial organizations,  
 relating to the Kansas money transmitter act, the Kansas  
 mortgage business act, remote service units; enacting the Kansas  
 ABLE savings program ..... 33  
**Banking code;**  
 financial organizations,  
 relating to the Kansas money transmitter act, the Kansas  
 mortgage business act, remote service units; enacting the Kansas  
 ABLE savings program ..... 33  
 state bank commissioner ..... 38  
**Banks and banking; trust companies;**  
 banking code,  
 state bank commissioner ..... 38  
 financial organizations,  
 relating to the Kansas money transmitter act, the Kansas  
 mortgage business act, remote service units; enacting the Kansas  
 ABLE savings program ..... 33

reconciling amendments to certain statutes .....	100
social welfare,	
Kansas department for children and families; eligibility	
requirements for assistance .....	42
<b>Barbering, Kansas board of;</b>	
appropriations .....	1, 104
<b>Battery;</b>	
crimes, punishment and criminal procedure,	
battery; criminal history; aggravated battery, driving under the	
influence; out-of-state misdemeanors; search warrants .....	90
<b>Behavioral sciences regulatory board;</b>	
appropriations .....	1, 104
<b>Benefits;</b>	
employment security law,	
determination of benefits; employer classification rates;	
administration by secretary of labor; employment security	
personnel .....	57
retirement and pensions,	
relating to the Kansas public employees retirement system and	
systems thereunder; employment after retirement; special	
provisions for certain retirants; certain duties of the joint	
committee on pensions, investments and benefits; enacting the	
Kansas deferred retirement option program act; providing terms,	
conditions, requirements, benefits and contributions related	
thereto; member election; Kansas highway patrol affiliation;	
interest credits; account distribution .....	77
<b>Bert Cantwell memorial interchange;</b>	
roads and bridges,	
commemorative signage; requiring the secretary of transportation	
to collect sufficient funds prior to installation; designating the	
2nd Lieutenant Justin L Sisson Memorial Highway, the George	
Ablah expressway, the Kenneth W Bernard memorial highway	
and the Bert Cantwell memorial interchange; certain bridge	
inspections .....	40
<b>Bilingual education fund;</b>	
education,	
financing and instruction thereof; making and concerning	
appropriations for the fiscal years ending June 30, 2015, June 30,	
2016, and June 30, 2017, for the department of education;	
creating the classroom learning assuring student success act .....	4

**Bingo;**  
 gaming,  
     charitable gaming; establishing the Kansas charitable gaming act; Kansas lottery; fantasy sports ..... 62  
 taxation,  
     sales and compensating use tax, rates, distribution thereof, food; income tax, subtraction modifications, credits, individual development accounts, low income scholarship program; motor vehicle taxation; taxation of cigarettes and electronic cigarettes; sales tax authority for Bourbon, Douglas and Thomas counties; property taxation, consolidated fire districts and fire districts; rural opportunity zones; land banks; creating the joint committee on tax exemptions and income tax credits ..... 99

**Bioscience development and investment fund;**  
 making and concerning appropriations for fiscal years ending June 30, 2015, June 30, 2016, June 30, 2017, June 30, 2018, and June 30, 2019, for state agencies,  
     authorizing and directing payment of certain claims against the state; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing ..... 104

**Blind, Kansas state school for the;**  
 appropriations ..... 104

**Block grants;**  
 education,  
     financing and instruction; state board of regents; university support staff; making and concerning appropriations for the fiscal years ending June 30, 2016, and June 30, 2017, for the department of education ..... 92  
     financing and instruction thereof; making and concerning appropriations for the fiscal years ending June 30, 2015, June 30, 2016, and June 30, 2017, for the department of education; creating the classroom learning assuring student success act ..... 4

**Bond elections;**  
 taxation,  
     income tax rates, low income exclusion, food sales tax credit; sales and compensating use tax, rates, distribution thereof; property tax, elections by cities ..... 102

**Bonds;**

retirement and pensions, Kansas public employees retirement system and systems thereunder; revenue bonds to finance a portion of unfunded actuarial liability of KPERs; requirements and procedures; employer contribution rates .....	39
<b>Bonds and warrants;</b>	
education, financing and instruction thereof; making and concerning appropriations for the fiscal years ending June 30, 2015, June 30, 2016, and June 30, 2017, for the department of education; creating the classroom learning assuring student success act .....	4
municipal finance, temporary notes for improvements, indebtedness reporting .....	34
<b>Breast milk;</b>	
medical assistance, Kansas program of, concerning the Kansas program of medical assistance; donor human breast milk and medications used under medicaid .....	63
<b>Breathalyzer tests;</b>	
driving, driving under the influence and other driving offenses; DUI-IID designation; DUI-IID designation fund; authorized restrictions of driving privileges, ignition interlock device; expungement of convictions and diversions .....	71
<b>Bridges, roads and highways;</b>	
roads and bridges, commemorative signage; requiring the secretary of transportation to collect sufficient funds prior to installation; designating the 2nd Lieutenant Justin L Sisson Memorial Highway, the George Ablah expressway, the Kenneth W Bernard memorial highway and the Bert Cantwell memorial interchange; certain bridge inspections .....	40
<b>Brokers and salespersons;</b>	
real estate brokers and salespersons, license fees; licensure; technical amendments .....	21
<b>Budget;</b>	
information technology, office of information technology services; providing for information technology audits .....	101
judicial branch, court fees, docket fees and court costs; dispositive motions;	

judicial branch surcharge fund, electronic filing and management fund and judicial branch docket fee fund; making and concerning appropriations for the fiscal years ending June 30, 2016, and June 30, 2017, for the judicial branch ..... 81

**Budget bill;**  
 making and concerning appropriations for fiscal years ending June 30, 2015, June 30, 2016, June 30, 2017, June 30, 2018, and June 30, 2019, for state agencies,  
 authorizing and directing payment of certain claims against the state; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing ..... 104

**Budget supplemental;**  
 administration, department of,  
 making and concerning appropriations for the fiscal year ending June 30, 2016, for state agencies; authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain disbursements, procedures and acts incidental to the foregoing ..... 103  
 making and concerning appropriations for fiscal years ending June 30, 2015, and June 30, 2016, for state agencies,  
 authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing ..... 1

**Buildings and grounds;**  
 state building projects,  
 negotiating committees; alternative procurement ..... 73

**Business entities;**  
 corporations and business entities,  
 business filings with the secretary of state; limited liability companies ..... 65

**Business entity standard treatment act;**  
 corporations and business entities,  
 business filings with the secretary of state; limited liability companies ..... 65

**Business records;**  
 securities,  
 uniform securities act, Kansas; criminal penalties; fees;

criminal procedure .....	70
<b>Businesses and employees;</b>	
emergencies and disasters, creating the Kansas disaster utilities response act; department of revenue .....	14
<b>By-product material;</b>	
health and environment, department of, radioactive materials; by-product material; low-level radioactive waste; naturally occurring radioactive material; water and soil pollution; solid waste disposal; land-spreading of drilling waste ....	35
<b>C</b>	
<b>Campaign finance;</b>	
governmental ethics, candidate and lobbyist fees and filings; use of campaign funds; certain prohibited actions by candidates; political campaigns and technology; political signs .....	85
<b>Campaign funds;</b>	
governmental ethics, candidate and lobbyist fees and filings; use of campaign funds; certain prohibited actions by candidates; political campaigns and technology; political signs .....	85
<b>Candidate and lobbyist fees and filings;</b>	
governmental ethics, candidate and lobbyist fees and filings; use of campaign funds; certain prohibited actions by candidates; political campaigns and technology; political signs .....	85
<b>Candidates for election;</b>	
elections, certain municipalities and special districts; filling vacancies of nominees; presidential preference primary .....	88
governmental ethics, candidate and lobbyist fees and filings; use of campaign funds; certain prohibited actions by candidates; political campaigns and technology; political signs .....	85
<b>Capital improvement projects;</b>	
making and concerning appropriations for fiscal years ending June 30, 2015, June 30, 2016, June 30, 2017, June 30, 2018, and June 30, 2019, for state agencies,	



authorizing and directing payment of certain claims against the state; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing ..... 104

state building projects,  
 negotiating committees; alternative procurement ..... 73

**Carbon dioxide emission standards;**  
 utilities,  
 electric generating units and carbon dioxide emission standards; establishment of state performance standards, legislative review; state corporation commission; secretary of health and environment; creating the clean power plan implementation study committee ..... 74

**Cash assistance;**  
 public assistance,  
 medical assistance fee fund, privilege fees and TANF cash assistance ..... 98

social welfare,  
 Kansas department for children and families; eligibility requirements for assistance ..... 42

**Caterers and catered events;**  
 alcoholic beverages ..... 82

**Cereal malt beverage act, Kansas;**  
 alcoholic beverages ..... 82

**Certified real property appraisers;**  
 educational courses,  
 taxation; board of tax appeals; small claims and expedited hearing division, hearing officers; members, qualifications and salary ..... 51

**Cervids;**  
 domesticated deer,  
 identification of deer ..... 2

**Charitable contributions;**  
 taxation,  
 sales and compensating use tax, rates, distribution thereof, food; income tax, subtraction modifications, credits, individual development accounts, low income scholarship program; motor vehicle taxation; taxation of cigarettes and electronic cigarettes; sales tax authority for Bourbon, Douglas and Thomas counties;

property taxation, consolidated fire districts and fire districts; rural opportunity zones; land banks; creating the joint committee on tax exemptions and income tax credits .....	99
<b>Charitable gaming act, Kansas;</b>	
establishing,	
gaming; charitable gaming; establishing the Kansas charitable gaming act; Kansas lottery; fantasy sports .....	62
<b>Charitable gaming refund fund;</b>	
creating,	
gaming; charitable gaming; establishing the Kansas charitable gaming act; Kansas lottery; fantasy sports .....	62
<b>Charitable gaming regulation fund;</b>	
creating,	
gaming; charitable gaming; establishing the Kansas charitable gaming act; Kansas lottery; fantasy sports .....	62
<b>Charitable raffles;</b>	
gaming,	
charitable gaming; establishing the Kansas charitable gaming act; Kansas lottery; fantasy sports .....	62
taxation,	
sales and compensating use tax, rates, distribution thereof, food; income tax, subtraction modifications, credits, individual development accounts, low income scholarship program; motor vehicle taxation; taxation of cigarettes and electronic cigarettes; sales tax authority for Bourbon, Douglas and Thomas counties; property taxation, consolidated fire districts and fire districts; rural opportunity zones; land banks; creating the joint committee on tax exemptions and income tax credits .....	99
<b>Child care assistance;</b>	
public assistance,	
medical assistance fee fund, privilege fees and TANF cash assistance .....	98
social welfare,	
Kansas department for children and families; eligibility requirements for assistance .....	42
<b>Child support;</b>	
uniform interstate family support act .....	64
<b>Children and families, Kansas department for;</b>	
aging and disability services, secretary for, powers, duties and functions; programs for all-inclusive care for	

## Chapter

the elderly; ERO No. 41 trailer bill .....	56
appropriations .....	1, 104
executive reorganization order no. 43, transferring medicaid eligibility processing duties from the department for children and families to the Kansas department of health and environment and transferring foster care licensing responsibilities from the Kansas department of health and environment to the department for children and families .....	114
public assistance, medical assistance fee fund, privilege fees and TANF cash assistance .....	98
social welfare, eligibility requirements for assistance .....	42
uniform interstate family support act .....	64
<b>Children and minors;</b>	
human trafficking and related crimes, commercial sexual exploitation of a child; civil action for victims; restitution .....	94
juvenile offenders, risk assessment tool; placement in the custody of the secretary of corrections .....	32
medical assistance, Kansas program of, donor human breast milk and medications used under medicaid .....	63
schools, creating the freedom from unsafe restraint and seclusion act .....	72
<b>Children, revised Kansas code for care of;</b>	
public assistance, medical assistance fee fund, privilege fees and TANF cash assistance .....	98
<b>Christmas trees;</b>	
taxation, sales and compensating use tax, rates, distribution thereof, food; income tax, subtraction modifications, credits, individual development accounts, low income scholarship program; motor vehicle taxation; taxation of cigarettes and electronic cigarettes; sales tax authority for Bourbon, Douglas and Thomas counties; property taxation, consolidated fire districts and fire districts; rural opportunity zones; land banks; creating the joint committee on tax exemptions and income tax credits .....	99
<b>Cigarettes and electronic cigarettes;</b>	

taxation,  
 sales and compensating use tax, rates, distribution thereof,  
 food; income tax, subtraction modifications, credits, individual  
 development accounts, low income scholarship program; motor  
 vehicle taxation; taxation of cigarettes and electronic cigarettes;  
 sales tax authority for Bourbon, Douglas and Thomas counties;  
 property taxation, consolidated fire districts and fire districts;  
 rural opportunity zones; land banks; creating the joint committee  
 on tax exemptions and income tax credits ..... 99

**Cigarettes and tobacco products;**  
 smoking,  
 the directory and certification of tobacco product manufacturers;  
 disclosure of information and criminal penalties ..... 79

**Cities;**  
 annexation ..... 91

**Cities and counties;**  
 taxation,  
 income tax rates, low income exclusion, food sales tax credit;  
 sales and compensating use tax, rates, distribution thereof;  
 property tax, elections by cities ..... 102

**Cities and municipalities;**  
 cities,  
 annexation ..... 91

driving,  
 driving under the influence and other driving offenses; DUI-IID  
 designation; DUI-IID designation fund; authorized restrictions  
 of driving privileges, ignition interlock device; expungement of  
 convictions and diversions ..... 71

education,  
 financing and instruction thereof; making and concerning  
 appropriations for the fiscal years ending June 30, 2015, June 30,  
 2016, and June 30, 2017, for the department of education;  
 creating the classroom learning assuring student success act ..... 4

elections,  
 certain municipalities and special districts; filling vacancies of  
 nominees; presidential preference primary ..... 88

firearms,  
 possession ..... 93

making and concerning appropriations for fiscal years ending  
 June 30, 2015, June 30, 2016, June 30, 2017, June 30, 2018, and

June 30, 2019, for state agencies,  
 authorizing and directing payment of certain claims against the  
 state; authorizing certain transfers, capital improvement projects  
 and fees, imposing certain restrictions and limitations, and  
 directing or authorizing certain receipts, disbursements,  
 procedures and acts incidental to the foregoing ..... 104

municipal court diversions,  
 servicemembers and veterans of the United States armed forces;  
 private sector employment; postsecondary educational institution  
 tuition; diversions and sentencing; servicemember and military  
 spouse expedited professional credentialing ..... 76

municipalities,  
 payment of claims ..... 28

reconciling amendments to certain statutes ..... 100

taxation,  
 sales and compensating use tax, rates, distribution thereof, food;  
 income tax, subtraction modifications, credits, individual  
 development accounts, low income scholarship program; motor  
 vehicle taxation; taxation of cigarettes and electronic cigarettes;  
 sales tax authority for Bourbon, Douglas and Thomas counties;  
 property taxation, consolidated fire districts and fire districts;  
 rural opportunity zones; land banks; creating the joint committee  
 on tax exemptions and income tax credits ..... 99

**Cities of the first class;**  
 elections,  
 certain municipalities and special districts; filling vacancies of  
 nominees; presidential preference primary ..... 88

**Citizens' utility ratepayer board;**  
 appropriations ..... 1, 104

**City or county officers;**  
 retirement and pensions,  
 relating to the Kansas public employees retirement system and  
 systems thereunder; employment after retirement; special  
 provisions for certain retirants; certain duties of the joint  
 committee on pensions, investments and benefits; enacting the  
 Kansas deferred retirement option program act; providing terms,  
 conditions, requirements, benefits and contributions related  
 thereto; member election; Kansas highway patrol affiliation;  
 interest credits; account distribution ..... 77

**Civil actions;**

civil commitment of sexually violent predators .....	95
<b>Civil cause of action;</b>	
human trafficking and related crimes,	
commercial sexual exploitation of a child; civil action for victims;	
restitution .....	94
<b>Civil commitment of sexually violent predators .....</b>	<b>95</b>
<b>Civil penalties;</b>	
motor carriers,	
regulation; representation before the corporation commission .....	13
scrap metal, regulated,	
relating to the crimes of theft and criminal damage to property;	
sentencing; evidence at preliminary examination; regulation of	
scrap metal dealers; unlawful acts; penalties; creating the scrap	
metal theft reduction fee fund .....	96
<b>Civil procedure;</b>	
civil commitment of sexually violent predators .....	95
courts,	
district magistrate judge jurisdiction and power; county law	
libraries, code of civil procedure, items allowable as costs; court	
costs, fees, fines and restitution; debts owed to courts .....	53
human trafficking and related crimes,	
commercial sexual exploitation of a child; civil action for victims;	
restitution .....	94
judicial branch,	
court fees, docket fees and court costs; dispositive motions;	
judicial branch surcharge fund, electronic filing and management	
fund and judicial branch docket fee fund; making and concerning	
appropriations for the fiscal years ending June 30, 2016, and	
June 30, 2017, for the judicial branch .....	81
legislative review of exceptions to open records .....	6
municipalities,	
payment of claims .....	28
tort claims act,	
search and rescue and hazardous material response matters; tort	
claims immunity .....	50
<b>Civil service act, Kansas;</b>	
state employees,	
classified and unclassified service .....	52
state officers and employees,	
duties of the secretary of administration; essential state	

employees ..... 86

**Claims;**  
 municipalities,  
 payment of claims ..... 28

**Claims against the state;**  
 making and concerning appropriations for fiscal years ending  
 June 30, 2015, June 30, 2016, June 30, 2017, June 30, 2018, and  
 June 30, 2019, for state agencies,  
 authorizing and directing payment of certain claims against the  
 state; authorizing certain transfers, capital improvement projects  
 and fees, imposing certain restrictions and limitations, and  
 directing or authorizing certain receipts, disbursements,  
 procedures and acts incidental to the foregoing ..... 104

**Classified and unclassified service;**  
 state employees ..... 52

**Classroom learning assuring student success act;**  
 education,  
 financing and instruction; state board of regents; university  
 support staff; making and concerning appropriations for the  
 fiscal years ending June 30, 2016, and June 30, 2017, for the  
 department of education ..... 92  
 financing and instruction thereof; making and concerning  
 appropriations for the fiscal years ending June 30, 2015, June 30,  
 2016, and June 30, 2017, for the department of education;  
 creating the classroom learning assuring student success act ..... 4

**Clay county Vietnam veterans bridge;**  
 designating bridge no. 14(030) on Kansas highway 15 in Clay county  
 as the Clay county Vietnam veterans bridge ..... 25

**Clean power plan;**  
 utilities,  
 electric generating units and carbon dioxide emission standards;  
 establishment of state performance standards, legislative review;  
 state corporation commission; secretary of health and  
 environment; creating the clean power plan implementation  
 study committee ..... 74

**Clean power plan implementation study committee;**  
 establishing,  
 utilities; electric generating units and carbon dioxide emission  
 standards; establishment of state performance standards,  
 legislative review; state corporation commission; secretary of

health and environment; creating the clean power plan implementation study committee .....	74
<b>Cleanup bill;</b>	
reconciling amendments .....	105
<b>Club and drinking establishment act;</b>	
alcoholic beverages .....	82
<b>Code for care of children, revised Kansas;</b>	
human trafficking and related crimes, commercial sexual exploitation of a child; civil action for victims; restitution .....	94
public assistance, medical assistance fee fund, privilege fees and TANF cash assistance .....	98
<b>Collection assistance fees;</b>	
courts, district magistrate judge jurisdiction and power; county law libraries, code of civil procedure, items allowable as costs; court costs, fees, fines and restitution; debts owed to courts .....	53
<b>Colleges and universities;</b>	
alternative project delivery, notice requirements and selection procedure .....	11
<b>Commemorative signage;</b>	
roads and bridges, commemorative signage; requiring the secretary of transportation to collect sufficient funds prior to installation; designating the 2nd Lieutenant Justin L Sisson Memorial Highway, the George Ablah expressway, the Kenneth W Bernard memorial highway and the Bert Cantwell memorial interchange; certain bridge inspections .....	40
<b>Commerce, department of;</b>	
appropriations .....	1, 104
taxation, sales and compensating use tax, rates, distribution thereof, food; income tax, subtraction modifications, credits, individual development accounts, low income scholarship program; motor vehicle taxation; taxation of cigarettes and electronic cigarettes; sales tax authority for Bourbon, Douglas and Thomas counties; property taxation, consolidated fire districts and fire districts; rural opportunity zones; land banks; creating the joint committee on tax exemptions and income tax credits .....	99



**Commercial driver’s license drive test fee fund;**  
 creating,  
     motor vehicles; registration of vehicles, penalties, evidence of  
     renewal; commercial drivers’ licenses, examination fees,  
     commercial driver’s license drive test fee fund ..... 47

**Commercial drivers’ licenses;**  
 motor vehicles,  
     registration; decals for license plates, serial numbers; apportioned  
     fleet registration, mileage applications, fees and calculations;  
     permanent registration of certain vehicles, annual report;  
     commercial drivers’ licenses, endorsements or restrictions; size  
     limitations of certain vehicles, exceptions, forage cutters ..... 49  
     registration of vehicles, penalties, evidence of renewal;  
     commercial drivers’ licenses, examination fees, commercial  
     driver’s license drive test fee fund ..... 47

**Commercial motor vehicles;**  
 motor vehicles,  
     commercial vehicles; motor carriers; regulation ..... 9

**Commercial sexual exploitation of a child;**  
 human trafficking and related crimes,  
     commercial sexual exploitation of a child; civil action for victims;  
     restitution ..... 94

**Community corrections;**  
 crimes, punishment and criminal procedure,  
     secretary of corrections; good time and program credits;  
     community corrections; use of risk assessment tool ..... 54

**Community corrections officers;**  
 crimes, punishment and criminal procedure,  
     battery; criminal history; aggravated battery, driving under the  
     influence; out-of-state misdemeanors; search warrants ..... 90

**Community services and programs, commissioner of;**  
 reconciling amendments to certain statutes ..... 100

**Comparable offenses;**  
 crimes, punishment and criminal procedure,  
     calculation of criminal history ..... 5

**Compensatory mitigation;**  
 agriculture,  
     relating to the Kansas department of agriculture division of  
     conservation; state conservation commission; powers and  
     duties ..... 58

**Compensatory mitigation fund;**

- establishing,
  - relating to the Kansas department of agriculture division of conservation; state conservation commission; powers and duties ..... 58

**Concealed carry;**

- firearms,
  - carrying of concealed firearms; personal and family protection act ..... 16
  - possession ..... 93

**Concurrent resolutions;**

- adopting joint rules for the Senate and House of Representatives for the 2015-2016 biennium ..... 108
- amending 2015 House Concurrent Resolution No. 5016, relating to the adjournment of the senate and house of representatives for periods during the 2015 regular session of the legislature ..... 111
- providing for a joint session of the Senate and House of Representatives for the purpose of hearing a message from the Governor ..... 107
- relating to a committee to inform the governor that the two houses of the legislature are duly organized and ready to receive communications ..... 106
- relating to the 2015 regular session of the legislature and providing for an adjournment thereof ..... 113
- relating to the adjournment of the senate and house of representatives for a period of time during the 2015 regular session of the legislature ..... 109
- relating to the adjournment of the senate and house of representatives for periods during the 2015 regular session of the legislature ..... 110
- relating to the adjournment of the senate and the house of representatives for a period of time during the 2015 regular session of the legislature ..... 112

**Conservation;**

- health and environment, department of,
  - creating the local conservation lending program ..... 36
- water,
  - diversion of water; chief engineer; multi-year flex accounts; local enhanced management areas; public water supply storage ..... 60

**Conservation commission, state;**

agriculture,  
 relating to the Kansas department of agriculture division of  
 conservation; state conservation commission; powers and  
 duties ..... 58

**Conservation districts;**  
 agriculture,  
 relating to the Kansas department of agriculture division of  
 conservation; state conservation commission; powers and  
 duties ..... 58

**Conservation easements;**  
 agriculture,  
 relating to the Kansas department of agriculture division of  
 conservation; state conservation commission; powers and  
 duties ..... 58

**Constitutional carry;**  
 firearms,  
 carrying of concealed firearms; personal and family protection  
 act ..... 16

**Construction management at-risk project;**  
 alternative project delivery,  
 notice requirements and selection procedure ..... 11

**Consumer protection;**  
 roofing contractor registration,  
 exemption of certain general contractors ..... 31  
 scrap metal, regulated,  
 relating to the crimes of theft and criminal damage to property;  
 sentencing; evidence at preliminary examination; regulation of  
 scrap metal dealers; unlawful acts; penalties; creating the scrap  
 metal theft reduction fee fund ..... 96

**Consumer protection act, Kansas;**  
 patent infringement,  
 bad faith assertions of patent infringement ..... 67

**Contracts and contractors;**  
 alternative project delivery,  
 notice requirements and selection procedure ..... 11  
 post audit, division of,  
 background checks ..... 30

**Contracts and promises;**  
 social welfare,  
 Kansas department for children and families; eligibility

requirements for assistance .....	42
<b>Controlled substances;</b>	
crimes and punishment,	
unlawful abuse of toxic vapors .....	20
healing arts,	
licenses and medical retainer agreements; access to health	
care records .....	46
uniform controlled substances act,	
substances included in schedules I, II, III and IV .....	27
<b>Convention support order;</b>	
uniform interstate family support act .....	64
<b>Corporation commission, state;</b>	
appropriations .....	104
health and environment, department of,	
radioactive materials; by-product material; low-level radioactive	
waste; naturally occurring radioactive material; water and soil	
pollution; solid waste disposal; land-spreading of drilling waste ....	35
motor carriers,	
regulation; representation before the corporation commission .....	13
motor vehicles,	
commercial vehicles; motor carriers; regulation .....	9
oil and gas,	
oil and gas wells; licensing of well operators, fees; abandoned	
oil and gas well fund, extension .....	44
renewable energy,	
renewable energy standards act, electric generation standard;	
property tax; exemptions for property used for renewable energy	
resources; property tax on public utilities, definitions and	
exceptions .....	75
utilities,	
electric generating units and carbon dioxide emission standards;	
establishment of state performance standards, legislative review;	
state corporation commission; secretary of health and	
environment; creating the clean power plan implementation	
study committee .....	74
<b>Corporations;</b>	
corporations and business entities,	
business filings with the secretary of state; limited liability	
companies .....	65
reconciling amendments to certain statutes .....	100

securities,  
     uniform securities act, Kansas; criminal penalties; fees; criminal  
     procedure ..... 70

social welfare,  
     Kansas department for children and families; eligibility  
     requirements for assistance ..... 42

**Corrections, department of;**  
     appropriations ..... 1, 104

children and minors,  
     juvenile offenders; risk assessment tool; placement in the  
     custody of the secretary of corrections ..... 32

crimes, punishment and criminal procedure,  
     calculation of criminal history ..... 5

criminal history record information,  
     definitions ..... 3

human trafficking and related crimes,  
     commercial sexual exploitation of a child; civil action for victims;  
     restitution ..... 94

reconciling amendments to certain statutes ..... 100

**Corrections, secretary of;**  
     civil commitment of sexually violent predators ..... 95

crimes, punishment and criminal procedure,  
     secretary of corrections; good time and program credits;  
     community corrections; use of risk assessment tool ..... 54

**Cosmetology, Kansas state board of;**  
     appropriations ..... 1, 104

**Counties;**  
     civil commitment of sexually violent predators ..... 95

municipal finance,  
     temporary notes for improvements, indebtedness reporting ..... 34

**Counties and county officers;**  
     elections,  
         certain municipalities and special districts; filling vacancies of  
         nominees; presidential preference primary ..... 88

improvement districts,  
     certain ..... 80

taxation,  
     sales and compensating use tax, rates, distribution thereof,  
     food; income tax, subtraction modifications, credits, individual  
     development accounts, low income scholarship program; motor

<ul style="list-style-type: none"> <li>vehicle taxation; taxation of cigarettes and electronic cigarettes;</li> <li>sales tax authority for Bourbon, Douglas and Thomas counties;</li> <li>property taxation, consolidated fire districts and fire districts;</li> <li>rural opportunity zones; land banks; creating the joint committee</li> <li>on tax exemptions and income tax credits .....</li> </ul>	99
<b>County and city revenue sharing fund;</b>	
<ul style="list-style-type: none"> <li>making and concerning appropriations for fiscal years ending</li> <li>June 30, 2015, June 30, 2016, June 30, 2017, June 30, 2018, and</li> <li>June 30, 2019, for state agencies,</li> <li>authorizing and directing payment of certain claims against the</li> <li>state; authorizing certain transfers, capital improvement projects</li> <li>and fees, imposing certain restrictions and limitations, and</li> <li>directing or authorizing certain receipts, disbursements,</li> <li>procedures and acts incidental to the foregoing .....</li> </ul>	104
<b>County election officers;</b>	
<ul style="list-style-type: none"> <li>elections,</li> <li>certain municipalities and special districts; filling vacancies of</li> <li>nominees; presidential preference primary .....</li> </ul>	88
<b>County law libraries;</b>	
<ul style="list-style-type: none"> <li>courts,</li> <li>district magistrate judge jurisdiction and power; county law</li> <li>libraries, code of civil procedure, items allowable as costs;</li> <li>court costs, fees, fines and restitution; debts owed to courts .....</li> </ul>	53
<b>County or district attorneys;</b>	
<ul style="list-style-type: none"> <li>public bodies or agencies,</li> <li>state of Kansas and local units of government; providing certain</li> <li>powers to the attorney general for investigation of violations of</li> <li>the open records act and the open meetings act; attorney</li> <li>general's open government fund .....</li> </ul>	68
<b>Court costs, fees, fines and restitution;</b>	
<ul style="list-style-type: none"> <li>district magistrate judge jurisdiction and power,</li> <li>county law libraries, code of civil procedure, items allowable as</li> <li>costs; court costs, fees, fines and restitution; debts owed to</li> <li>courts .....</li> </ul>	53
<b>Court fees, docket fees and court costs;</b>	
<ul style="list-style-type: none"> <li>judicial branch,</li> <li>court fees, docket fees and court costs; dispositive motions;</li> <li>judicial branch surcharge fund, electronic filing and management</li> <li>fund and judicial branch docket fee fund; making and concerning</li> <li>appropriations for the fiscal years ending June 30, 2016, and</li> </ul>	

## Chapter

June 30, 2017, for the judicial branch .....	81
<b>Court services officers;</b>	
crimes, punishment and criminal procedure,	
battery; criminal history; aggravated battery, driving under the	
influence; out-of-state misdemeanors; search warrants .....	90
<b>Courts;</b>	
civil commitment of sexually violent predators .....	95
disposition of district court fines, penalties and forfeitures,	
criminal justice information system line fund .....	59
district magistrate judge jurisdiction and power,	
county law libraries, code of civil procedure, items allowable as	
costs; court costs, fees, fines and restitution; debts owed to	
courts .....	53
judicial branch,	
court fees, docket fees and court costs; dispositive motions;	
judicial branch surcharge fund, electronic filing and management	
fund and judicial branch docket fee fund; making and concerning	
appropriations for the fiscal years ending June 30, 2016, and	
June 30, 2017, for the judicial branch .....	81
reconciling amendments to certain statutes .....	100
<b>Credit unions, state department of;</b>	
appropriations .....	1, 104
<b>Crime victims compensation board;</b>	
human trafficking and related crimes,	
commercial sexual exploitation of a child; civil action for victims;	
restitution .....	94
<b>Crimes against property;</b>	
scrap metal, regulated,	
relating to the crimes of theft and criminal damage to property;	
sentencing; evidence at preliminary examination; regulation of	
scrap metal dealers; unlawful acts; penalties; creating the scrap	
metal theft reduction fee fund .....	96
<b>Crimes against the public morals;</b>	
human trafficking and related crimes,	
commercial sexual exploitation of a child; civil action for victims;	
restitution .....	94
<b>Crimes and punishments;</b>	
abortion,	
creating the Kansas unborn child protection from dismemberment	
abortion act .....	22

children and minors, juvenile offenders; risk assessment tool; placement in the custody of the secretary of corrections .....	32
crimes, punishment and criminal procedure, battery; criminal history; aggravated battery, driving under the influence; out-of-state misdemeanors; search warrants .....	90
calculation of criminal history .....	5
secretary of corrections; good time and program credits; community corrections; use of risk assessment tool .....	54
driving, driving under the influence and other driving offenses; DUI-IID designation; DUI-IID designation fund; authorized restrictions of driving privileges, ignition interlock device; expungement of convictions and diversions .....	71
firearms, carrying of concealed firearms; personal and family protection act .....	16
gaming, charitable gaming; establishing the Kansas charitable gaming act; Kansas lottery; fantasy sports .....	62
human trafficking and related crimes, commercial sexual exploitation of a child; civil action for victims; restitution .....	94
judicial branch, court fees, docket fees and court costs; dispositive motions; judicial branch surcharge fund, electronic filing and management fund and judicial branch docket fee fund; making and concerning appropriations for the fiscal years ending June 30, 2016, and June 30, 2017, for the judicial branch .....	81
scrap metal, regulated, relating to the crimes of theft and criminal damage to property; sentencing; evidence at preliminary examination; regulation of scrap metal dealers; unlawful acts; penalties; creating the scrap metal theft reduction fee fund .....	96
securities, uniform securities act, Kansas; criminal penalties; fees; criminal procedure .....	70
sentencing and treatment, servicemembers and veterans of the United States armed forces; private sector employment; postsecondary educational	



institution tuition; diversions and sentencing; servicemember and military spouse expedited professional credentialing ..... 76

smoking,  
 cigarettes and tobacco products; the directory and certification of tobacco product manufacturers; disclosure of information and criminal penalties ..... 79

unlawful abuse of toxic vapors ..... 20

**Crimes, punishment and criminal procedure;**  
 battery,  
     criminal history; aggravated battery, driving under the influence; out-of-state misdemeanors; search warrants ..... 90

corrections, secretary of,  
     good time and program credits; community corrections; use of risk assessment tool ..... 54

criminal history,  
     calculation of ..... 5

**Criminal code, Kansas;**  
 crimes, punishment and criminal procedure,  
     calculation of criminal history ..... 5

servicemembers and veterans of the United States armed forces,  
     private sector employment; postsecondary educational institution tuition; diversions and sentencing; servicemember and military spouse expedited professional credentialing ..... 76

**Criminal damage to property;**  
 scrap metal, regulated,  
     relating to the crimes of theft and criminal damage to property; sentencing; evidence at preliminary examination; regulation of scrap metal dealers; unlawful acts; penalties; creating the scrap metal theft reduction fee fund ..... 96

**Criminal history;**  
 crimes, punishment and criminal procedure,  
     battery; criminal history; aggravated battery, driving under the influence; out-of-state misdemeanors; search warrants ..... 90

calculation of criminal history ..... 5

**Criminal history record information;**  
 definitions ..... 3

**Criminal justice information line fund;**  
 disposition of district court fines, penalties and forfeitures ..... 59

**Criminal justice information system;**  
 criminal history record information,

definitions .....	3
<b>Criminal procedure;</b>	
civil commitment of sexually violent predators .....	95
crimes, punishment and criminal procedure,	
battery; criminal history; aggravated battery, driving under the influence; out-of-state misdemeanors; search warrants .....	90
criminal history record information,	
definitions .....	3
human trafficking and related crimes,	
commercial sexual exploitation of a child; civil action for victims; restitution .....	94
judicial branch,	
court fees, docket fees and court costs; dispositive motions; judicial branch surcharge fund, electronic filing and management fund and judicial branch docket fee fund; making and concerning appropriations for the fiscal years ending June 30, 2016, and June 30, 2017, for the judicial branch .....	81
procedure after arrest,	
servicemembers and veterans of the United States armed forces; private sector employment; postsecondary educational institution tuition; diversions and sentencing; servicemember and military spouse expedited professional credentialing .....	76
public safety,	
peer support counseling sessions for emergency services personnel and law enforcement personnel; Kansas law enforcement training act .....	89
securities,	
uniform securities act, Kansas; criminal penalties; fees; criminal procedure .....	70
<b>Criminal procedure, Kansas code of;</b>	
scrap metal, regulated,	
relating to the crimes of theft and criminal damage to property; sentencing; evidence at preliminary examination; regulation of scrap metal dealers; unlawful acts; penalties; creating the scrap metal theft reduction fee fund .....	96
<b>Criminal records checks;</b>	
aging and disability services, secretary for,	
powers, duties and functions; programs for all-inclusive care for the elderly; ERO No. 41 trailer bill .....	56
<b>Custody status;</b>	

criminal history record information,  
 definitions ..... 3

**D**

**Deaf, Kansas state school for the;**  
 appropriations ..... 104

**Debts owed to courts;**  
 district magistrate judge jurisdiction and power,  
 county law libraries, code of civil procedure, items allowable as  
 costs; court costs, fees, fines and restitution; debts owed to  
 courts ..... 53

**Decals for license plates;**  
 motor vehicles,  
 registration; decals for license plates, serial numbers;  
 apportioned fleet registration, mileage applications, fees and  
 calculations; permanent registration of certain vehicles, annual  
 report; commercial drivers' licenses, endorsements or  
 restrictions; size limitations of certain vehicles, exceptions,  
 forage cutters ..... 49

**Deer;**  
 domesticated deer,  
 identification of deer ..... 2

**Deferred retirement option program (DROP), Kansas;**  
 retirement and pensions,  
 relating to the Kansas public employees retirement system and  
 systems thereunder; employment after retirement; special  
 provisions for certain retirants; certain duties of the joint  
 committee on pensions, investments and benefits; enacting the  
 Kansas deferred retirement option program act; providing terms,  
 conditions, requirements, benefits and contributions related  
 thereto; member election; Kansas highway patrol affiliation;  
 interest credits; account distribution ..... 77

**Dental board, Kansas;**  
 appropriations ..... 1, 104

**Dental service corporations, nonprofit;**  
 insurance,  
 legal services insurance, nonprofit dental service corporations,  
 subscription agreements, disbursements; required provisions;  
 certain definitions; the health care provider insurance availability

act; definitions; self insurance, health care systems .....	45
<b>Deposit-type contract;</b>	
insurance,	
life insurance companies; reserve valuation method;	
principle-based valuation; standard nonforfeiture law .....	10
<b>Designated smoking areas;</b>	
smoking,	
cigarettes and tobacco products; the directory and certification	
of tobacco product manufacturers; disclosure of information and	
criminal penalties .....	79
<b>Development finance authority, Kansas;</b>	
making and concerning appropriations for fiscal years ending	
June 30, 2015, June 30, 2016, June 30, 2017, June 30, 2018, and	
June 30, 2019, for state agencies,	
authorizing and directing payment of certain claims against	
the state; authorizing certain transfers, capital improvement	
projects and fees, imposing certain restrictions and limitations,	
and directing or authorizing certain receipts, disbursements,	
procedures and acts incidental to the foregoing .....	104
retirement and pensions,	
Kansas public employees retirement system and systems	
thereunder; revenue bonds to finance a portion of unfunded	
actuarial liability of KPERS; requirements and procedures;	
employer contribution rates .....	39
<b>Disabilities, individuals with;</b>	
financial organizations,	
relating to the Kansas money transmitter act, the Kansas	
mortgage business act, remote service units; enacting the	
Kansas ABLE savings program .....	33
<b>Disabled veterans registration and license plates;</b>	
veterans,	
license plates for disabled veterans; parking in certain public	
parking spaces .....	23
<b>Disaster response;</b>	
emergencies and disasters,	
creating the Kansas disaster utilities response act; department	
of revenue .....	14
<b>Disaster utilities response act, Kansas;</b>	
creating,	
emergencies and disasters; department of revenue .....	14

<b>Disasters and emergencies;</b>	
search and rescue and hazardous material response matters,	
tort claims immunity .....	50
<b>Discount cards;</b>	
vision care services act,	
powers and duties of the commissioner of insurance; powers	
and duties of the attorney general .....	97
<b>Dismemberment abortion;</b>	
abortion,	
creating the Kansas unborn child protection from dismemberment	
abortion act .....	22
<b>Dispositive motions;</b>	
judicial branch,	
court fees, docket fees and court costs; dispositive motions;	
judicial branch surcharge fund, electronic filing and management	
fund and judicial branch docket fee fund; making and concerning	
appropriations for the fiscal years ending June 30, 2016, and	
June 30, 2017, for the judicial branch .....	81
<b>Distinctive license plates;</b>	
motor vehicles,	
distinctive license plates, providing for the omega psi phi license	
plate .....	48
veterans,	
license plates for disabled veterans; parking in certain public	
parking spaces .....	23
<b>District attorneys;</b>	
elections,	
certain municipalities and special districts; filling vacancies of	
nominees; presidential preference primary .....	88
<b>District courts;</b>	
disposition of district court fines, penalties and forfeitures,	
criminal justice information system line fund .....	59
public bodies or agencies,	
state of Kansas and local units of government; providing certain	
powers to the attorney general for investigation of violations of	
the open records act and the open meetings act; attorney	
general's open government fund .....	68
<b>District magistrate judge jurisdiction and power;</b>	
courts,	
county law libraries, code of civil procedure, items allowable as	

costs; court costs, fees, fines and restitution; debts owed to courts .....	53
<b>District officers and employees;</b>	
elections,	
certain municipalities and special districts; filling vacancies of nominees; presidential preference primary .....	88
<b>Diversion agreements;</b>	
driving,	
driving under the influence and other driving offenses; DUI-IID designation; DUI-IID designation fund; authorized restrictions of driving privileges, ignition interlock device; expungement of convictions and diversions .....	71
<b>Diversions and sentencing;</b>	
servicemembers and veterans of the United States armed forces, private sector employment; postsecondary educational institution tuition; diversions and sentencing; servicemember and military spouse expedited professional credentialing .....	76
<b>Domestic relations;</b>	
uniform interstate family support act .....	64
<b>Domesticated deer;</b>	
identification of deer .....	2
<b>Donor human breast milk;</b>	
medical assistance, Kansas program of,	
donor human breast milk and medications used under medicaid .....	63
<b>Drainage and levees;</b>	
elections,	
certain municipalities and special districts; filling vacancies of nominees; presidential preference primary .....	88
<b>Drilling waste;</b>	
health and environment, department of,	
radioactive materials; by-product material; low-level radioactive waste; naturally occurring radioactive material; water and soil pollution; solid waste disposal; land-spreading of drilling waste .....	35
<b>Drinking establishments;</b>	
alcoholic beverages .....	82
<b>Driver's licenses;</b>	
driving,	
driving under the influence and other driving offenses; DUI-IID designation; DUI-IID designation fund; authorized restrictions of driving privileges, ignition interlock device; expungement of	

convictions and diversions ..... 71

motor vehicles,

autocycles, definitions, safety belts, child passenger safety restraints, requirements; distinctive license plates, providing for the omega psi phi license plate ..... 48

registration; decals for license plates, serial numbers; apportioned fleet registration, mileage applications, fees and calculations; permanent registration of certain vehicles, annual report; commercial drivers' licenses, endorsements or restrictions; size limitations of certain vehicles, exceptions, forage cutters ..... 49

registration of vehicles, penalties, evidence of renewal; commercial drivers' licenses, examination fees, commercial driver's license drive test fee fund ..... 47

**Drivers and driving;**

driving,

driving under the influence and other driving offenses; DUI-IID designation; DUI-IID designation fund; authorized restrictions of driving privileges, ignition interlock device; expungement of convictions and diversions ..... 71

transportation network company services act, Kansas, definitions; transportation network company requirements; transportation network company drivers; liens on personal vehicles ..... 69

**Driving under the influence;**

crimes, punishment and criminal procedure,

battery; criminal history; aggravated battery, driving under the influence; out-of-state misdemeanors; search warrants ..... 90

driving,

driving under the influence and other driving offenses; DUI-IID designation; DUI-IID designation fund; authorized restrictions of driving privileges, ignition interlock device; expungement of convictions and diversions ..... 71

**Drugs;**

uniform controlled substances act,

substances included in schedules I, II, III and IV ..... 27

**DUI;**

crimes, punishment and criminal procedure,

battery; criminal history; aggravated battery, driving under the influence; out-of-state misdemeanors; search warrants ..... 90

driving,

driving under the influence and other driving offenses; DUI-IID designation; DUI-IID designation fund; authorized restrictions of driving privileges, ignition interlock device; expungement of convictions and diversions ..... 71

**DUI-IID designation fund;**

creating,

driving under the influence and other driving offenses; DUI-IID designation; DUI-IID designation fund; authorized restrictions of driving privileges, ignition interlock device; expungement of convictions and diversions ..... 71

**E**

**Education;**

financing and instruction,

making and concerning appropriations for the fiscal years ending June 30, 2015, June 30, 2016, and June 30, 2017, for the department of education; creating the classroom learning assuring student success act ..... 4

state board of regents; university support staff; making and concerning appropriations for the fiscal years ending June 30, 2016, and June 30, 2017, for the department of education ..... 92

**Education block grants;**

education,

financing and instruction; state board of regents; university support staff; making and concerning appropriations for the fiscal years ending June 30, 2016, and June 30, 2017, for the department of education ..... 92

**Education, board of;**

alternative project delivery,

notice requirements and selection procedure ..... 11

education,

financing and instruction thereof; making and concerning appropriations for the fiscal years ending June 30, 2015, June 30, 2016, and June 30, 2017, for the department of education; creating the classroom learning assuring student success act ..... 4

**Education, department of;**

appropriations ..... 4, 92, 104

education,



financing and instruction thereof; making and concerning appropriations for the fiscal years ending June 30, 2015, June 30, 2016, and June 30, 2017, for the department of education; creating the classroom learning assuring student success act ..... 4

schools,  
 creating the freedom from unsafe restraint and seclusion act ..... 72

**Education, state board of;**  
 education,  
 financing and instruction; state board of regents; university support staff; making and concerning appropriations for the fiscal years ending June 30, 2016, and June 30, 2017, for the department of education ..... 92

financing and instruction thereof; making and concerning appropriations for the fiscal years ending June 30, 2015, June 30, 2016, and June 30, 2017, for the department of education; creating the classroom learning assuring student success act ..... 4

**Educational institutions, state;**  
 servicemembers and veterans of the United States armed forces, private sector employment; postsecondary educational institution tuition; diversions and sentencing; servicemember and military spouse expedited professional credentialing ..... 76

**Educational scholarships;**  
 taxation,  
 sales and compensating use tax, rates, distribution thereof, food; income tax, subtraction modifications, credits, individual development accounts, low income scholarship program; motor vehicle taxation; taxation of cigarettes and electronic cigarettes; sales tax authority for Bourbon, Douglas and Thomas counties; property taxation, consolidated fire districts and fire districts; rural opportunity zones; land banks; creating the joint committee on tax exemptions and income tax credits ..... 99

**Elder care;**  
 aging and disability services, secretary for,  
 powers, duties and functions; programs for all-inclusive care for the elderly; ERO No. 41 trailer bill ..... 56

**Election crimes;**  
 elections,  
 voting; penalties for voting crimes; prosecution of election crimes ..... 87

**Elections;**

election law changes and additions, certain municipalities and special districts; filling vacancies of nominees; presidential preference primary .....	88
governmental ethics, candidate and lobbyist fees and filings; use of campaign funds; certain prohibited actions by candidates; political campaigns and technology; political signs .....	85
taxation, income tax rates, low income exclusion, food sales tax credit; sales and compensating use tax, rates, distribution thereof; property tax, elections by cities .....	102
voting, penalties for voting crimes; prosecution of election crimes .....	87
<b>Elections of officers;</b>	
elections, certain municipalities and special districts; filling vacancies of nominees; presidential preference primary .....	88
<b>Electric generating units;</b>	
utilities, electric generating units and carbon dioxide emission standards; establishment of state performance standards, legislative review; state corporation commission; secretary of health and environment; creating the clean power plan implementation study committee .....	74
<b>Electric generation standard;</b>	
renewable energy, renewable energy standards act, electric generation standard; property tax; exemptions for property used for renewable energy resources; property tax on public utilities, definitions and exceptions .....	75
<b>Electric ratepayer protection act, Kansas;</b>	
utilities, electric generating units and carbon dioxide emission standards; establishment of state performance standards, legislative review; state corporation commission; secretary of health and environment; creating the clean power plan implementation study committee .....	74
<b>Electricity;</b>	
renewable energy, renewable energy standards act, electric generation standard;	

property tax; exemptions for property used for renewable energy resources; property tax on public utilities, definitions and exceptions ..... 75

**Electronic cigarettes;**  
 taxation,  
     sales and compensating use tax, rates, distribution thereof, food; income tax, subtraction modifications, credits, individual development accounts, low income scholarship program; motor vehicle taxation; taxation of cigarettes and electronic cigarettes; sales tax authority for Bourbon, Douglas and Thomas counties; property taxation, consolidated fire districts and fire districts; rural opportunity zones; land banks; creating the joint committee on tax exemptions and income tax credits ..... 99

**Electronic filing and management fund;**  
 judicial branch,  
     court fees, docket fees and court costs; dispositive motions; judicial branch surcharge fund, electronic filing and management fund and judicial branch docket fee fund; making and concerning appropriations for the fiscal years ending June 30, 2016, and June 30, 2017, for the judicial branch ..... 81

**Emergencies and disasters;**  
     creating the Kansas disaster utilities response act,  
         department of revenue ..... 14  
     search and rescue and hazardous material response matters,  
         tort claims immunity ..... 50

**Emergency medical services board;**  
     appropriations ..... 1, 104

**Emergency preparedness for disasters;**  
     emergencies and disasters,  
         creating the Kansas disaster utilities response act; department of revenue ..... 14

**Emergency response;**  
     search and rescue and hazardous material response matters,  
         tort claims immunity ..... 50

**Emergency safety intervention;**  
     schools,  
         creating the freedom from unsafe restraint and seclusion act ..... 72

**Emergency safety intervention task force;**  
     creating,  
         creating the freedom from unsafe restraint and seclusion act ..... 72

**Emergency services personnel;**

- public safety,
  - peer support counseling sessions for emergency services personnel and law enforcement personnel; Kansas law enforcement training act ..... 89

**Emission standards;**

- utilities,
  - electric generating units and carbon dioxide emission standards; establishment of state performance standards, legislative review; state corporation commission; secretary of health and environment; creating the clean power plan implementation study committee ..... 74

**Employee assistance program;**

- public safety,
  - peer support counseling sessions for emergency services personnel and law enforcement personnel; Kansas law enforcement training act ..... 89

**Employers and employees;**

- employment security law,
  - determination of benefits; employer classification rates; administration by secretary of labor; employment security personnel ..... 57
- retirement and pensions,
  - Kansas police and firemen's retirement system; defining eligible employees as police; providing retroactive application ..... 41
  - Kansas public employees retirement system and systems thereunder; revenue bonds to finance a portion of unfunded actuarial liability of KPERS; requirements and procedures; employer contribution rates ..... 39
  - servicemembers and veterans of the United States armed forces,
    - private sector employment; postsecondary educational institution tuition; diversions and sentencing; servicemember and military spouse expedited professional credentialing ..... 76
  - state employees,
    - classified and unclassified service ..... 52
  - state officers and employees,
    - duties of the secretary of administration; essential state employees ..... 86

**Employment reinstatement;**

- servicemembers and veterans of the United States armed forces,

private sector employment; postsecondary educational institution  
 tuition; diversions and sentencing; servicemember and military  
 spouse expedited professional credentialing ..... 76

**Employment security board of review;**  
 employment security law,  
 determination of benefits; employer classification rates;  
 administration by secretary of labor; employment security  
 personnel ..... 57

**Employment security law;**  
 benefits, determination of,  
 employer classification rates; administration by secretary of  
 labor; employment security personnel ..... 57  
 human trafficking and related crimes,  
 commercial sexual exploitation of a child; civil action for victims;  
 restitution ..... 94

**Emporia state university;**  
 appropriations ..... 104

**Energy;**  
 renewable energy,  
 renewable energy standards act, electric generation standard;  
 property tax; exemptions for property used for renewable energy  
 resources; property tax on public utilities, definitions and  
 exceptions ..... 75

**Environment;**  
 health and environment, department of,  
 creating the local conservation lending program ..... 36  
 radioactive materials; by-product material; low-level radioactive  
 waste; naturally occurring radioactive material; water and soil  
 pollution; solid waste disposal; land-spreading of drilling waste .... 35

**Environmental protection;**  
 utilities,  
 electric generating units and carbon dioxide emission standards;  
 establishment of state performance standards, legislative review;  
 state corporation commission; secretary of health and  
 environment; creating the clean power plan implementation study  
 committee ..... 74

**Environmental remediation;**  
 health and environment, secretary of,  
 environmental remediation; risk management program act;  
 voluntary cleanup and property redevelopment act ..... 29

solid and hazardous waste; Kansas storage tank act; creating the environmental stewardship fund .....	26
<b>Environmental stewardship fund;</b>	
creating,	
health and environment, secretary of; solid and hazardous waste; Kansas storage tank act .....	26
<b>ERO No. 41 trailer bill;</b>	
aging and disability services, secretary for, powers, duties and functions; programs for all-inclusive care for the elderly .....	56
<b>ERO no. 43;</b>	
transferring medicaid eligibility processing duties from the department for children and families to the Kansas department of health and environment and transferring foster care licensing responsibilities from the Kansas department of health and environment to the department for children and families .....	114
<b>Essential state employees;</b>	
state officers and employees, duties of the secretary of administration; essential state employees .....	86
<b>Ethics and elections;</b>	
governmental ethics, candidate and lobbyist fees and filings; use of campaign funds; certain prohibited actions by candidates; political campaigns and technology; political signs .....	85
<b>Euthanasia;</b>	
animal care, veterinary practice act, Kansas; licensure; providing for an institutional license to practice veterinary medicine; the Kansas pet animal act; euthanasia .....	61
<b>Executive reorganization order no. 41 trailer bill;</b>	
aging and disability services, secretary for, powers, duties and functions; programs for all-inclusive care for the elderly .....	56
<b>Executive reorganization order no. 43;</b>	
transferring medicaid eligibility processing duties from the department for children and families to the Kansas department of health and environment and transferring foster care licensing responsibilities from the Kansas department of health and environment to the department for children and families .....	114

**Expedited professional credentialing;**  
 servicemembers and veterans of the United States armed forces,  
 private sector employment; postsecondary educational  
 institution tuition; diversions and sentencing; servicemember  
 and military spouse expedited professional credentialing ..... 76

**Expungement of convictions and diversions;**  
 driving,  
 driving under the influence and other driving offenses; DUI-IID  
 designation; DUI-IID designation fund; authorized restrictions  
 of driving privileges, ignition interlock device; expungement of  
 convictions and diversions ..... 71

**Extraordinary need state aid;**  
 education,  
 financing and instruction thereof; making and concerning  
 appropriations for the fiscal years ending June 30, 2015, June 30,  
 2016, and June 30, 2017, for the department of education; creating  
 the classroom learning assuring student success act ..... 4

F

**Fair board, state;**  
 appropriations ..... 104

**Fair, Kansas state;**  
 alcoholic beverages ..... 82

**Fair labor standards act;**  
 human trafficking and related crimes,  
 commercial sexual exploitation of a child; civil action for victims;  
 restitution ..... 94

**Family law code, revised Kansas;**  
 human trafficking and related crimes,  
 commercial sexual exploitation of a child; civil action for victims;  
 restitution ..... 94

judicial branch,  
 court fees, docket fees and court costs; dispositive motions;  
 judicial branch surcharge fund, electronic filing and management  
 fund and judicial branch docket fee fund; making and concerning  
 appropriations for the fiscal years ending June 30, 2016, and  
 June 30, 2017, for the judicial branch ..... 81

uniform interstate family support act ..... 64

**Family support jurisdiction;**

uniform interstate family support act .....	64
<b>Fantasy sports leagues;</b>	
gaming,	
charitable gaming; establishing the Kansas charitable gaming act; Kansas lottery; fantasy sports .....	62
<b>Farm wineries;</b>	
alcoholic beverages .....	82
<b>Federal impact aid;</b>	
education,	
financing and instruction; state board of regents; university support staff; making and concerning appropriations for the fiscal years ending June 30, 2016, and June 30, 2017, for the department of education .....	92
<b>Fees and salaries;</b>	
judicial branch,	
court fees, docket fees and court costs; dispositive motions; judicial branch surcharge fund, electronic filing and management fund and judicial branch docket fee fund; making and concerning appropriations for the fiscal years ending June 30, 2016, and June 30, 2017, for the judicial branch .....	81
<b>Financial institutions;</b>	
banking code,	
state bank commissioner .....	38
health and environment, department of,	
creating the local conservation lending program .....	36
<b>Financial organizations;</b>	
relating to the Kansas money transmitter act, the Kansas mortgage business act, remote service units,	
enacting the Kansas ABLE savings program .....	33
<b>Fines, penalties and forfeitures;</b>	
disposition of district court fines, penalties and forfeitures, criminal justice information system line fund .....	59
<b>Fire districts;</b>	
taxation,	
sales and compensating use tax, rates, distribution thereof, food; income tax, subtraction modifications, credits, individual development accounts, low income scholarship program; motor vehicle taxation; taxation of cigarettes and electronic cigarettes; sales tax authority for Bourbon, Douglas and Thomas counties; property taxation, consolidated fire districts and fire districts;	



## Chapter

rural opportunity zones; land banks; creating the joint committee on tax exemptions and income tax credits .....	99
<b>Fire marshal, state;</b>	
appropriations .....	1, 104
search and rescue and hazardous material response matters, tort claims immunity .....	50
<b>Firearms;</b>	
carrying of concealed firearms, personal and family protection act .....	16
possession .....	93
<b>Firearms trainer certification;</b>	
driving, driving under the influence and other driving offenses; DUI-IID designation; DUI-IID designation fund; authorized restrictions of driving privileges, ignition interlock device; expungement of convictions and diversions .....	71
<b>Firemen and police;</b>	
retirement and pensions, relating to the Kansas public employees retirement system and systems thereunder; employment after retirement; special provisions for certain retirants; certain duties of the joint committee on pensions, investments and benefits; enacting the Kansas deferred retirement option program act; providing terms, conditions, requirements, benefits and contributions related thereto; member election; Kansas highway patrol affiliation; interest credits; account distribution .....	77
<b>Fleet vehicles;</b>	
motor vehicles, registration; decals for license plates, serial numbers; apportioned fleet registration, mileage applications, fees and calculations; permanent registration of certain vehicles, annual report; commercial drivers' licenses, endorsements or restrictions; size limitations of certain vehicles, exceptions, forage cutters .....	49
<b>Food;</b>	
taxation, sales and compensating use tax, rates, distribution thereof, food; income tax, subtraction modifications, credits, individual development accounts, low income scholarship program; motor vehicle taxation; taxation of cigarettes and electronic cigarettes;	

sales tax authority for Bourbon, Douglas and Thomas counties; property taxation, consolidated fire districts and fire districts; rural opportunity zones; land banks; creating the joint committee on tax exemptions and income tax credits .....	99
<b>Food assistance;</b>	
public assistance,	
medical assistance fee fund, privilege fees and TANF cash assistance .....	98
social welfare,	
Kansas department for children and families; eligibility requirements for assistance .....	42
<b>Food sales tax credit;</b>	
taxation,	
income tax rates, low income exclusion, food sales tax credit; sales and compensating use tax, rates, distribution thereof; property tax, elections by cities .....	102
<b>Forage cutters;</b>	
motor vehicles,	
registration; decals for license plates, serial numbers; apportioned fleet registration, mileage applications, fees and calculations; permanent registration of certain vehicles, annual report; commercial drivers' licenses, endorsements or restrictions; size limitations of certain vehicles, exceptions, forage cutters .....	49
<b>Foreign covered entity;</b>	
corporations and business entities,	
business filings with the secretary of state; limited liability companies .....	65
<b>Foreign support agreement;</b>	
uniform interstate family support act .....	64
<b>Fort Hays state university;</b>	
appropriations .....	104
<b>Foster care licensing;</b>	
executive reorganization order no. 43, transferring medicaid eligibility processing duties from the department for children and families to the Kansas department of health and environment and transferring foster care licensing responsibilities from the Kansas department of health and environment to the department for children and families .....	114
<b>Fraudulent insurance act;</b>	
insurance,	

legal services insurance, nonprofit dental service corporations,  
 subscription agreements, disbursements; required provisions;  
 certain definitions; the health care provider insurance availability  
 act; definitions; self insurance, health care systems ..... 45

**Freedom from unsafe restraint and seclusion act;**  
 creating,  
     concerning schools ..... 72

**Funds;**  
 attorney general’s open government fund,  
     public bodies or agencies; state of Kansas and local units of  
     government; providing certain powers to the attorney general  
     for investigation of violations of the open records act and the  
     open meetings act; ..... 68

charitable gaming refund fund,  
     gaming; charitable gaming; establishing the Kansas charitable  
     gaming act; Kansas lottery; fantasy sports ..... 62

charitable gaming regulation fund,  
     gaming; charitable gaming; establishing the Kansas charitable  
     gaming act; Kansas lottery; fantasy sports ..... 62

compensatory mitigation fund,  
     relating to the Kansas department of agriculture division of  
     conservation; state conservation commission; powers and  
     duties ..... 58

criminal justice information system line fund,  
     disposition of district court fines, penalties and forfeitures ..... 59

DUI-IID designation fund,  
     creating; relating to driving under the influence and other  
     driving offenses; DUI-IID designation; DUI-IID designation  
     fund; authorized restrictions of driving privileges, ignition  
     interlock device; expungement of convictions and diversions ..... 71

electronic filing and management fund,  
     judicial branch; court fees, docket fees and court costs;  
     dispositive motions; judicial branch surcharge fund, electronic  
     filing and management fund and judicial branch docket fee fund;  
     making and concerning appropriations for the fiscal years ending  
     June 30, 2016, and June 30, 2017, for the judicial branch ..... 81

emergency response fund of the state fire marshal,  
     redesignated from hazardous materials emergency fund ..... 50

environmental stewardship fund, creating,  
     health and environment, secretary of; solid and hazardous waste;

Kansas storage tank act .....	26
judicial branch docket fee fund,	
judicial branch; court fees, docket fees and court costs;	
dispositive motions; judicial branch surcharge fund, electronic	
filing and management fund and judicial branch docket fee fund;	
making and concerning appropriations for the fiscal years	
ending June 30, 2016, and June 30, 2017, for the judicial branch .....	81
judicial branch surcharge fund,	
judicial branch; court fees, docket fees and court costs;	
dispositive motions; judicial branch surcharge fund, electronic	
filing and management fund and judicial branch docket fee fund;	
making and concerning appropriations for the fiscal years	
ending June 30, 2016, and June 30, 2017, for the judicial branch .....	81
medical assistance fee fund,	
public assistance; medical assistance fee fund, privilege fees	
and TANF cash assistance .....	98
risk management fund, establishing,	
health and environment, secretary of; environmental remediation;	
risk management program act; voluntary cleanup and property	
redevelopment act .....	29
<b>Furlough exemption;</b>	
state officers and employees,	
duties of the secretary of administration; essential state	
employees .....	86
<b>G</b>	
<b>Gambling and gaming;</b>	
gaming,	
charitable gaming; establishing the Kansas charitable gaming act;	
Kansas lottery; fantasy sports .....	62
<b>Gas wells;</b>	
oil and gas,	
oil and gas wells; licensing of well operators, fees; abandoned	
oil and gas well fund, extension .....	44
<b>General contractor industry associations;</b>	
alternative project delivery,	
notice requirements and selection procedure .....	11
<b>General contractors;</b>	
roofing contractor registration,	

exemption of certain general contractors ..... 31

**George Ablah expressway;**  
roads and bridges,  
commemorative signage; requiring the secretary of transportation  
to collect sufficient funds prior to installation; designating the  
2nd Lieutenant Justin L Sisson Memorial Highway, the George  
Ablah expressway, the Kenneth W Bernard memorial highway  
and the Bert Cantwell memorial interchange; certain bridge  
inspections ..... 40

**Good time and program credits;**  
crimes, punishment and criminal procedure,  
secretary of corrections; good time and program credits;  
community corrections; use of risk assessment tool ..... 54

**Governmental ethics;**  
elections,  
candidate and lobbyist fees and filings; use of campaign funds;  
certain prohibited actions by candidates; political campaigns  
and technology; political signs ..... 85

**Governmental ethics commission;**  
appropriations ..... 1, 104  
governmental ethics,  
candidate and lobbyist fees and filings; use of campaign funds;  
certain prohibited actions by candidates; political campaigns and  
technology; political signs ..... 85

**Governor;**  
military justice, Kansas code of,  
commanding officer’s nonjudicial punishment ..... 66

**Governor’s department;**  
appropriations ..... 104

**Governor’s tribal liaison;**  
statutorily created boards, councils and committees,  
membership on the governor’s behavioral health services  
planning council ..... 55

**Governors behavioral health services planning council;**  
statutorily created boards, councils and committees,  
adding deputy secretary of juvenile services of the department  
of corrections or the deputy secretary’s designee and the  
governor’s tribal liaison as members ..... 55

**Groundwater gage sites;**  
agriculture, department of,

water conservation areas; agricultural liming materials; the Arkansas river gaging fund .....	37
<b>Guardianship program, Kansas;</b> appropriations .....	104

## H

<b>Halogenated hydrocarbons;</b> crimes and punishment, unlawful abuse of toxic vapors .....	20
<b>Handguns;</b> firearms, carrying of concealed firearms; personal and family protection act .....	16
possession .....	93
<b>Hazardous materials;</b> search and rescue and hazardous material response matters, tort claims immunity .....	50
<b>Healing arts act, Kansas;</b> healing arts, licenses and medical retainer agreements; access to health care records .....	46
<b>Healing arts, state board of;</b> appropriations .....	1, 104
healing arts, licenses and medical retainer agreements; access to health care records .....	46
reconciling amendments to certain statutes .....	100
<b>Health and environment, department of;</b> executive reorganization order no. 43, transferring medicaid eligibility processing duties from the department for children and families to the Kansas department of health and environment and transferring foster care licensing responsibilities from the Kansas department of health and environment to the department for children and families .....	114
land-spreading, radioactive materials; by-product material; low-level radioactive waste; naturally occurring radioactive material; water and soil pollution; solid waste disposal; land-spreading of drilling waste ....	35
local conservation lending program,	

creating ..... 36

medical assistance, Kansas program of,  
donor human breast milk and medications used under medicaid ..... 63

**Health and environment, department of—division of environment;**  
appropriations ..... 1, 104

**Health and environment, department of—division of health care finance;**  
appropriations ..... 1, 104

**Health and environment, department of—division of public health;**  
appropriations ..... 104

**Health and environment, secretary of;**  
environmental remediation,  
risk management program act; voluntary cleanup and property  
redevelopment act ..... 29

public assistance,  
medical assistance fee fund, privilege fees and TANF cash  
assistance ..... 98

solid and hazardous waste,  
Kansas storage tank act; creating the environmental stewardship  
fund ..... 26

utilities,  
electric generating units and carbon dioxide emission standards;  
establishment of state performance standards, legislative review;  
state corporation commission; secretary of health and  
environment; creating the clean power plan implementation study  
committee ..... 74

**Health and health care;**  
healing arts,  
licenses and medical retainer agreements; access to health care  
records ..... 46

uniform controlled substances act,  
substances included in schedules I, II, III and IV ..... 27

**Health benefit plans;**  
vision care services act,  
powers and duties of the commissioner of insurance; powers and  
duties of the attorney general ..... 97

**Health care facilities;**  
insurance,  
legal services insurance, nonprofit dental service corporations,  
subscription agreements, disbursements; required provisions;  
certain definitions; the health care provider insurance availability

act; definitions; self insurance, health care systems .....	45
<b>Health care providers;</b>	
healing arts,	
licenses and medical retainer agreements; access to health care	
records .....	46
<b>Health care records;</b>	
healing arts,	
licenses and medical retainer agreements; access to health care	
records .....	46
<b>Health care stabilization fund board of governors;</b>	
appropriations .....	1, 104
<b>Health care systems;</b>	
insurance,	
legal services insurance, nonprofit dental service corporations,	
subscription agreements, disbursements; required provisions;	
certain definitions; the health care provider insurance availability	
act; definitions; self insurance, health care systems .....	45
<b>Health insurers;</b>	
vision care services act,	
powers and duties of the commissioner of insurance; powers	
and duties of the attorney general .....	97
<b>Health maintenance organizations;</b>	
public assistance,	
medical assistance fee fund, privilege fees and TANF cash	
assistance .....	98
<b>Hearing instruments, Kansas board of examiners in fitting and</b>	
<b>dispensing of;</b>	
appropriations .....	1, 104
<b>Hearing officers;</b>	
board of tax appeals,	
taxation; board of tax appeals; small claims and expedited hearing	
division, hearing officers; members, qualifications and salary .....	51
<b>Higher education;</b>	
servicemembers and veterans of the United States armed forces,	
private sector employment; postsecondary educational institution	
tuition; diversions and sentencing; servicemember and military	
spouse expedited professional credentialing .....	76
<b>Highway fund, state;</b>	
taxation,	
sales and compensating use tax, rates, distribution thereof, food;	



income tax, subtraction modifications, credits, individual development accounts, low income scholarship program; motor vehicle taxation; taxation of cigarettes and electronic cigarettes; sales tax authority for Bourbon, Douglas and Thomas counties; property taxation, consolidated fire districts and fire districts; rural opportunity zones; land banks; creating the joint committee on tax exemptions and income tax credits ..... 99

**Highway patrol, Kansas;**  
 appropriations ..... 1, 104  
 retirement and pensions,  
     relating to the Kansas public employees retirement system and systems thereunder; employment after retirement; special provisions for certain retirants; certain duties of the joint committee on pensions, investments and benefits; enacting the Kansas deferred retirement option program act; providing terms, conditions, requirements, benefits and contributions related thereto; member election; Kansas highway patrol affiliation; interest credits; account distribution ..... 77

**Highways and bridges;**  
 roads and bridges,  
     commemorative signage; requiring the secretary of transportation to collect sufficient funds prior to installation; designating the 2nd Lieutenant Justin L Sisson Memorial Highway, the George Ablah expressway, the Kenneth W Bernard memorial highway and the Bert Cantwell memorial interchange; certain bridge inspections ..... 40

**Historical society, state;**  
 appropriations ..... 104

**HMO privilege fees;**  
 public assistance,  
     medical assistance fee fund, privilege fees and TANF cash assistance ..... 98

**Home health agencies;**  
 human trafficking and related crimes,  
     commercial sexual exploitation of a child; civil action for victims; restitution ..... 94

**Home on the range highway;**  
 designating a portion of K-8 as the home on the range highway ..... 15

**Housing resources corporation, Kansas;**  
 appropriations ..... 104

<b>Human rights commission, Kansas;</b>	
appropriations .....	104
<b>Human trafficking and related crimes;</b>	
commercial sexual exploitation of a child,	
civil action for victims; restitution .....	94
<b>Human trafficking victim assistance fund;</b>	
human trafficking and related crimes,	
commercial sexual exploitation of a child; civil action for victims;	
restitution .....	94

## I

<b>Ignition interlock devices;</b>	
driving,	
driving under the influence and other driving offenses; DUI-IID	
designation; DUI-IID designation fund; authorized restrictions	
of driving privileges, ignition interlock device; expungement of	
convictions and diversions .....	71
<b>Improvement districts;</b>	
certain,	
appointments to vacancies .....	80
<b>In-state tuition;</b>	
servicemembers and veterans of the United States armed forces,	
private sector employment; postsecondary educational institution	
tuition; diversions and sentencing; servicemember and military	
spouse expedited professional credentialing .....	76
<b>Income tax;</b>	
taxation,	
income tax rates, low income exclusion, food sales tax credit;	
sales and compensating use tax, rates, distribution thereof;	
property tax, elections by cities .....	102
sales and compensating use tax, rates, distribution thereof, food;	
income tax, subtraction modifications, credits, individual	
development accounts, low income scholarship program; motor	
vehicle taxation; taxation of cigarettes and electronic cigarettes;	
sales tax authority for Bourbon, Douglas and Thomas counties;	
property taxation, consolidated fire districts and fire districts;	
rural opportunity zones; land banks; creating the joint committee	
on tax exemptions and income tax credits .....	99
<b>Indebtedness reporting;</b>	

municipal finance,  
 temporary notes for improvements, indebtedness reporting ..... 34

**Indian tribes;**  
 cigarettes and tobacco products,  
 smoking; the directory and certification of tobacco product  
 manufacturers; disclosure of information and criminal penalties ..... 79

**Indigents’ defense services, state board of;**  
 appropriations ..... 104

**Information technology;**  
 office of information technology services,  
 providing for information technology audits ..... 101

**Information technology services, office of;**  
 appropriations ..... 104

**Infrastructure maintenance fund;**  
 making and concerning appropriations for fiscal years ending  
 June 30, 2015, June 30, 2016, June 30, 2017, June 30, 2018, and  
 June 30, 2019, for state agencies,  
 authorizing and directing payment of certain claims against the  
 state; authorizing certain transfers, capital improvement projects  
 and fees, imposing certain restrictions and limitations, and  
 directing or authorizing certain receipts, disbursements,  
 procedures and acts incidental to the foregoing ..... 104

**Infused alcoholic liquor;**  
 alcoholic beverages ..... 82

**Inmates;**  
 crimes, punishment and criminal procedure,  
 secretary of corrections; good time and program credits;  
 community corrections; use of risk assessment tool ..... 54

**Institutional license;**  
 reconciling amendments to certain statutes ..... 100

**Insurance;**  
 assessments,  
 enacting the risk management and own risk and solvency  
 assessment act; sanctions ..... 18  
 insurance code amendments,  
 coverage for autism spectrum disorder; motor vehicle liability  
 insurance, mailing notice of termination of coverage; certain  
 financial examinations, consulting fees, examination period;  
 surplus lines insurance, gross premiums and tax thereon ..... 83  
 insurance companies,

investments .....	7
legal services insurance, nonprofit dental service corporations, subscription agreements, disbursements, required provisions; certain definitions; the health care provider insurance availability act; definitions; self insurance, health care systems .....	45
life insurance companies, reserve valuation method; principle-based valuation; standard nonforfeiture law .....	10
public assistance, medical assistance fee fund, privilege fees and TANF cash assistance .....	98
regulating traffic, transportation network companies, transportation network company services, regulation .....	43
risk-based capital instructions, property and casualty actuarial opinion law .....	24
transportation network company services act, Kansas, definitions; transportation network company requirements; transportation network company drivers; liens on personal vehicles .....	69
vision care services act, powers and duties of the commissioner of insurance; powers and duties of the attorney general .....	97
<b>Insurance commissioner;</b>	
insurance,	
assessments; enacting the risk management and own risk and solvency assessment act; sanctions .....	18
coverage for autism spectrum disorder; motor vehicle liability insurance, mailing notice of termination of coverage; certain financial examinations, consulting fees, examination period; surplus lines insurance, gross premiums and tax thereon .....	83
legal services insurance, nonprofit dental service corporations, subscription agreements, disbursements; required provisions; certain definitions; the health care provider insurance availability act; definitions; self insurance, health care systems .....	45
life insurance companies; reserve valuation method; principle-based valuation; standard nonforfeiture law .....	10
risk-based capital instructions; property and casualty actuarial opinion law .....	24

## Chapter

insurance companies, investments .....	7
public assistance, medical assistance fee fund, privilege fees and TANF cash assistance .....	98
vision care services act, powers and duties of the commissioner of insurance; powers and duties of the attorney general .....	97
<b>Insurance companies;</b> investments .....	7
<b>Insurance compliance self-evaluative privilege;</b> legislative review of exceptions to open records .....	6
<b>Insurance department;</b> appropriations .....	104
<b>Interactive teller machines;</b> financial organizations, relating to the Kansas money transmitter act, the Kansas mortgage business act, remote service units; enacting the Kansas ABLE savings program .....	33
<b>Internet;</b> governmental ethics, candidate and lobbyist fees and filings; use of campaign funds; certain prohibited actions by candidates; political campaigns and technology; political signs .....	85
<b>Intoxicating liquors and beverages;</b> alcoholic beverages .....	82
<b>Intrastate commerce;</b> motor vehicles, commercial vehicles; motor carriers; regulation .....	9
<b>Investigations and subpoenas;</b> securities, uniform securities act, Kansas; criminal penalties; fees; criminal procedure .....	70
<b>Irrigation;</b> elections, certain municipalities and special districts; filling vacancies of nominees; presidential preference primary .....	88
<b>Island annexation;</b> cities, annexation .....	91

**Itemized deductions;**

- taxation,
  - income tax rates, low income exclusion, food sales tax credit;
- sales and compensating use tax, rates, distribution thereof; property tax, elections by cities ..... 102

**J****Jails;**

- criminal history record information,
  - definitions ..... 3

**Joint committee on tax exemptions and income tax credits;**

- establishing,
  - taxation; sales and compensating use tax, rates, distribution thereof, food; income tax, subtraction modifications, credits, individual development accounts, low income scholarship program; motor vehicle taxation; taxation of cigarettes and electronic cigarettes; sales tax authority for Bourbon, Douglas and Thomas counties; property taxation, consolidated fire districts and fire districts; rural opportunity zones; land banks; creating the joint committee on tax exemptions and income tax credits ..... 99

**Judges;**

- crimes, punishment and criminal procedure,
  - battery; criminal history; aggravated battery, driving under the influence; out-of-state misdemeanors; search warrants ..... 90

**Judicial administrator;**

- courts,
  - district magistrate judge jurisdiction and power; county law libraries, code of civil procedure, items allowable as costs; court costs, fees, fines and restitution; debts owed to courts ..... 53

**Judicial branch;**

- appropriations ..... 1, 81
- court fees, docket fees and court costs,
  - dispositive motions; judicial branch surcharge fund, electronic filing and management fund and judicial branch docket fee fund; making and concerning appropriations for the fiscal years ending June 30, 2016, and June 30, 2017, for the judicial branch ..... 81

**Judicial branch docket fee fund;**

- judicial branch,

<ul style="list-style-type: none"> <li>court fees, docket fees and court costs; dispositive motions;</li> <li>judicial branch surcharge fund, electronic filing and management fund and judicial branch docket fee fund; making and concerning appropriations for the fiscal years ending June 30, 2016, and June 30, 2017, for the judicial branch .....</li> </ul>	81
<b>Judicial branch surcharge fund;</b>	
<ul style="list-style-type: none"> <li>judicial branch, <ul style="list-style-type: none"> <li>court fees, docket fees and court costs; dispositive motions;</li> <li>judicial branch surcharge fund, electronic filing and management fund and judicial branch docket fee fund; making and concerning appropriations for the fiscal years ending June 30, 2016, and June 30, 2017, for the judicial branch .....</li> </ul> </li> </ul>	81
<b>Judicial council;</b>	
<ul style="list-style-type: none"> <li>appropriations .....</li> </ul>	1, 104
<b>Judicial review act, Kansas;</b>	
<ul style="list-style-type: none"> <li>civil commitment of sexually violent predators .....</li> </ul>	95
<b>Justin L Sisson memorial highway;</b>	
<ul style="list-style-type: none"> <li>roads and bridges, <ul style="list-style-type: none"> <li>commemorative signage; requiring the secretary of transportation to collect sufficient funds prior to installation; designating the 2nd Lieutenant Justin L Sisson Memorial Highway, the George Ablah expressway, the Kenneth W Bernard memorial highway and the Bert Cantwell memorial interchange; certain bridge inspections .....</li> </ul> </li> </ul>	40
<b>Juvenile adjudications;</b>	
<ul style="list-style-type: none"> <li>crimes, punishment and criminal procedure, <ul style="list-style-type: none"> <li>calculation of criminal history .....</li> </ul> </li> </ul>	5
<b>Juvenile justice code, revised Kansas;</b>	
<ul style="list-style-type: none"> <li>human trafficking and related crimes, <ul style="list-style-type: none"> <li>commercial sexual exploitation of a child; civil action for victims; restitution .....</li> </ul> </li> <li>public assistance, <ul style="list-style-type: none"> <li>medical assistance fee fund, privilege fees and TANF cash assistance .....</li> </ul> </li> </ul>	94
<b>Juvenile offender information system;</b>	
<ul style="list-style-type: none"> <li>criminal history record information, <ul style="list-style-type: none"> <li>definitions .....</li> </ul> </li> </ul>	3
<b>Juvenile offenders;</b>	
<ul style="list-style-type: none"> <li>children and minors, <ul style="list-style-type: none"> <li>juvenile offenders; risk assessment tool; placement in the</li> </ul> </li> </ul>	

custody of the secretary of corrections .....	32
<b>Juvenile services division of the department of corrections;</b>	
statutorily created boards, councils and committees,	
membership on the governor's behavioral health services	
planning council .....	55
<b>Juveniles;</b>	
reconciling amendments to certain statutes .....	100
<b>K</b>	
<b>Kansas code of military justice;</b>	
commanding officer's nonjudicial punishment .....	66
<b>Kansas family law code-revised;</b>	
human trafficking and related crimes,	
commercial sexual exploitation of a child; civil action for victims;	
restitution .....	94
uniform interstate family support act .....	64
<b>Kansas lottery;</b>	
gaming,	
charitable gaming; establishing the Kansas charitable gaming	
act; Kansas lottery; fantasy sports .....	62
<b>Kansas open meetings act (KOMA);</b>	
public bodies or agencies,	
state of Kansas and local units of government; providing certain	
powers to the attorney general for investigation of violations of	
the open records act and the open meetings act; attorney	
general's open government fund .....	68
<b>Kansas open records act (KORA);</b>	
public bodies or agencies,	
state of Kansas and local units of government; providing certain	
powers to the attorney general for investigation of violations of	
the open records act and the open meetings act; attorney	
general's open government fund .....	68
<b>Kansas revised family law code;</b>	
judicial branch,	
court fees, docket fees and court costs; dispositive motions;	
judicial branch surcharge fund, electronic filing and management	
fund and judicial branch docket fee fund; making and concerning	
appropriations for the fiscal years ending June 30, 2016, and	
June 30, 2017, for the judicial branch .....	81



**Kansas state fair;**  
 alcoholic beverages ..... 82

**Kansas state university;**  
 animal care,  
     veterinary practice act, Kansas; licensure; providing for an  
     institutional license to practice veterinary medicine; the Kansas  
     pet animal act; euthanasia ..... 61  
 appropriations ..... 104

**Kansas state university extension systems and agriculture research  
 programs;**  
 appropriations ..... 1, 104

**Kansas state university veterinary medical center;**  
 appropriations ..... 104

**Kansas unborn child protection from dismemberment abortion act;**  
 creating,  
     abortion ..... 22

**Kenneth W Bernard memorial highway;**  
 roads and bridges,  
     commemorative signage; requiring the secretary of transportation  
     to collect sufficient funds prior to installation; designating the  
     2nd Lieutenant Justin L Sisson Memorial Highway, the George  
     Ablah expressway, the Kenneth W Bernard memorial highway  
     and the Bert Cantwell memorial interchange; certain bridge  
     inspections ..... 40

**KP&F;**  
 retirement and pensions,  
     Kansas police and firemen’s retirement system; defining eligible  
     employees as police; providing retroactive application ..... 41

**KPERS;**  
 reconciling amendments to certain statutes ..... 100  
 retirement and pensions,  
     Kansas public employees retirement system and systems  
     thereunder; revenue bonds to finance a portion of unfunded  
     actuarial liability of KPERS; requirements and procedures;  
     employer contribution rates ..... 39  
     relating to the Kansas public employees retirement system and  
     systems thereunder; employment after retirement; special  
     provisions for certain retirants; certain duties of the joint  
     committee on pensions, investments and benefits; enacting the  
     Kansas deferred retirement option program act; providing terms,

conditions, requirements, benefits and contributions related thereto; member election; Kansas highway patrol affiliation; interest credits; account distribution .....	77
taxation,	
sales and compensating use tax, rates, distribution thereof, food; income tax, subtraction modifications, credits, individual development accounts, low income scholarship program; motor vehicle taxation; taxation of cigarettes and electronic cigarettes; sales tax authority for Bourbon, Douglas and Thomas counties; property taxation, consolidated fire districts and fire districts; rural opportunity zones; land banks; creating the joint committee on tax exemptions and income tax credits .....	99

## L

### **Labor and industries;**

banking code,	
state bank commissioner .....	38
employment security law,	
determination of benefits; employer classification rates; administration by secretary of labor; employment security personnel .....	57
human trafficking and related crimes,	
commercial sexual exploitation of a child; civil action for victims; restitution .....	94

### **Labor, department of;**

appropriations .....	1, 104
----------------------	--------

### **Labor, inducing;**

abortion,	
administration of abortifacient drugs .....	84

### **Labor, secretary of;**

employment security law,	
determination of benefits; employer classification rates; administration by secretary of labor; employment security personnel .....	57

### **Land;**

cities,	
annexation .....	91

### **Land banks;**

taxation,	
-----------	--

sales and compensating use tax, rates, distribution thereof, food; income tax, subtraction modifications, credits, individual development accounts, low income scholarship program; motor vehicle taxation; taxation of cigarettes and electronic cigarettes; sales tax authority for Bourbon, Douglas and Thomas counties; property taxation, consolidated fire districts and fire districts; rural opportunity zones; land banks; creating the joint committee on tax exemptions and income tax credits ..... 99

**Land purchases;**  
wildlife, parks and tourism ..... 19

**Land-spreading;**  
health and environment, department of,  
radioactive materials; by-product material; low-level radioactive waste; naturally occurring radioactive material; water and soil pollution; solid waste disposal; land-spreading of drilling waste .... 35

**Larned state hospital;**  
civil commitment of sexually violent predators ..... 95

**Law enforcement officers;**  
crimes, punishment and criminal procedure,  
battery; criminal history; aggravated battery, driving under the influence; out-of-state misdemeanors; search warrants ..... 90  
retirement and pensions,  
relating to the Kansas public employees retirement system and systems thereunder; employment after retirement; special provisions for certain retirants; certain duties of the joint committee on pensions, investments and benefits; enacting the Kansas deferred retirement option program act; providing terms, conditions, requirements, benefits and contributions related thereto; member election; Kansas highway patrol affiliation; interest credits; account distribution ..... 77

**Law enforcement personnel;**  
public safety,  
peer support counseling sessions for emergency services personnel and law enforcement personnel; Kansas law enforcement training act ..... 89

**Law enforcement training act, Kansas;**  
public safety,  
peer support counseling sessions for emergency services personnel and law enforcement personnel; Kansas law enforcement training act ..... 89

<b>Leave time;</b>	
education,	
financing and instruction; state board of regents; university support staff; making and concerning appropriations for the fiscal years ending June 30, 2016, and June 30, 2017, for the department of education .....	92
<b>Legal services insurance;</b>	
insurance,	
legal services insurance, nonprofit dental service corporations, subscription agreements, disbursements; required provisions; certain definitions; the health care provider insurance availability act; definitions; self insurance, health care systems .....	45
<b>Legislative coordinating council;</b>	
appropriations .....	1, 104
<b>Legislative post audit;</b>	
background checks .....	30
information technology,	
office of information technology services; providing for information technology audits .....	101
<b>Legislative review;</b>	
legislative review of exceptions to open records .....	6
<b>Legislature;</b>	
appropriations .....	1, 104
education,	
financing and instruction thereof; making and concerning appropriations for the fiscal years ending June 30, 2015, June 30, 2016, and June 30, 2017, for the department of education; creating the classroom learning assuring student success act .....	4
governmental ethics,	
candidate and lobbyist fees and filings; use of campaign funds; certain prohibited actions by candidates; political campaigns and technology; political signs .....	85
information technology,	
office of information technology services; providing for information technology audits .....	101
post audit, division of,	
background checks .....	30
retirement and pensions,	
relating to the Kansas public employees retirement system and systems thereunder; employment after retirement; special	

provisions for certain retirants; certain duties of the joint committee on pensions, investments and benefits; enacting the Kansas deferred retirement option program act; providing terms, conditions, requirements, benefits and contributions related thereto; member election; Kansas highway patrol affiliation; interest credits; account distribution ..... 77

school district performance audits ..... 17

**License plate decals;**

motor vehicles,

    registration; decals for license plates, serial numbers; apportioned fleet registration, mileage applications, fees and calculations; permanent registration of certain vehicles, annual report; commercial drivers' licenses, endorsements or restrictions; size limitations of certain vehicles, exceptions, forage cutters ..... 49

**License plates;**

motor vehicles,

    distinctive license plates, providing for the omega psi phi license plate ..... 48

veterans,

    license plates for disabled veterans; parking in certain public parking spaces ..... 23

**Licenseses in military service;**

servicemembers and veterans of the United States armed forces, private sector employment; postsecondary educational institution tuition; diversions and sentencing; servicemember and military spouse expedited professional credentialing ..... 76

**Licenses and licensure;**

alcoholic beverages ..... 82

animal care,

    veterinary practice act, Kansas; licensure; providing for an institutional license to practice veterinary medicine; the Kansas pet animal act; euthanasia ..... 61

gaming,

    charitable gaming; establishing the Kansas charitable gaming act; Kansas lottery; fantasy sports ..... 62

healing arts,

    licenses and medical retainer agreements; access to health care records ..... 46

**Licenses and permits;**

real estate brokers and salespersons,

license fees; licensure; technical amendments .....	21
<b>Liens and lienholders;</b>	
regulating traffic,	
transportation network companies, transportation network company services, regulation .....	43
transportation network company services act, Kansas, definitions; transportation network company requirements; transportation network company drivers; liens on personal vehicles .....	69
<b>Life insurance;</b>	
insurance,	
life insurance companies; reserve valuation method; principle-based valuation; standard nonforfeiture law .....	10
<b>Limited liability companies;</b>	
corporations and business entities, business filings with the secretary of state; limited liability companies .....	65
reconciling amendments to certain statutes .....	100
<b>Limited partnerships;</b>	
corporations and business entities, business filings with the secretary of state; limited liability companies .....	65
<b>Liquor control act, Kansas;</b>	
alcoholic beverages .....	82
<b>Livestock and domestic animals;</b>	
animal care,	
veterinary practice act, Kansas; licensure; providing for an institutional license to practice veterinary medicine; the Kansas pet animal act; euthanasia .....	61
domesticated deer, identification of deer .....	2
<b>Lobbyists;</b>	
governmental ethics, candidate and lobbyist fees and filings; use of campaign funds; certain prohibited actions by candidates; political campaigns and technology; political signs .....	85
<b>Local ad valorem tax refund fund;</b>	
making and concerning appropriations for fiscal years ending June 30, 2015, June 30, 2016, June 30, 2017, June 30, 2018, and June 30, 2019, for state agencies,	

authorizing and directing payment of certain claims against the state; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing ..... 104

**Local conservation linked deposit lending program;**  
 health and environment, department of,  
 creating the local conservation lending program ..... 36

**Local elections;**  
 elections,  
 certain municipalities and special districts; filling vacancies of nominees; presidential preference primary ..... 88

**Local enhanced management areas;**  
 water,  
 diversion of water; chief engineer; multi-year flex accounts; local enhanced management areas; public water supply storage ..... 60

**Local option budget;**  
 education,  
 financing and instruction thereof; making and concerning appropriations for the fiscal years ending June 30, 2015, June 30, 2016, and June 30, 2017, for the department of education; creating the classroom learning assuring student success act ..... 4

**Lottery, Kansas;**  
 appropriations ..... 1, 104  
 gaming,  
 charitable gaming; establishing the Kansas charitable gaming act; Kansas lottery; fantasy sports ..... 62

**Low income exclusion;**  
 taxation,  
 income tax rates, low income exclusion, food sales tax credit; sales and compensating use tax, rates, distribution thereof; property tax, elections by cities ..... 102

**Low income scholarship program;**  
 taxation,  
 sales and compensating use tax, rates, distribution thereof, food; income tax, subtraction modifications, credits, individual development accounts, low income scholarship program; motor vehicle taxation; taxation of cigarettes and electronic cigarettes; sales tax authority for Bourbon, Douglas and Thomas counties; property taxation, consolidated fire districts and fire districts;

rural opportunity zones; land banks; creating the joint committee  
on tax exemptions and income tax credits ..... 99

## M

### **Master settlement agreement;**

cigarettes and tobacco products,  
smoking; the directory and certification of tobacco product  
manufacturers; disclosure of information and criminal penalties ..... 79

### **Medicaid;**

taxation,  
sales and compensating use tax, rates, distribution thereof, food;  
income tax, subtraction modifications, credits, individual  
development accounts, low income scholarship program; motor  
vehicle taxation; taxation of cigarettes and electronic cigarettes;  
sales tax authority for Bourbon, Douglas and Thomas counties;  
property taxation, consolidated fire districts and fire districts;  
rural opportunity zones; land banks; creating the joint committee  
on tax exemptions and income tax credits ..... 99

### **Medicaid drug utilization review board;**

medical assistance, Kansas program of,  
donor human breast milk and medications used under medicaid ..... 63

### **Medicaid eligibility processing;**

executive reorganization order no. 43,  
transferring medicaid eligibility processing duties from the  
department for children and families to the Kansas department of  
health and environment and transferring foster care licensing  
responsibilities from the Kansas department of health and  
environment to the department for children and families ..... 114

### **Medicaid medical assistance;**

public assistance,  
medical assistance fee fund, privilege fees and TANF cash  
assistance ..... 98

### **Medical assistance;**

public assistance,  
medical assistance fee fund, privilege fees and TANF cash  
assistance ..... 98

social welfare,

Kansas department for children and families; eligibility  
requirements for assistance ..... 42



**Medical assistance fee fund;**  
 creating,  
     public assistance; medical assistance fee fund, privilege fees  
     and TANF cash assistance ..... 98

**Medical care facilities;**  
 medical assistance, Kansas program of,  
     donor human breast milk and medications used under medicaid ..... 63

**Medical or clinical research facilities;**  
 smoking,  
     cigarettes and tobacco products; the directory and certification  
     of tobacco product manufacturers; disclosure of information  
     and criminal penalties ..... 79

**Medical records;**  
 healing arts,  
     licenses and medical retainer agreements; access to health care  
     records ..... 46

**Medical retainer agreements;**  
 healing arts,  
     licenses and medical retainer agreements; access to health care  
     records ..... 46

**Medicare and medicaid;**  
 aging and disability services, secretary for,  
     powers, duties and functions; programs for all-inclusive care for  
     the elderly; ERO No. 41 trailer bill ..... 56

**Medications used under medicaid;**  
 medical assistance, Kansas program of,  
     donor human breast milk and medications used under medicaid ..... 63

**Memorial highways;**  
 designating a portion of K-8 as the home on the range highway ..... 15  
 roads and bridges,  
     commemorative signage; requiring the secretary of transportation  
     to collect sufficient funds prior to installation; designating the  
     2nd Lieutenant Justin L Sisson Memorial Highway, the George  
     Ablah expressway, the Kenneth W Bernard memorial highway  
     and the Bert Cantwell memorial interchange; certain bridge  
     inspections ..... 40

**Mental abnormality or personality disorder;**  
 civil commitment of sexually violent predators ..... 95

**Mental health employees;**  
 crimes, punishment and criminal procedure,

battery; criminal history; aggravated battery, driving under the influence; out-of-state misdemeanors; search warrants .....	90
<b>Mental health evaluations;</b>	
civil commitment of sexually violent predators .....	95
<b>Mental health facilities;</b>	
reconciling amendments to certain statutes .....	100
<b>Mental health medication advisory committee;</b>	
establishing,	
concerning the Kansas program of medical assistance; donor human breast milk and medications used under medicaid .....	63
<b>Mental health reform;</b>	
statutorily created boards, councils and committees,	
concerning .....	55
<b>Mental health services;</b>	
reconciling amendments to certain statutes .....	100
<b>Mentally ill, incapacitated and dependent persons; social welfare;</b>	
aging and disability services, secretary for,	
powers, duties and functions; programs for all-inclusive care for the elderly; ERO No. 41 trailer bill .....	56
banking code,	
state bank commissioner .....	38
human trafficking and related crimes,	
commercial sexual exploitation of a child; civil action for victims; restitution .....	94
medicaid drug utilization review board,	
medical assistance, Kansas program of; donor human breast milk and medications used under medicaid .....	63
public assistance,	
medical assistance fee fund, privilege fees and TANF cash assistance .....	98
social welfare,	
Kansas department for children and families; eligibility requirements for assistance .....	42
statutorily created boards, councils and committees,	
concerning .....	55
<b>Metal;</b>	
scrap metal, regulated,	
relating to the crimes of theft and criminal damage to property; sentencing; evidence at preliminary examination; regulation of scrap metal dealers; unlawful acts; penalties; creating the scrap	

metal theft reduction fee fund ..... 96

**Microbreweries;**  
 alcoholic beverages ..... 82

**Mija Stockman’s law;**  
 crimes, punishment and criminal procedure,  
 battery; criminal history; aggravated battery, driving under the  
 influence; out-of-state misdemeanors; search warrants ..... 90

**Military spouses and families;**  
 servicemembers and veterans of the United States armed forces,  
 private sector employment; postsecondary educational institution  
 tuition; diversions and sentencing; servicemember and military  
 spouse expedited professional credentialing ..... 76

**Militia, defense and public safety;**  
 emergencies and disasters,  
 creating the Kansas disaster utilities response act; department  
 of revenue ..... 14  
 health and environment, department of,  
 radioactive materials; by-product material; low-level radioactive  
 waste; naturally occurring radioactive material; water and soil  
 pollution; solid waste disposal; land-spreading of drilling waste .... 35  
 military justice, Kansas code of,  
 commanding officer’s nonjudicial punishment ..... 66  
 servicemembers and veterans of the United States armed forces,  
 private sector employment; postsecondary educational institution  
 tuition; diversions and sentencing; servicemember and military  
 spouse expedited professional credentialing ..... 76

**Minors;**  
 children and minors,  
 juvenile offenders; risk assessment tool; placement in the  
 custody of the secretary of corrections ..... 32  
 human trafficking and related crimes,  
 commercial sexual exploitation of a child; civil action for victims;  
 restitution ..... 94  
 judicial branch,  
 court fees, docket fees and court costs; dispositive motions;  
 judicial branch surcharge fund, electronic filing and management  
 fund and judicial branch docket fee fund; making and concerning  
 appropriations for the fiscal years ending June 30, 2016, and  
 June 30, 2017, for the judicial branch ..... 81  
 reconciling amendments to certain statutes ..... 100

<b>Mistreatment of an elder person;</b>	
human trafficking and related crimes,	
commercial sexual exploitation of a child; civil action for victims;	
restitution .....	94
<b>Money transmission;</b>	
financial organizations,	
relating to the Kansas money transmitter act, the Kansas	
mortgage business act, remote service units; enacting the	
Kansas ABLE savings program .....	33
<b>Money transmitter act, Kansas;</b>	
financial organizations,	
relating to the Kansas money transmitter act, the Kansas	
mortgage business act, remote service units; enacting the	
Kansas ABLE savings program .....	33
<b>Mortgage business;</b>	
financial organizations,	
relating to the Kansas money transmitter act, the Kansas	
mortgage business act, remote service units; enacting the	
Kansas ABLE savings program .....	33
<b>Mortgage business act, Kansas;</b>	
financial organizations,	
relating to the Kansas money transmitter act, the Kansas	
mortgage business act, remote service units; enacting the	
Kansas ABLE savings program .....	33
<b>Mortuary arts, state board of;</b>	
appropriations .....	1, 104
<b>Motor carrier act;</b>	
motor carriers,	
regulation; representation before the corporation commission .....	13
<b>Motor carriers;</b>	
motor vehicles,	
commercial vehicles; motor carriers; regulation .....	9
regulation,	
representation before the corporation commission .....	13
<b>Motor vehicle liability insurance;</b>	
insurance,	
coverage for autism spectrum disorder; motor vehicle liability	
insurance, mailing notice of termination of coverage; certain	
financial examinations, consulting fees, examination period;	
surplus lines insurance, gross premiums and tax thereon .....	83

**Motor vehicle taxation;**

taxation,

sales and compensating use tax, rates, distribution thereof, food; income tax, subtraction modifications, credits, individual development accounts, low income scholarship program; motor vehicle taxation; taxation of cigarettes and electronic cigarettes; sales tax authority for Bourbon, Douglas and Thomas counties; property taxation, consolidated fire districts and fire districts; rural opportunity zones; land banks; creating the joint committee on tax exemptions and income tax credits ..... 99

**Motor vehicles;**

autocycles,

definitions, safety belts, child passenger safety restraints, requirements ..... 48

commercial vehicles,

motor carriers; regulation ..... 9

definitions ..... 12

distinctive license plates,

omega psi phi license plate ..... 48

driving,

driving under the influence and other driving offenses; DUI-IID designation; DUI-IID designation fund; authorized restrictions of driving privileges, ignition interlock device; expungement of convictions and diversions ..... 71

reconciling amendments to certain statutes ..... 100

registration,

decals for license plates, serial numbers; apportioned fleet registration, mileage applications, fees and calculations; permanent registration of certain vehicles, annual report; commercial drivers' licenses, endorsements or restrictions; size limitations of certain vehicles, exceptions, forage cutters ..... 49

regulating traffic,

transportation network companies, transportation network company services, regulation ..... 43

transportation network company services act, Kansas,

definitions; transportation network company requirements; transportation network company drivers; liens on personal vehicles ..... 69

veterans,

license plates for disabled veterans; parking in certain public

parking spaces .....	23
<b>Multi-year flex accounts;</b>	
water,	
diversion of water; chief engineer; multi-year flex accounts; local enhanced management areas; public water supply storage .....	60
<b>Municipal court diversions;</b>	
servicemembers and veterans of the United States armed forces, private sector employment; postsecondary educational institution tuition; diversions and sentencing; servicemember and military spouse expedited professional credentialing .....	76
<b>Municipal finance;</b>	
temporary notes for improvements, indebtedness reporting .....	34
<b>Municipalities;</b>	
municipal finance,	
temporary notes for improvements, indebtedness reporting .....	34
payment of claims .....	28
taxation,	
sales and compensating use tax, rates, distribution thereof, food; income tax, subtraction modifications, credits, individual development accounts, low income scholarship program; motor vehicle taxation; taxation of cigarettes and electronic cigarettes; sales tax authority for Bourbon, Douglas and Thomas counties; property taxation, consolidated fire districts and fire districts; rural opportunity zones; land banks; creating the joint committee on tax exemptions and income tax credits .....	99

## N

<b>National bio and agro defense facility;</b>	
animal care,	
veterinary practice act, Kansas; licensure; providing for an institutional license to practice veterinary medicine; the Kansas pet animal act; euthanasia .....	61
<b>Natural resources;</b>	
renewable energy,	
renewable energy standards act, electric generation standard; property tax; exemptions for property used for renewable energy resources; property tax on public utilities, definitions and exceptions .....	75

**Naturally occurring radioactive material (NORM);**  
 health and environment, department of,  
     radioactive materials; by-product material; low-level radioactive  
     waste; naturally occurring radioactive material; water and soil  
     pollution; solid waste disposal; land-spreading of drilling waste .... 35

**Needy families;**  
 public assistance,  
     medical assistance fee fund, privilege fees and TANF cash  
     assistance ..... 98

**Nominations and nominees;**  
 elections,  
     certain municipalities and special districts; filling vacancies of  
     nominees; presidential preference primary ..... 88

**Nonforfeiture law;**  
 insurance,  
     life insurance companies; reserve valuation method;  
     principle-based valuation; standard nonforfeiture law ..... 10

**Nonjudicial punishment;**  
 military justice, Kansas code of,  
     commanding officer’s nonjudicial punishment ..... 66

**Nonprofit dental service corporations;**  
 insurance,  
     legal services insurance, nonprofit dental service corporations,  
     subscription agreements, disbursements; required provisions;  
     certain definitions; the health care provider insurance availability  
     act; definitions; self insurance, health care systems ..... 45

**Nonprofit organizations;**  
 gaming,  
     charitable gaming; establishing the Kansas charitable gaming  
     act; Kansas lottery; fantasy sports ..... 62

**Nonresident pupils;**  
 education,  
     financing and instruction; state board of regents; university  
     support staff; making and concerning appropriations for the  
     fiscal years ending June 30, 2016, and June 30, 2017, for the  
     department of education ..... 92

**Nuclear energy development and radiation control;**  
 health and environment, department of,  
     radioactive materials; by-product material; low-level radioactive  
     waste; naturally occurring radioactive material; water and soil

pollution; solid waste disposal; land-spreading of drilling waste ....	35
<b>Nursing, board of;</b>	
appropriations .....	1, 104

## O

### **Offenders;**

crimes, punishment and criminal procedure,	
calculation of criminal history .....	5
secretary of corrections; good time and program credits;	
community corrections; use of risk assessment tool .....	54
criminal history record information,	
definitions .....	3

### **Office of information technology services;**

information technology,	
office of information technology services; providing for	
information technology audits .....	101

### **Oil and gas;**

making and concerning appropriations for fiscal years ending	
June 30, 2015, June 30, 2016, June 30, 2017, June 30, 2018, and	
June 30, 2019, for state agencies,	
authorizing and directing payment of certain claims against the	
state; authorizing certain transfers, capital improvement projects	
and fees, imposing certain restrictions and limitations, and	
directing or authorizing certain receipts, disbursements,	
procedures and acts incidental to the foregoing .....	104
oil and gas wells,	
licensing of well operators, fees; abandoned oil and gas well	
fund, extension .....	44

### **OITS;**

information technology,	
office of information technology services; providing for	
information technology audits .....	101

### **Omega psi phi license plate;**

motor vehicles,	
distinctive license plates, providing for the omega psi phi	
license plate .....	48

### **Open government fund;**

public bodies or agencies,	
state of Kansas and local units of government; providing certain	



powers to the attorney general for investigation of violations of the open records act and the open meetings act; attorney general’s open government fund ..... 68

**Open meetings act;**  
 public bodies or agencies,  
     state of Kansas and local units of government; providing certain powers to the attorney general for investigation of violations of the open records act and the open meetings act; attorney general’s open government fund ..... 68

**Open records act;**  
 legislative review of exceptions to open records ..... 6  
 public bodies or agencies,  
     state of Kansas and local units of government; providing certain powers to the attorney general for investigation of violations of the open records act and the open meetings act; attorney general’s open government fund ..... 68

**Optometry, board of examiners in;**  
 appropriations ..... 1, 104

**Out-of-state businesses and employees;**  
 emergencies and disasters,  
     creating the Kansas disaster utilities response act; department of revenue ..... 14

**Out-of-state misdemeanors;**  
 crimes, punishment and criminal procedure,  
     battery; criminal history; aggravated battery, driving under the influence; out-of-state misdemeanors; search warrants ..... 90

**Own risk and solvency assessment (ORSA);**  
 insurance,  
     assessments; enacting the risk management and own risk and solvency assessment act; sanctions ..... 18

P

**Parentage;**  
 uniform interstate family support act ..... 64

**Parentage act, Kansas;**  
 human trafficking and related crimes,  
     commercial sexual exploitation of a child; civil action for victims; restitution ..... 94

**Parking privileges;**

veterans, license plates for disabled veterans; parking in certain public parking spaces .....	23
<b>Partnerships;</b>	
corporations and business entities, business filings with the secretary of state; limited liability companies .....	65
<b>Patent infringement;</b>	
bad faith assertions of patent infringement, Kansas consumer protection act .....	67
<b>Payment of claims;</b>	
municipalities .....	28
<b>Peace officers' standards and training, Kansas commission on;</b>	
appropriations .....	1, 104
public safety, peer support counseling sessions for emergency services personnel and law enforcement personnel; Kansas law enforcement training act .....	89
<b>Peck improvement district;</b>	
appointments to vacancies .....	80
<b>Peer support counseling;</b>	
public safety, peer support counseling sessions for emergency services personnel and law enforcement personnel; Kansas law enforcement training act .....	89
<b>Pensions, investments and benefits;</b>	
retirement and pensions, Kansas police and firemen's retirement system; defining eligible employees as police; providing retroactive application .....	41
Kansas public employees retirement system and systems thereunder; revenue bonds to finance a portion of unfunded actuarial liability of KPERS; requirements and procedures; employer contribution rates .....	39
relating to the Kansas public employees retirement system and systems thereunder; employment after retirement; special provisions for certain retirants; certain duties of the joint committee on pensions, investments and benefits; enacting the Kansas deferred retirement option program act; providing terms, conditions, requirements, benefits and contributions related thereto; member election; Kansas highway patrol	

affiliation; interest credits; account distribution ..... 77

**Personal and family protection act;**  
 firearms,  
 carrying of concealed firearms; personal and family protection  
 act ..... 16

**Personal and real property;**  
 real estate brokers and salespersons,  
 license fees; licensure; technical amendments ..... 21

**Personal property;**  
 taxation,  
 sales and compensating use tax, rates, distribution thereof, food;  
 income tax, subtraction modifications, credits, individual  
 development accounts, low income scholarship program; motor  
 vehicle taxation; taxation of cigarettes and electronic cigarettes;  
 sales tax authority for Bourbon, Douglas and Thomas counties;  
 property taxation, consolidated fire districts and fire districts;  
 rural opportunity zones; land banks; creating the joint committee  
 on tax exemptions and income tax credits ..... 99

**Personal rights;**  
 smoking,  
 cigarettes and tobacco products; the directory and certification  
 of tobacco product manufacturers; disclosure of information and  
 criminal penalties ..... 79

**Personal vehicles;**  
 transportation network company services act, Kansas,  
 definitions; transportation network company requirements;  
 transportation network company drivers; liens on personal  
 vehicles ..... 69

**Personnel administration;**  
 state officers and employees,  
 duties of the secretary of administration; essential state  
 employees ..... 86

**Pet animal act, Kansas;**  
 animal care,  
 veterinary practice act, Kansas; licensure; providing for an  
 institutional license to practice veterinary medicine; the Kansas  
 pet animal act; euthanasia ..... 61

**Petroleum contamination;**  
 health and environment, secretary of,  
 solid and hazardous waste; Kansas storage tank act; creating

the environmental stewardship fund .....	26
<b>Pharmacists and pharmacy;</b>	
healing arts,	
licenses and medical retainer agreements; access to health care	
records .....	46
uniform controlled substances act,	
substances included in schedules I, II, III and IV .....	27
<b>Pharmacy, state board of;</b>	
appropriations .....	1, 104
<b>Physical restraint;</b>	
schools,	
creating the freedom from unsafe restraint and seclusion act .....	72
<b>Physicians;</b>	
abortion,	
administration of abortifacient drugs .....	84
<b>Physicians and physician assistants;</b>	
healing arts,	
licenses and medical retainer agreements; access to health care	
records .....	46
<b>Pittsburg state university;</b>	
appropriations .....	104
<b>Police and firemen;</b>	
retirement and pensions,	
Kansas police and firemen's retirement system; defining eligible	
employees as police; providing retroactive application .....	41
relating to the Kansas public employees retirement system and	
systems thereunder; employment after retirement; special	
provisions for certain retirants; certain duties of the joint	
committee on pensions, investments and benefits; enacting the	
Kansas deferred retirement option program act; providing terms,	
conditions, requirements, benefits and contributions related	
thereto; member election; Kansas highway patrol affiliation;	
interest credits; account distribution .....	77
<b>Police and firemen's retirement system, Kansas;</b>	
retirement and pensions,	
defining eligible employees as police; providing retroactive	
application .....	41
<b>Police officers;</b>	
public safety,	
peer support counseling sessions for emergency services	

personnel and law enforcement personnel; Kansas law enforcement training act .....	89
<b>Political campaigns;</b>	
governmental ethics,	
candidate and lobbyist fees and filings; use of campaign funds;	
certain prohibited actions by candidates; political campaigns and technology; political signs .....	85
<b>Political candidates;</b>	
governmental ethics,	
candidate and lobbyist fees and filings; use of campaign funds;	
certain prohibited actions by candidates; political campaigns and technology; political signs .....	85
<b>Political signs;</b>	
governmental ethics,	
candidate and lobbyist fees and filings; use of campaign funds;	
certain prohibited actions by candidates; political campaigns and technology; political signs .....	85
<b>Polling places;</b>	
elections,	
certain municipalities and special districts; filling vacancies of nominees; presidential preference primary .....	88
<b>Pollution;</b>	
health and environment, department of,	
radioactive materials; by-product material; low-level radioactive waste; naturally occurring radioactive material; water and soil pollution; solid waste disposal; land-spreading of drilling waste ....	35
<b>Post audit, division of;</b>	
appropriations .....	1,104
background checks .....	30
information technology,	
office of information technology services; providing for information technology audits .....	101
school district performance audits .....	17
<b>Postsecondary educational institution tuition;</b>	
servicemembers and veterans of the United States armed forces, private sector employment; postsecondary educational institution tuition; diversions and sentencing; servicemember and military spouse expedited professional credentialing .....	76
<b>Powdered alcohol;</b>	
alcoholic beverages .....	82

<b>Prearranged rides;</b>	
transportation network company services act, Kansas, definitions; transportation network company requirements; transportation network company drivers; liens on personal vehicles .....	69
<b>Predators;</b>	
civil commitment of sexually violent predators .....	95
<b>Prepaid legal and dental service plans;</b>	
insurance, legal services insurance, nonprofit dental service corporations, subscription agreements, disbursements; required provisions; certain definitions; the health care provider insurance availability act; definitions; self insurance, health care systems .....	45
<b>Prescription drugs;</b>	
abortion, administration of abortifacient drugs .....	84
medical assistance, Kansas program of, donor human breast milk and medications used under medicaid .....	63
<b>Presidential preference primary;</b>	
elections, certain municipalities and special districts; filling vacancies of nominees; presidential preference primary .....	88
<b>Principle-based valuation;</b>	
insurance, life insurance companies; reserve valuation method; principle-based valuation; standard nonforfeiture law .....	10
<b>Prior authorization;</b>	
medical assistance, Kansas program of, donor human breast milk and medications used under medicaid .....	63
<b>Prior convictions;</b>	
crimes, punishment and criminal procedure, calculation of criminal history .....	5
<b>Private detective licensure;</b>	
driving, driving under the influence and other driving offenses; DUI-IID designation; DUI-IID designation fund; authorized restrictions of driving privileges, ignition interlock device; expungement of convictions and diversions .....	71
<b>Private investigative or security operations;</b>	
driving,	

driving under the influence and other driving offenses; DUI-IID designation; DUI-IID designation fund; authorized restrictions of driving privileges, ignition interlock device; expungement of convictions and diversions ..... 71

**Private motor carriers;**  
 motor vehicles,  
     commercial vehicles; motor carriers; regulation ..... 9

**Private sector employment;**  
 servicemembers and veterans of the United States armed forces, private sector employment; postsecondary educational institution tuition; diversions and sentencing; servicemember and military spouse expedited professional credentialing ..... 76

**Probate code;**  
 aging and disability services, secretary for,  
     powers, duties and functions; programs for all-inclusive care for the elderly; ERO No. 41 trailer bill ..... 56  
 civil commitment of sexually violent predators ..... 95  
 human trafficking and related crimes,  
     commercial sexual exploitation of a child; civil action for victims; restitution ..... 94  
 judicial branch,  
     court fees, docket fees and court costs; dispositive motions; judicial branch surcharge fund, electronic filing and management fund and judicial branch docket fee fund; making and concerning appropriations for the fiscal years ending June 30, 2016, and June 30, 2017, for the judicial branch ..... 81  
 social welfare,  
     Kansas department for children and families; eligibility requirements for assistance ..... 42

**Procedure, civil;**  
 civil commitment of sexually violent predators ..... 95  
 courts,  
     district magistrate judge jurisdiction and power; county law libraries, code of civil procedure, items allowable as costs; court costs, fees, fines and restitution; debts owed to courts ..... 53  
 human trafficking and related crimes,  
     commercial sexual exploitation of a child; civil action for victims; restitution ..... 94  
 judicial branch,  
     court fees, docket fees and court costs; dispositive motions;

judicial branch surcharge fund, electronic filing and management fund and judicial branch docket fee fund; making and concerning appropriations for the fiscal years ending June 30, 2016, and June 30, 2017, for the judicial branch .....	81
legislative review of exceptions to open records .....	6
search and rescue and hazardous material response matters, tort claims immunity .....	50
<b>Procedure, civil, for limited actions;</b>	
judicial branch,	
court fees, docket fees and court costs; dispositive motions; judicial branch surcharge fund, electronic filing and management fund and judicial branch docket fee fund; making and concerning appropriations for the fiscal years ending June 30, 2016, and June 30, 2017, for the judicial branch .....	81
<b>Professional credentialing;</b>	
servicemembers and veterans of the United States armed forces, private sector employment; postsecondary educational institution tuition; diversions and sentencing; servicemember and military spouse expedited professional credentialing .....	76
<b>Professional development fund;</b>	
education,	
financing and instruction thereof; making and concerning appropriations for the fiscal years ending June 30, 2015, June 30, 2016, and June 30, 2017, for the department of education; creating the classroom learning assuring student success act .....	4
<b>Professional employees' organization;</b>	
education,	
financing and instruction; state board of regents; university support staff; making and concerning appropriations for the fiscal years ending June 30, 2016, and June 30, 2017, for the department of education .....	92
<b>Program for all-inclusive care for the elderly (PACE);</b>	
aging and disability services, secretary for,	
powers, duties and functions; programs for all-inclusive care for the elderly; ERO No. 41 trailer bill .....	56
<b>Promoting obscenity;</b>	
human trafficking and related crimes,	
commercial sexual exploitation of a child; civil action for victims; restitution .....	94
<b>Property;</b>	



cities,  
     annexation ..... 91

scrap metal, regulated,  
     relating to the crimes of theft and criminal damage to property;  
     sentencing; evidence at preliminary examination; regulation of  
     scrap metal dealers; unlawful acts; penalties; creating the scrap  
     metal theft reduction fee fund ..... 96

**Property and casualty actuarial opinion law;**  
     insurance,  
         risk-based capital instructions ..... 24

**Property appraisers, certified real;**  
     educational courses,  
         taxation; board of tax appeals; small claims and expedited hearing  
         division, hearing officers; members, qualifications and salary ..... 51

**Property taxation;**  
     renewable energy,  
         renewable energy standards act, electric generation standard;  
         property tax; exemptions for property used for renewable energy  
         resources; property tax on public utilities, definitions and  
         exceptions ..... 75

    taxation,  
         income tax rates, low income exclusion, food sales tax credit; sales  
         and compensating use tax, rates, distribution thereof; property  
         tax, elections by cities ..... 102

        sales and compensating use tax, rates, distribution thereof, food;  
         income tax, subtraction modifications, credits, individual  
         development accounts, low income scholarship program; motor  
         vehicle taxation; taxation of cigarettes and electronic cigarettes;  
         sales tax authority for Bourbon, Douglas and Thomas counties;  
         property taxation, consolidated fire districts and fire districts;  
         rural opportunity zones; land banks; creating the joint committee  
         on tax exemptions and income tax credits ..... 99

**Prosecution of election crimes;**  
     elections,  
         voting; penalties for voting crimes; prosecution of election  
         crimes ..... 87

**Public assistance;**  
     medical assistance fee fund, privilege fees and TANF cash  
     assistance ..... 98

**Public employees retirement system, Kansas;**

appropriations .....	1, 104
reconciling amendments to certain statutes .....	100
retirement and pensions,	
Kansas public employees retirement system and systems thereunder; revenue bonds to finance a portion of unfunded actuarial liability of KPERS; requirements and procedures; employer contribution rates .....	39
relating to the Kansas public employees retirement system and systems thereunder; employment after retirement; special provisions for certain retirants; certain duties of the joint committee on pensions, investments and benefits; enacting the Kansas deferred retirement option program act; providing terms, conditions, requirements, benefits and contributions related thereto; member election; Kansas highway patrol affiliation; interest credits; account distribution .....	77
taxation,	
sales and compensating use tax, rates, distribution thereof, food; income tax, subtraction modifications, credits, individual development accounts, low income scholarship program; motor vehicle taxation; taxation of cigarettes and electronic cigarettes; sales tax authority for Bourbon, Douglas and Thomas counties; property taxation, consolidated fire districts and fire districts; rural opportunity zones; land banks; creating the joint committee on tax exemptions and income tax credits .....	99
<b>Public health;</b>	
abortion,	
administration of abortifacient drugs .....	84
creating the Kansas unborn child protection from dismemberment abortion act .....	22
aging and disability services, secretary for,	
powers, duties and functions; programs for all-inclusive care for the elderly; ERO No. 41 trailer bill .....	56
air quality control,	
utilities; electric generating units and carbon dioxide emission standards; establishment of state performance standards, legislative review; state corporation commission; secretary of health and environment; creating the clean power plan implementation study committee .....	74
healing arts,	
licenses and medical retainer agreements; access to health care	

**Chapter**

records ..... 46

health and environment, department of,  
radioactive materials; by-product material; low-level radioactive  
waste; naturally occurring radioactive material; water and soil  
pollution; solid waste disposal; land-spreading of drilling waste .... 35

health and environment, secretary of,  
environmental remediation; risk management program act;  
voluntary cleanup and property redevelopment act ..... 29

solid and hazardous waste; Kansas storage tank act; creating  
the environmental stewardship fund ..... 26

human trafficking and related crimes,  
commercial sexual exploitation of a child; civil action for victims;  
restitution ..... 94

judicial branch,  
court fees, docket fees and court costs; dispositive motions;  
judicial branch surcharge fund, electronic filing and management  
fund and judicial branch docket fee fund; making and concerning  
appropriations for the fiscal years ending June 30, 2016, and  
June 30, 2017, for the judicial branch ..... 81

reconciling amendments to certain statutes ..... 100

uniform controlled substances act,  
substances included in schedules I, II, III and IV ..... 27

**Public health and social services;**  
aging and disability services, secretary for,  
powers, duties and functions; programs for all-inclusive care for  
the elderly; ERO No. 41 trailer bill ..... 56

**Public officers and employees;**  
public bodies or agencies,  
state of Kansas and local units of government; providing  
certain powers to the attorney general for investigation of  
violations of the open records act and the open meetings act;  
attorney general’s open government fund ..... 68

state employees,  
classified and unclassified service ..... 52

**Public records, documents and information;**  
legislative review of exceptions to open records ..... 6

public bodies or agencies,  
state of Kansas and local units of government; providing  
certain powers to the attorney general for investigation of  
violations of the open records act and the open meetings act;

attorney general's open government fund .....	68
<b>Public safety;</b>	
firearms,	
carrying of concealed firearms; personal and family protection act .....	16
law enforcement,	
peer support counseling sessions for emergency services personnel and law enforcement personnel; Kansas law enforcement training act .....	89
<b>Public utilities;</b>	
motor carriers,	
regulation; representation before the corporation commission .....	13
motor vehicles,	
commercial vehicles; motor carriers; regulation .....	9
renewable energy,	
renewable energy standards act, electric generation standard; property tax; exemptions for property used for renewable energy resources; property tax on public utilities, definitions and exceptions .....	75
utilities,	
electric generating units and carbon dioxide emission standards; establishment of state performance standards, legislative review; state corporation commission; secretary of health and environment; creating the clean power plan implementation study committee .....	74
<b>Public water supply storage;</b>	
water,	
diversion of water; chief engineer; multi-year flex accounts; local enhanced management areas; public water supply storage .....	60

## Q

### **Qualified biodiesel fuel producer incentive fund, Kansas;**

making and concerning appropriations for fiscal years ending June 30, 2015, June 30, 2016, June 30, 2017, June 30, 2018, and June 30, 2019, for state agencies,	
authorizing and directing payment of certain claims against the state; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements,	

procedures and acts incidental to the foregoing ..... 104

## R

### **Racing and gaming commission, Kansas;**

appropriations ..... 104

### **Racketeer influenced and corrupt organization act, Kansas;**

human trafficking and related crimes,  
 commercial sexual exploitation of a child; civil action for victims;  
 restitution ..... 94

### **Radiation control;**

health and environment, department of,  
 radioactive materials; by-product material; low-level radioactive  
 waste; naturally occurring radioactive material; water and soil  
 pollution; solid waste disposal; land-spreading of drilling waste .... 35

### **Radioactive material;**

health and environment, department of,  
 radioactive materials; by-product material; low-level radioactive  
 waste; naturally occurring radioactive material; water and soil  
 pollution; solid waste disposal; land-spreading of drilling waste .... 35

### **Raffles;**

gaming,  
 charitable gaming; establishing the Kansas charitable gaming  
 act; Kansas lottery; fantasy sports ..... 62

### **Rattlesnake creek subbasin;**

water,  
 diversion of water; chief engineer; multi-year flex accounts;  
 local enhanced management areas; public water supply storage ..... 60

### **Real estate appraisal board;**

appropriations ..... 1, 104

### **Real estate brokers and salespersons;**

license fees,  
 licensure; technical amendments ..... 21

### **Real estate commission, Kansas;**

appropriations ..... 1, 104  
 real estate brokers and salespersons,  
 license fees; licensure; technical amendments ..... 21

### **Real property;**

health and environment, department of,  
 creating the local conservation lending program ..... 36

<b>Reconciliation bill;</b>	
reconciling amendments to certain statutes .....	100
<b>Reconciling amendments;</b>	
cleanup bill .....	105
<b>Records;</b>	
legislative review of exceptions to open records .....	6
<b>Records open to the public;</b>	
public bodies or agencies,	
state of Kansas and local units of government; providing certain powers to the attorney general for investigation of violations of the open records act and the open meetings act; attorney general's open government fund .....	68
<b>Recreational off-highway vehicles;</b>	
motor vehicles,	
definitions .....	12
reconciling amendments to certain statutes .....	100
<b>Reemployment of persons called to duty;</b>	
servicemembers and veterans of the United States armed forces, private sector employment; postsecondary educational institution tuition; diversions and sentencing; servicemember and military spouse expedited professional credentialing .....	76
<b>Regents, state board of;</b>	
alternative project delivery,	
notice requirements and selection procedure .....	11
appropriations .....	1, 104
education,	
financing and instruction; state board of regents; university support staff; making and concerning appropriations for the fiscal years ending June 30, 2016, and June 30, 2017, for the department of education .....	92
servicemembers and veterans of the United States armed forces, private sector employment; postsecondary educational institution tuition; diversions and sentencing; servicemember and military spouse expedited professional credentialing .....	76
<b>Registration of vehicles;</b>	
motor vehicles,	
registration; decals for license plates, serial numbers; apportioned fleet registration, mileage applications, fees and calculations; permanent registration of certain vehicles, annual report; commercial drivers' licenses, endorsements or restrictions; size	

## Chapter

limitations of certain vehicles, exceptions, forage cutters .....	49
registration of vehicles, penalties, evidence of renewal; commercial drivers' licenses, examination fees, commercial driver's license drive test fee fund .....	47
<b>Regulated scrap metal;</b>	
relating to the crimes of theft and criminal damage to property, sentencing; evidence at preliminary examination; regulation of scrap metal dealers; unlawful acts; penalties; creating the scrap metal theft reduction fee fund .....	96
<b>Regulating traffic;</b>	
transportation network company services act, Kansas, definitions; transportation network company requirements; transportation network company drivers; liens on personal vehicles .....	69
<b>Remote service units;</b>	
financial organizations, relating to the Kansas money transmitter act, the Kansas mortgage business act, remote service units; enacting the Kansas ABLE savings program .....	33
<b>Renewable energy standards act;</b>	
renewable energy, renewable energy standards act, electric generation standard; property tax; exemptions for property used for renewable energy resources; property tax on public utilities, definitions and exceptions .....	75
<b>Repealers;</b>	
education, financing and instruction thereof; making and concerning appropriations for the fiscal years ending June 30, 2015, June 30, 2016, and June 30, 2017, for the department of education; creating the classroom learning assuring student success act .....	4
school district performance audits .....	17
<b>Requests for proposals;</b>	
alternative project delivery, notice requirements and selection procedure .....	11
<b>Rescission;</b>	
making and concerning appropriations for fiscal years ending June 30, 2015, and June 30, 2016, for state agencies, authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing	

or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing .....	1
<b>Reserve valuation method;</b>	
insurance,	
life insurance companies; reserve valuation method;	
principle-based valuation; standard nonforfeiture law .....	10
<b>Resident agent;</b>	
corporations and business entities,	
business filings with the secretary of state; limited liability companies .....	65
<b>Restitution;</b>	
human trafficking and related crimes,	
commercial sexual exploitation of a child; civil action for victims; restitution .....	94
<b>Retail dealer incentive fund, Kansas;</b>	
making and concerning appropriations for fiscal years ending June 30, 2015, June 30, 2016, June 30, 2017, June 30, 2018, and June 30, 2019, for state agencies,	
authorizing and directing payment of certain claims against the state; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing .....	104
<b>Retailers' sales tax act, Kansas;</b>	
taxation,	
sales and compensating use tax, rates, distribution thereof, food; income tax, subtraction modifications, credits, individual development accounts, low income scholarship program; motor vehicle taxation; taxation of cigarettes and electronic cigarettes; sales tax authority for Bourbon, Douglas and Thomas counties; property taxation, consolidated fire districts and fire districts; rural opportunity zones; land banks; creating the joint committee on tax exemptions and income tax credits .....	99
<b>Retirement;</b>	
reconciling amendments to certain statutes .....	100
retirement and pensions,	
Kansas police and firemen's retirement system; defining eligible employees as police; providing retroactive application .....	41
Kansas public employees retirement system and systems thereunder; revenue bonds to finance a portion of unfunded	



actuarial liability of KPERS; requirements and procedures;  
 employer contribution rates ..... 39

**Revenue bonds;**  
 retirement and pensions,  
     Kansas public employees retirement system and systems  
     thereunder; revenue bonds to finance a portion of unfunded  
     actuarial liability of KPERS; requirements and procedures;  
     employer contribution rates ..... 39

**Revenue, department of;**  
 appropriations ..... 1, 104  
 emergencies and disasters,  
     creating the Kansas disaster utilities response act; department  
     of revenue ..... 14  
 gaming,  
     charitable gaming; establishing the Kansas charitable gaming  
     act; Kansas lottery; fantasy sports ..... 62  
 motor vehicles,  
     autocycles, definitions, safety belts, child passenger safety  
     restraints, requirements; distinctive license plates, providing for  
     the omega psi phi license plate ..... 48  
     registration; decals for license plates, serial numbers; apportioned  
     fleet registration, mileage applications, fees and calculations;  
     permanent registration of certain vehicles, annual report;  
     commercial drivers' licenses, endorsements or restrictions; size  
     limitations of certain vehicles, exceptions, forage cutters ..... 49  
     registration of vehicles, penalties, evidence of renewal;  
     commercial drivers' licenses, examination fees, commercial  
     driver's license drive test fee fund ..... 47  
 taxation,  
     income tax rates, low income exclusion, food sales tax credit;  
     sales and compensating use tax, rates, distribution thereof;  
     property tax, elections by cities ..... 102  
     sales and compensating use tax, rates, distribution thereof, food;  
     income tax, subtraction modifications, credits, individual  
     development accounts, low income scholarship program; motor  
     vehicle taxation; taxation of cigarettes and electronic cigarettes;  
     sales tax authority for Bourbon, Douglas and Thomas counties;  
     property taxation, consolidated fire districts and fire districts;  
     rural opportunity zones; land banks; creating the joint committee  
     on tax exemptions and income tax credits ..... 99

<b>Revenue, department of, division of vehicles;</b>	
motor vehicles,	
definitions .....	12
<b>Revenue, secretary of;</b>	
alcoholic beverages .....	82
cigarettes and tobacco products,	
smoking; the directory and certification of tobacco product manufacturers; disclosure of information and criminal penalties .....	79
driving,	
driving under the influence and other driving offenses; DUI-IID designation; DUI-IID designation fund; authorized restrictions of driving privileges, ignition interlock device; expungement of convictions and diversions .....	71
renewable energy,	
renewable energy standards act, electric generation standard; property tax; exemptions for property used for renewable energy resources; property tax on public utilities, definitions and exceptions .....	75
<b>Revised Kansas code for care of children;</b>	
public assistance,	
medical assistance fee fund, privilege fees and TANF cash assistance .....	98
<b>Revised Kansas juvenile justice code;</b>	
children and minors,	
juvenile offenders; risk assessment tool; placement in the custody of the secretary of corrections .....	32
public assistance,	
medical assistance fee fund, privilege fees and TANF cash assistance .....	98
<b>Revised sentencing guidelines;</b>	
crimes, punishment and criminal procedure,	
battery; criminal history; aggravated battery, driving under the influence; out-of-state misdemeanors; search warrants .....	90
calculation of criminal history .....	5
secretary of corrections; good time and program credits; community corrections; use of risk assessment tool .....	54
<b>Revised uniform limited partnership act;</b>	
corporations and business entities,	
business filings with the secretary of state; limited liability companies .....	65

**Ride-sharing;**  
 regulating traffic,  
     transportation network companies, transportation network  
     company services, regulation ..... 43  
 transportation network company services act, Kansas,  
     definitions; transportation network company requirements;  
     transportation network company drivers; liens on personal  
     vehicles ..... 69

**Risk assessment;**  
 children and minors,  
     juvenile offenders; risk assessment tool; placement in the  
     custody of the secretary of corrections ..... 32  
 crimes, punishment and criminal procedure,  
     secretary of corrections; good time and program credits;  
     community corrections; use of risk assessment tool ..... 54

**Risk management and own risk and solvency assessment act;**  
 enacting,  
     insurance; assessments; enacting the risk management and own  
     risk and solvency assessment act; sanctions ..... 18

**Risk management program act;**  
 health and environment, secretary of,  
     environmental remediation; risk management program act;  
     voluntary cleanup and property redevelopment act ..... 29

**Risk-based capital;**  
 insurance,  
     assessments; enacting the risk management and own risk and  
     solvency assessment act; sanctions ..... 18

**Risk-based capital requirements;**  
 insurance,  
     risk-based capital instructions; property and casualty actuarial  
     opinion law ..... 24

**Roads and bridges;**  
 commemorative signage,  
     requiring the secretary of transportation to collect sufficient  
     funds prior to installation; designating the 2nd Lieutenant  
     Justin L Sisson Memorial Highway, the George Ablah  
     expressway, the Kenneth W Bernard memorial highway and the  
     Bert Cantwell memorial interchange; certain bridge inspections ..... 40  
 designating bridge no. 14(030) on Kansas highway 15 in Clay  
 county as the Clay county Vietnam veterans bridge ..... 25

making and concerning appropriations for fiscal years ending June 30, 2015, June 30, 2016, June 30, 2017, June 30, 2018, and June 30, 2019, for state agencies,  
 authorizing and directing payment of certain claims against the state; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing ..... 104

turnpike authority, Kansas,  
 annual reports; contracts between the secretary of transportation and the authority; director ..... 8

**Roads and highways;**  
 designating a portion of K-8 as the home on the range highway ..... 15

**Robert G. (Bob) Bethell joint committee on home and community based services and KanCare oversight;**  
 statutorily created boards, councils and committees,  
 concerning ..... 55

**Roofing contractor registration;**  
 exemption of certain general contractors ..... 31

**Rural opportunity zones;**  
 taxation,  
 sales and compensating use tax, rates, distribution thereof, food; income tax, subtraction modifications, credits, individual development accounts, low income scholarship program; motor vehicle taxation; taxation of cigarettes and electronic cigarettes; sales tax authority for Bourbon, Douglas and Thomas counties; property taxation, consolidated fire districts and fire districts; rural opportunity zones; land banks; creating the joint committee on tax exemptions and income tax credits ..... 99

S

**Sales and compensating use tax;**  
 taxation,  
 income tax rates, low income exclusion, food sales tax credit; sales and compensating use tax, rates, distribution thereof; property tax, elections by cities ..... 102

sales and compensating use tax, rates, distribution thereof, food; income tax, subtraction modifications, credits, individual development accounts, low income scholarship program;

motor vehicle taxation; taxation of cigarettes and electronic cigarettes; sales tax authority for Bourbon, Douglas and Thomas counties; property taxation, consolidated fire districts and fire districts; rural opportunity zones; land banks; creating the joint committee on tax exemptions and income tax credits ..... 99

**Sales tax authority;**

taxation,  
 sales and compensating use tax, rates, distribution thereof, food; income tax, subtraction modifications, credits, individual development accounts, low income scholarship program; motor vehicle taxation; taxation of cigarettes and electronic cigarettes; sales tax authority for Bourbon, Douglas and Thomas counties; property taxation, consolidated fire districts and fire districts; rural opportunity zones; land banks; creating the joint committee on tax exemptions and income tax credits ..... 99

**Scholarships;**

taxation,  
 sales and compensating use tax, rates, distribution thereof, food; income tax, subtraction modifications, credits, individual development accounts, low income scholarship program; motor vehicle taxation; taxation of cigarettes and electronic cigarettes; sales tax authority for Bourbon, Douglas and Thomas counties; property taxation, consolidated fire districts and fire districts; rural opportunity zones; land banks; creating the joint committee on tax exemptions and income tax credits ..... 99

**School district capital outlay state aid fund;**

education,  
 financing and instruction; state board of regents; university support staff; making and concerning appropriations for the fiscal years ending June 30, 2016, and June 30, 2017, for the department of education ..... 92

**School district extraordinary need fund;**

education,  
 financing and instruction thereof; making and concerning appropriations for the fiscal years ending June 30, 2015, June 30, 2016, and June 30, 2017, for the department of education; creating the classroom learning assuring student success act ..... 4

**School district performance audits ..... 17**

**School districts;**

education,

financing and instruction; state board of regents; university support staff; making and concerning appropriations for the fiscal years ending June 30, 2016, and June 30, 2017, for the department of education ..... 92

financing and instruction thereof; making and concerning appropriations for the fiscal years ending June 30, 2015, June 30, 2016, and June 30, 2017, for the department of education; creating the classroom learning assuring student success act ..... 4

retirement and pensions,  
relating to the Kansas public employees retirement system and systems thereunder; employment after retirement; special provisions for certain retirants; certain duties of the joint committee on pensions, investments and benefits; enacting the Kansas deferred retirement option program act; providing terms, conditions, requirements, benefits and contributions related thereto; member election; Kansas highway patrol affiliation; interest credits; account distribution ..... 77

**School finance;**  
education,  
financing and instruction thereof; making and concerning appropriations for the fiscal years ending June 30, 2015, June 30, 2016, and June 30, 2017, for the department of education; creating the classroom learning assuring student success act ..... 4

**Schools;**  
alternative project delivery,  
notice requirements and selection procedure ..... 11

education,  
financing and instruction; state board of regents; university support staff; making and concerning appropriations for the fiscal years ending June 30, 2016, and June 30, 2017, for the department of education ..... 92

financing and instruction thereof; making and concerning appropriations for the fiscal years ending June 30, 2015, June 30, 2016, and June 30, 2017, for the department of education; creating the classroom learning assuring student success act ..... 4

elections,  
certain municipalities and special districts; filling vacancies of nominees; presidential preference primary ..... 88

freedom from unsafe restraint and seclusion act,  
creating ..... 72

healing arts, licenses and medical retainer agreements; access to health care records .....	46
human trafficking and related crimes, commercial sexual exploitation of a child; civil action for victims; restitution .....	94
school district performance audits .....	17
taxation, sales and compensating use tax, rates, distribution thereof, food; income tax, subtraction modifications, credits, individual development accounts, low income scholarship program; motor vehicle taxation; taxation of cigarettes and electronic cigarettes; sales tax authority for Bourbon, Douglas and Thomas counties; property taxation, consolidated fire districts and fire districts; rural opportunity zones; land banks; creating the joint committee on tax exemptions and income tax credits .....	99
<b>Schools - community colleges;</b> elections, certain municipalities and special districts; filling vacancies of nominees; presidential preference primary .....	88
<b>Scrap metal dealers;</b> scrap metal, regulated, relating to the crimes of theft and criminal damage to property; sentencing; evidence at preliminary examination; regulation of scrap metal dealers; unlawful acts; penalties; creating the scrap metal theft reduction fee fund .....	96
<b>Scrap metal theft reduction act;</b> establishing, regulated scrap metal; relating to the crimes of theft and criminal damage to property; sentencing; evidence at preliminary examination; regulation of scrap metal dealers; unlawful acts; penalties; creating the scrap metal theft reduction fee fund .....	96
<b>Search and rescue and hazardous material response matters;</b> tort claims immunity .....	50
<b>Search warrants;</b> crimes, punishment and criminal procedure, battery; criminal history; aggravated battery, driving under the influence; out-of-state misdemeanors; search warrants .....	90
<b>Seclusion and restraint;</b> schools,	

creating the freedom from unsafe restraint and seclusion act .....	72
<b>Secondary containment systems;</b>	
health and environment, secretary of,	
solid and hazardous waste; Kansas storage tank act; creating	
the environmental stewardship fund .....	26
<b>Secretary of state;</b>	
appropriations .....	104
corporations and business entities,	
business filings with the secretary of state; limited liability	
companies .....	65
elections,	
certain municipalities and special districts; filling vacancies of	
nominees; presidential preference primary .....	88
voting; penalties for voting crimes; prosecution of election	
crimes .....	87
governmental ethics,	
candidate and lobbyist fees and filings; use of campaign funds;	
certain prohibited actions by candidates; political campaigns	
and technology; political signs .....	85
human trafficking and related crimes,	
commercial sexual exploitation of a child; civil action for victims;	
restitution .....	94
reconciling amendments to certain statutes .....	100
<b>Securities;</b>	
uniform securities act, Kansas,	
criminal penalties; fees; criminal procedure .....	70
<b>Securities commissioner of Kansas, office of the;</b>	
appropriations .....	1, 104
securities,	
uniform securities act, Kansas; criminal penalties; fees; criminal	
procedure .....	70
<b>Security officers;</b>	
retirement and pensions,	
Kansas public employees retirement system and systems	
thereunder; revenue bonds to finance a portion of unfunded	
actuarial liability of KPERs; requirements and procedures;	
employer contribution rates .....	39
<b>Sedgwick and Sumner counties;</b>	
Peck improvement district .....	80
<b>Self insurance;</b>	



insurance,  
 legal services insurance, nonprofit dental service corporations,  
 subscription agreements, disbursements; required provisions;  
 certain definitions; the health care provider insurance availability  
 act; definitions; self insurance, health care systems ..... 45

**Sentencing;**  
 children and minors,  
     juvenile offenders; risk assessment tool; placement in the  
     custody of the secretary of corrections ..... 32  
 crimes, punishment and criminal procedure,  
     calculation of criminal history ..... 5  
 scrap metal, regulated,  
     relating to the crimes of theft and criminal damage to property;  
     sentencing; evidence at preliminary examination; regulation of  
     scrap metal dealers; unlawful acts; penalties; creating the scrap  
     metal theft reduction fee fund ..... 96

**Sentencing commission, Kansas;**  
 appropriations ..... 104  
 crimes, punishment and criminal procedure,  
     secretary of corrections; good time and program credits;  
     community corrections; use of risk assessment tool ..... 54

**Sentencing guidelines;**  
 crimes, punishment and criminal procedure,  
     secretary of corrections; good time and program credits;  
     community corrections; use of risk assessment tool ..... 54

**Sentencing guidelines, revised;**  
 crimes, punishment and criminal procedure,  
     battery; criminal history; aggravated battery, driving under the  
     influence; out-of-state misdemeanors; search warrants ..... 90

**Servicemembers;**  
 servicemembers and veterans of the United States armed forces,  
     private sector employment; postsecondary educational institution  
     tuition; diversions and sentencing; servicemember and military  
     spouse expedited professional credentialing ..... 76

**Setoff against debtors;**  
 courts,  
     district magistrate judge jurisdiction and power; county law  
     libraries, code of civil procedure, items allowable as costs; court  
     costs, fees, fines and restitution; debts owed to courts ..... 53

**Sex offenses;**

human trafficking and related crimes, commercial sexual exploitation of a child; civil action for victims; restitution .....	94
<b>Sexual abuse;</b>	
human trafficking and related crimes, commercial sexual exploitation of a child; civil action for victims; restitution .....	94
<b>Sexually violent predator act, Kansas;</b>	
civil commitment of sexually violent predators .....	95
<b>Sexually violent predators;</b>	
civil commitment of sexually violent predators .....	95
<b>Signs and signage;</b>	
designating a portion of K-8 as the home on the range highway .....	15
designating bridge no. 14(030) on Kansas highway 15 in Clay county as the Clay county Vietnam veterans bridge .....	25
roads and bridges, commemorative signage; requiring the secretary of transportation to collect sufficient funds prior to installation; designating the 2nd Lieutenant Justin L Sisson Memorial Highway, the George Ablah expressway, the Kenneth W Bernard memorial highway and the Bert Cantwell memorial interchange; certain bridge inspections .....	40
<b>Small claims and expedited hearing division;</b>	
tax appeals, board of, taxation; board of tax appeals; small claims and expedited hearing division, hearing officers; members, qualifications and salary .....	51
<b>Smoking;</b>	
cigarettes and tobacco products, the directory and certification of tobacco product manufacturers; disclosure of information and criminal penalties .....	79
<b>Social media;</b>	
governmental ethics, candidate and lobbyist fees and filings; use of campaign funds; certain prohibited actions by candidates; political campaigns and technology; political signs .....	85
<b>Social welfare;</b>	
department for children and families, Kansas, eligibility requirements for assistance .....	42
public assistance,	

medical assistance fee fund, privilege fees and TANF cash assistance ..... 98

**Solid and hazardous waste;**  
 health and environment, secretary of,  
 environmental remediation; risk management program act;  
 voluntary cleanup and property redevelopment act ..... 29  
 solid and hazardous waste; Kansas storage tank act; creating  
 the environmental stewardship fund ..... 26

**Solid waste;**  
 health and environment, department of,  
 radioactive materials; by-product material; low-level radioactive  
 waste; naturally occurring radioactive material; water and soil  
 pollution; solid waste disposal; land-spreading of drilling waste .... 35

**Special assessments;**  
 taxation,  
 sales and compensating use tax, rates, distribution thereof, food;  
 income tax, subtraction modifications, credits, individual  
 development accounts, low income scholarship program; motor  
 vehicle taxation; taxation of cigarettes and electronic cigarettes;  
 sales tax authority for Bourbon, Douglas and Thomas counties;  
 property taxation, consolidated fire districts and fire districts;  
 rural opportunity zones; land banks; creating the joint committee  
 on tax exemptions and income tax credits ..... 99

**Special city and county highway fund;**  
 making and concerning appropriations for fiscal years ending  
 June 30, 2015, June 30, 2016, June 30, 2017, June 30, 2018, and  
 June 30, 2019, for state agencies,  
 authorizing and directing payment of certain claims against the  
 state; authorizing certain transfers, capital improvement projects  
 and fees, imposing certain restrictions and limitations, and  
 directing or authorizing certain receipts, disbursements,  
 procedures and acts incidental to the foregoing ..... 104

**Special education fund;**  
 education,  
 financing and instruction thereof; making and concerning  
 appropriations for the fiscal years ending June 30, 2015, June 30,  
 2016, and June 30, 2017, for the department of education; creating  
 the classroom learning assuring student success act ..... 4

**Spousal support;**  
 uniform interstate family support act ..... 64

**Standard nonforfeiture law;**

- insurance,
  - life insurance companies; reserve valuation method;
  - principle-based valuation; standard nonforfeiture law ..... 10

**State agencies;**

- alternative project delivery,
  - notice requirements and selection procedure ..... 11
- information technology,
  - office of information technology services; providing for
  - information technology audits ..... 101
- public bodies or agencies,
  - state of Kansas and local units of government; providing certain
  - powers to the attorney general for investigation of violations of
  - the open records act and the open meetings act; attorney
  - general's open government fund ..... 68
- state employees,
  - classified and unclassified service ..... 52

**State aid;**

- education,
  - financing and instruction; state board of regents; university
  - support staff; making and concerning appropriations for the
  - fiscal years ending June 30, 2016, and June 30, 2017, for the
  - department of education ..... 92
  - financing and instruction thereof; making and concerning
  - appropriations for the fiscal years ending June 30, 2015, June 30,
  - 2016, and June 30, 2017, for the department of education; creating
  - the classroom learning assuring student success act ..... 4

**State boards, commissions and authorities;**

- agriculture, department of,
  - water conservation areas; agricultural liming materials; the
  - Arkansas river gaging fund ..... 37
- commerce, department of,
  - taxation; sales and compensating use tax, rates, distribution
  - thereof, food; income tax, subtraction modifications, credits,
  - individual development accounts, low income scholarship
  - program; motor vehicle taxation; taxation of cigarettes and
  - electronic cigarettes; sales tax authority for Bourbon, Douglas
  - and Thomas counties; property taxation, consolidated fire
  - districts and fire districts; rural opportunity zones; land banks;
  - creating the joint committee on tax exemptions and income tax

**Chapter**

credits ..... 99

crime victims compensation board,  
 disposition of district court fines, penalties and forfeitures;  
 criminal justice information system line fund ..... 59

human trafficking and related crimes; commercial sexual  
 exploitation of a child; civil action for victims; restitution ..... 94

education,  
 financing and instruction thereof; making and concerning  
 appropriations for the fiscal years ending June 30, 2015, June 30,  
 2016, and June 30, 2017, for the department of education; creating  
 the classroom learning assuring student success act ..... 4

lottery, state,  
 gaming; charitable gaming; establishing the Kansas charitable  
 gaming act; Kansas lottery; fantasy sports ..... 62

making and concerning appropriations for fiscal years ending  
 June 30, 2015, June 30, 2016, June 30, 2017, June 30, 2018, and  
 June 30, 2019, for state agencies,  
 authorizing and directing payment of certain claims against the  
 state; authorizing certain transfers, capital improvement projects  
 and fees, imposing certain restrictions and limitations, and  
 directing or authorizing certain receipts, disbursements,  
 procedures and acts incidental to the foregoing ..... 104

making and concerning appropriations for fiscal years ending June 30,  
 2015, and June 30, 2016, for state agencies,  
 authorizing certain transfers, capital improvement projects and  
 fees, imposing certain restrictions and limitations, and directing  
 or authorizing certain receipts, disbursements, procedures and  
 acts incidental to the foregoing ..... 1

peace officers’ standards and training, commission on,  
 public safety; peer support counseling sessions for emergency  
 services personnel and law enforcement personnel; Kansas law  
 enforcement training act ..... 89

public employees retirement systems, Kansas,  
 retirement and pensions; Kansas police and firemen’s retirement  
 system; defining eligible employees as police; providing  
 retroactive application ..... 41

retirement and pensions; Kansas public employees retirement  
 system and systems thereunder; revenue bonds to finance a  
 portion of unfunded actuarial liability of KPERS; requirements  
 and procedures; employer contribution rates ..... 39

retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; employment after retirement; special provisions for certain retirants; certain duties of the joint committee on pensions, investments and benefits; enacting the Kansas deferred retirement option program act; providing terms, conditions, requirements, benefits and contributions related thereto; member election; Kansas highway patrol affiliation; interest credits; account distribution .....	77
reconciling amendments to certain statutes .....	100
tax appeals, state board of, taxation; board of tax appeals; small claims and expedited hearing division, hearing officers; members, qualifications and salary .....	51
technical professions, state board of, technical professions .....	78
<b>State building advisory commission;</b>	
alternative project delivery, notice requirements and selection procedure .....	11
state building projects, negotiating committees; alternative procurement .....	73
<b>State building projects;</b>	
negotiating committees, alternative procurement .....	73
<b>State capitol building;</b>	
alcoholic beverages .....	82
<b>State conservation commission;</b>	
agriculture, relating to the Kansas department of agriculture division of conservation; state conservation commission; powers and duties .....	58
<b>State correctional officers;</b>	
crimes, punishment and criminal procedure, battery; criminal history; aggravated battery, driving under the influence; out-of-state misdemeanors; search warrants .....	90
<b>State departments; public officers and employees;</b>	
administration, department of, state officers and employees; duties of the secretary of administration; essential state employees .....	86
aging and disability services, secretary for, powers, duties and functions; programs for all-inclusive care for the elderly; ERO No. 41 trailer bill .....	56

alternative project delivery,  
     notice requirements and selection procedure ..... 11

architectural services,  
     state building projects; negotiating committees; alternative  
     procurement ..... 73

children and families, department for,  
     secretary for aging and disability services; powers, duties and  
     functions; programs for all-inclusive care for the elderly;  
     ERONo. 41 trailer bill ..... 56

    social welfare; eligibility requirements for assistance ..... 42

civil service,  
     state employees; classified and unclassified service ..... 52

corrections, department of,  
     crimes, punishment and criminal procedure; secretary of  
     corrections; good time and program credits; community  
     corrections; use of risk assessment tool ..... 54

courts,  
     district magistrate judge jurisdiction and power; county law  
     libraries, code of civil procedure, items allowable as costs; court  
     costs, fees, fines and restitution; debts owed to courts ..... 53

education,  
     financing and instruction thereof; making and concerning  
     appropriations for the fiscal years ending June 30, 2015, June 30,  
     2016, and June 30, 2017, for the department of education; creating  
     the classroom learning assuring student success act ..... 4

fire marshal, state,  
     search and rescue and hazardous material response matters;  
     dealing with tort claims immunity ..... 50

firearms,  
     carrying of concealed firearms; personal and family protection  
     act ..... 16

    possession ..... 93

information technology,  
     office of information technology services; providing for  
     information technology audits ..... 101

making and concerning appropriations for fiscal years ending  
 June 30, 2015, June 30, 2016, June 30, 2017, June 30, 2018, and  
 June 30, 2019, for state agencies,  
     authorizing and directing payment of certain claims against the  
     state; authorizing certain transfers, capital improvement projects

and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing .....	104
public bodies or agencies,	
state of Kansas and local units of government; providing certain powers to the attorney general for investigation of violations of the open records act and the open meetings act; attorney general's open government fund .....	68
reconciling amendments to certain statutes .....	100
revenue, department of,	
cigarettes and tobacco products; smoking; the directory and certification of tobacco product manufacturers; disclosure of information and criminal penalties .....	79
school-building bonds,	
education; financing and instruction; state board of regents; university support staff; making and concerning appropriations for the fiscal years ending June 30, 2016, and June 30, 2017, for the department of education .....	92
secretary of state,	
human trafficking and related crimes; commercial sexual exploitation of a child; civil action for victims; restitution .....	94
<b>State educational institutions;</b>	
education,	
financing and instruction; state board of regents; university support staff; making and concerning appropriations for the fiscal years ending June 30, 2016, and June 30, 2017, for the department of education .....	92
making and concerning appropriations for fiscal years ending June 30, 2015, June 30, 2016, June 30, 2017, June 30, 2018, and June 30, 2019, for state agencies,	
authorizing and directing payment of certain claims against the state; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing .....	104
servicemembers and veterans of the United States armed forces,	
private sector employment; postsecondary educational institution tuition; diversions and sentencing; servicemember and military spouse expedited professional credentialing .....	76
<b>State employees;</b>	



classified and unclassified service ..... 52

**State fair board;**

alcoholic beverages ..... 82

**State fair capital improvements fund;**

making and concerning appropriations for fiscal years ending  
June 30, 2015, June 30, 2016, June 30, 2017, June 30, 2018, and  
June 30, 2019, for state agencies,  
authorizing and directing payment of certain claims against the  
state; authorizing certain transfers, capital improvement projects  
and fees, imposing certain restrictions and limitations, and  
directing or authorizing certain receipts, disbursements,  
procedures and acts incidental to the foregoing ..... 104

**State finance;**

making and concerning appropriations for fiscal years ending  
June 30, 2015, June 30, 2016, June 30, 2017, June 30, 2018, and  
June 30, 2019, for state agencies,  
authorizing and directing payment of certain claims against the  
state; authorizing certain transfers, capital improvement projects  
and fees, imposing certain restrictions and limitations, and  
directing or authorizing certain receipts, disbursements,  
procedures and acts incidental to the foregoing ..... 104

state building projects,  
negotiating committees; alternative procurement ..... 73

**State finance council;**

retirement and pensions,  
Kansas public employees retirement system and systems  
thereunder; revenue bonds to finance a portion of unfunded  
actuarial liability of KPERS; requirements and procedures;  
employer contribution rates ..... 39

**State highway fund;**

making and concerning appropriations for fiscal years ending  
June 30, 2015, June 30, 2016, June 30, 2017, June 30, 2018, and  
June 30, 2019, for state agencies,  
authorizing and directing payment of certain claims against the  
state; authorizing certain transfers, capital improvement projects  
and fees, imposing certain restrictions and limitations, and  
directing or authorizing certain receipts, disbursements,  
procedures and acts incidental to the foregoing ..... 104

**State hospitals;**

civil commitment of sexually violent predators ..... 95

reconciling amendments to certain statutes .....	100
<b>State housing trust fund;</b>	
making and concerning appropriations for fiscal years ending June 30, 2015, June 30, 2016, June 30, 2017, June 30, 2018, and June 30, 2019, for state agencies,	
authorizing and directing payment of certain claims against the state; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing .....	104
<b>State institutions and agencies; historical property;</b>	
aging and disability services, secretary for,	
powers, duties and functions; programs for all-inclusive care for the elderly; ERO No. 41 trailer bill .....	56
alternative project delivery,	
notice requirements and selection procedure .....	11
employees of state schools for blind and for deaf,	
human trafficking and related crimes; commercial sexual exploitation of a child; civil action for victims; restitution .....	94
Kansas state university,	
animal care; veterinary practice act, Kansas; licensure; providing for an institutional license to practice veterinary medicine; the Kansas pet animal act; euthanasia .....	61
making and concerning appropriations for fiscal years ending June 30, 2015, June 30, 2016, June 30, 2017, June 30, 2018, and June 30, 2019, for state agencies,	
authorizing and directing payment of certain claims against the state; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing .....	104
reconciling amendments to certain statutes .....	100
state educational institutions,	
education; financing and instruction; state board of regents; university support staff; making and concerning appropriations for the fiscal years ending June 30, 2016, and June 30, 2017, for the department of education .....	92
servicemembers and veterans of the United States armed forces; private sector employment; postsecondary educational institution tuition; diversions and sentencing; servicemember and military	

**Chapter**

spouse expedited professional credentialing ..... 76

**State library;**  
 appropriations ..... 104

**State officers and employees;**  
 duties of the secretary of administration,  
 essential state employees ..... 86

**State school district finance fund;**  
 education,  
 financing and instruction thereof; making and concerning  
 appropriations for the fiscal years ending June 30, 2015, June 30,  
 2016, and June 30, 2017, for the department of education; creating  
 the classroom learning assuring student success act ..... 4

**State treasurer;**  
 appropriations ..... 1,104  
 banking code,  
 state bank commissioner ..... 38  
 education,  
 financing and instruction; state board of regents; university  
 support staff; making and concerning appropriations for the  
 fiscal years ending June 30, 2016, and June 30, 2017, for the  
 department of education ..... 92  
 financing and instruction thereof; making and concerning  
 appropriations for the fiscal years ending June 30, 2015, June 30,  
 2016, and June 30, 2017, for the department of education; creating  
 the classroom learning assuring student success act ..... 4  
 financial organizations,  
 relating to the Kansas money transmitter act, the Kansas  
 mortgage business act, remote service units; enacting the  
 Kansas ABLE savings program ..... 33  
 gaming,  
 charitable gaming; establishing the Kansas charitable gaming  
 act; Kansas lottery; fantasy sports ..... 62  
 motor vehicles,  
 registration of vehicles, penalties, evidence of renewal;  
 commercial drivers' licenses, examination fees, commercial  
 driver's license drive test fee fund ..... 47  
 municipal finance,  
 temporary notes for improvements, indebtedness reporting ..... 34  
 taxation,  
 sales and compensating use tax, rates, distribution thereof, food;

income tax, subtraction modifications, credits, individual development accounts, low income scholarship program; motor vehicle taxation; taxation of cigarettes and electronic cigarettes; sales tax authority for Bourbon, Douglas and Thomas counties; property taxation, consolidated fire districts and fire districts; rural opportunity zones; land banks; creating the joint committee on tax exemptions and income tax credits .....	99
<b>State water plan fund;</b>	
making and concerning appropriations for fiscal years ending June 30, 2015, June 30, 2016, June 30, 2017, June 30, 2018, and June 30, 2019, for state agencies,	
authorizing and directing payment of certain claims against the state; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing .....	104
<b>Statutes;</b>	
reconciling amendments to certain statutes .....	100, 105
<b>Storage tank act, Kansas;</b>	
health and environment, secretary of,	
solid and hazardous waste; Kansas storage tank act; creating the environmental stewardship fund .....	26
<b>Students;</b>	
education,	
financing and instruction; state board of regents; university support staff; making and concerning appropriations for the fiscal years ending June 30, 2016, and June 30, 2017, for the department of education .....	92
financing and instruction thereof; making and concerning appropriations for the fiscal years ending June 30, 2015, June 30, 2016, and June 30, 2017, for the department of education; creating the classroom learning assuring student success act .....	4
schools,	
creating the freedom from unsafe restraint and seclusion act .....	72
<b>Sumner and Sedgwick counties;</b>	
Peck improvement district .....	80
<b>Supplemental appropriations;</b>	
administration, department of,	
making and concerning appropriations for the fiscal year ending June 30, 2016, for state agencies; authorizing certain transfers,	

imposing certain restrictions and limitations, and directing or authorizing certain disbursements, procedures and acts incidental to the foregoing ..... 103

making and concerning appropriations for fiscal years ending June 30, 2015, and June 30, 2016, for state agencies, authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing ..... 1

**Support orders;**  
uniform interstate family support act ..... 64

**Supreme court;**  
courts,  
district magistrate judge jurisdiction and power; county law libraries, code of civil procedure, items allowable as costs; court costs, fees, fines and restitution; debts owed to courts ..... 53

**Surplus lines insurance;**  
insurance,  
coverage for autism spectrum disorder; motor vehicle liability insurance, mailing notice of termination of coverage; certain financial examinations, consulting fees, examination period; surplus lines insurance, gross premiums and tax thereon ..... 83

**T**

**TANF;**  
public assistance,  
medical assistance fee fund, privilege fees and TANF cash assistance ..... 98

social welfare,  
Kansas department for children and families; eligibility requirements for assistance ..... 42

**Tax appeals, state board of;**  
appropriations ..... 1, 104

education,  
financing and instruction thereof; making and concerning appropriations for the fiscal years ending June 30, 2015, June 30, 2016, and June 30, 2017, for the department of education; creating the classroom learning assuring student success act ..... 4

reconciling amendments to certain statutes ..... 100

taxation,  
 small claims and expedited hearing division, hearing officers;  
 members, qualifications and salary ..... 51

**Taxation;**

education,  
 financing and instruction thereof; making and concerning  
 appropriations for the fiscal years ending June 30, 2015, June 30,  
 2016, and June 30, 2017, for the department of education; creating  
 the classroom learning assuring student success act ..... 4

gaming,  
 charitable gaming; establishing the Kansas charitable gaming act;  
 Kansas lottery; fantasy sports ..... 62

income tax rates, low income exclusion, food sales tax credit,  
 sales and compensating use tax, rates, distribution thereof;  
 property tax, elections by cities ..... 102

making and concerning appropriations for fiscal years ending  
 June 30, 2015, June 30, 2016, June 30, 2017, June 30, 2018, and  
 June 30, 2019, for state agencies,  
 authorizing and directing payment of certain claims against the  
 state; authorizing certain transfers, capital improvement projects  
 and fees, imposing certain restrictions and limitations, and  
 directing or authorizing certain receipts, disbursements,  
 procedures and acts incidental to the foregoing ..... 104

reconciling amendments to certain statutes ..... 100, 105

renewable energy,  
 renewable energy standards act, electric generation standard;  
 property tax; exemptions for property used for renewable energy  
 resources; property tax on public utilities, definitions and  
 exceptions ..... 75

sales and compensating use tax, rates, distribution thereof, food,  
 income tax, subtraction modifications, credits, individual  
 development accounts, low income scholarship program; motor  
 vehicle taxation; taxation of cigarettes and electronic cigarettes;  
 sales tax authority for Bourbon, Douglas and Thomas counties;  
 property taxation, consolidated fire districts and fire districts;  
 rural opportunity zones; land banks; creating the joint committee  
 on tax exemptions and income tax credits ..... 99

tax appeals, state board of,  
 small claims and expedited hearing division, hearing officers;  
 members, qualifications and salary ..... 51

**Taxation, director of;**  
     cigarettes and tobacco products,  
         smoking; the directory and certification of tobacco product  
         manufacturers; disclosure of information and criminal penalties ..... 79  
     gaming,  
         charitable gaming; establishing the Kansas charitable gaming  
         act; Kansas lottery; fantasy sports ..... 62

**Teachers’ licenses;**  
     human trafficking and related crimes,  
         commercial sexual exploitation of a child; civil action for victims;  
         restitution ..... 94

**Technical professions** ..... 78

**Technical professions, state board of;**  
     appropriations ..... 1, 104

**Technologically enhanced NORM;**  
     health and environment, department of,  
         radioactive materials; by-product material; low-level radioactive  
         waste; naturally occurring radioactive material; water and soil  
         pollution; solid waste disposal; land-spreading of drilling waste .... 35

**Temporary assistance for needy families (TANF);**  
     public assistance,  
         medical assistance fee fund, privilege fees and TANF cash  
         assistance ..... 98  
     social welfare,  
         Kansas department for children and families; eligibility  
         requirements for assistance ..... 42

**Temporary notes for improvements;**  
     municipal finance,  
         temporary notes for improvements, indebtedness reporting ..... 34

**Theft;**  
     scrap metal, regulated,  
         relating to the crimes of theft and criminal damage to property;  
         sentencing; evidence at preliminary examination; regulation of  
         scrap metal dealers; unlawful acts; penalties; creating the scrap  
         metal theft reduction fee fund ..... 96

**Tobacco master settlement agreement compliance fund;**  
     cigarettes and tobacco products,  
         smoking; the directory and certification of tobacco product  
         manufacturers; disclosure of information and criminal penalties ..... 79

**Tobacco product manufacturers;**

cigarettes and tobacco products, smoking; the directory and certification of tobacco product manufacturers; disclosure of information and criminal penalties .....	79
<b>Toll roads or turnpikes;</b>	
turnpike authority, Kansas, annual reports; contracts between the secretary of transportation and the authority; director .....	8
<b>Tort claims act, Kansas;</b>	
municipalities, payment of claims .....	28
<b>Tort claims immunity;</b>	
search and rescue and hazardous material response matters, tort claims immunity .....	50
<b>Townships and township officers;</b>	
elections, certain municipalities and special districts; filling vacancies of nominees; presidential preference primary .....	88
<b>Toxic vapors;</b>	
crimes and punishment, unlawful abuse of toxic vapors .....	20
<b>Traffic;</b>	
motor vehicles, autocycles, definitions, safety belts, child passenger safety restraints, requirements; distinctive license plates, providing for the omega psi phi license plate .....	48
regulating traffic, transportation network companies, transportation network company services, regulation .....	43
transportation network company services act, Kansas, definitions; transportation network company requirements; transportation network company drivers; liens on personal vehicles .....	69
<b>Traffic infractions;</b>	
driving, driving under the influence and other driving offenses; DUI-IID designation; DUI-IID designation fund; authorized restrictions of driving privileges, ignition interlock device; expungement of convictions and diversions .....	71
<b>Transitional release or conditional release;</b>	
civil commitment of sexually violent predators .....	95



**Transportation, department of;**  
 appropriations ..... 1, 104

**Transportation network companies;**  
 regulating traffic,  
     transportation network companies, transportation network  
     company services, regulation ..... 43

**Transportation network company services act, Kansas;**  
 transportation network companies,  
     definitions; transportation network company requirements;  
     transportation network company drivers; liens on personal  
     vehicles ..... 69

**Transportation, secretary of;**  
 designating a portion of K-8 as the home on the range highway ..... 15  
 designating bridge no. 14(030) on Kansas highway 15 in Clay  
 county as the Clay county Vietnam veterans bridge ..... 25  
 making and concerning appropriations for fiscal years ending  
 June 30, 2015, June 30, 2016, June 30, 2017, June 30, 2018, and  
 June 30, 2019, for state agencies,  
     authorizing and directing payment of certain claims against the  
     state; authorizing certain transfers, capital improvement projects  
     and fees, imposing certain restrictions and limitations, and  
     directing or authorizing certain receipts, disbursements,  
     procedures and acts incidental to the foregoing ..... 104  
 roads and bridges,  
     commemorative signage; requiring the secretary of transportation  
     to collect sufficient funds prior to installation; designating the  
     2nd Lieutenant Justin L Sisson Memorial Highway, the George  
     Ablah expressway, the Kenneth W Bernard memorial highway  
     and the Bert Cantwell memorial interchange; certain bridge  
     inspections ..... 40  
 turnpike authority, Kansas,  
     annual reports; contracts between the secretary of transportation  
     and the authority; director ..... 8

**Treatment facilities;**  
 civil commitment of sexually violent predators ..... 95

**Tribunals;**  
 uniform interstate family support act ..... 64

**Trust companies and banks;**  
 banking code,  
     state bank commissioner ..... 38

**Tuition;**

- servicemembers and veterans of the United States armed forces,  
private sector employment; postsecondary educational institution  
tuition; diversions and sentencing; servicemember and military  
spouse expedited professional credentialing ..... 76

**Turnpike authority, Kansas;**

- annual reports,  
contracts between the secretary of transportation and the  
authority; director ..... 8

## U

**Uber bill;**

- regulating traffic,  
transportation network companies, transportation network  
company services, regulation ..... 43
- transportation network company services act, Kansas,  
definitions; transportation network company requirements;  
transportation network company drivers; liens on personal  
vehicles ..... 69

**Unborn child;**

- abortion,  
creating the Kansas unborn child protection from dismemberment  
abortion act ..... 22

**Unborn child protection from dismemberment abortion act, Kansas;**

- creating,  
abortion ..... 22

**Unclassified and classified service;**

- state employees ..... 52

**Unconscionable acts and practices;**

- patent infringement,  
bad faith assertions of patent infringement; Kansas consumer  
protection act ..... 67

**Underground storage tank redevelopment fund;**

- health and environment, secretary of,  
solid and hazardous waste; Kansas storage tank act; creating the  
environmental stewardship fund ..... 26

**Underground storage tanks;**

- health and environment, secretary of,  
solid and hazardous waste; Kansas storage tank act; creating the

environmental stewardship fund ..... 26

**Unemployment insurance;**  
 employment security law,  
     determination of benefits; employer classification rates;  
     administration by secretary of labor; employment security  
     personnel ..... 57

**Unfair trade and consumer protection;**  
 cigarettes and tobacco products,  
     smoking; the directory and certification of tobacco product  
     manufacturers; disclosure of information and criminal penalties ..... 79  
 roofing contractor registration,  
     exemption of certain general contractors ..... 31  
 scrap metal, regulated,  
     relating to the crimes of theft and criminal damage to property;  
     sentencing; evidence at preliminary examination; regulation of  
     scrap metal dealers; unlawful acts; penalties; creating the scrap  
     metal theft reduction fee fund ..... 96

**Uniform act regulating traffic;**  
 motor vehicles,  
     definitions ..... 12

**Uniform acts;**  
 uniform securities act, Kansas;  
     securities; criminal penalties; fees; criminal procedure ..... 70

**Uniform controlled substances act;**  
 substances included in schedules I, II, III and IV ..... 27

**Uniform interstate family support act** ..... 64

**Uniform procedure for payment of claims;**  
 municipalities,  
     payment of claims ..... 28

**Uniform securities act, Kansas;**  
 securities,  
     criminal penalties; fees; criminal procedure ..... 70

**United States environmental protection agency;**  
 utilities,  
     electric generating units and carbon dioxide emission standards;  
     establishment of state performance standards, legislative review;  
     state corporation commission; secretary of health and  
     environment; creating the clean power plan implementation  
     study committee ..... 74

**University of Kansas;**

appropriations .....	104
<b>University of Kansas medical center;</b>	
appropriations .....	104
<b>University support staff;</b>	
education,	
financing and instruction; state board of regents; university support staff; making and concerning appropriations for the fiscal years ending June 30, 2016, and June 30, 2017, for the department of education .....	92
<b>Unlawful abuse of toxic vapors;</b>	
crimes and punishment .....	20
<b>Unsafe restraint and seclusion;</b>	
schools,	
creating the freedom from unsafe restraint and seclusion act .....	72
<b>Utilities;</b>	
electric generating units and carbon dioxide emission standards, establishment of state performance standards, legislative review; state corporation commission; secretary of health and environment; creating the clean power plan implementation study committee .....	74
emergencies and disasters,	
creating the Kansas disaster utilities response act; department of revenue .....	14
renewable energy,	
renewable energy standards act, electric generation standard; property tax; exemptions for property used for renewable energy resources; property tax on public utilities, definitions and exceptions .....	75
<b>Utilities, public;</b>	
motor carriers,	
regulation; representation before the corporation commission .....	13
motor vehicles,	
commercial vehicles; motor carriers; regulation .....	9

## V

**Vacancies, filling;**

elections,	
certain municipalities and special districts; filling vacancies of nominees; presidential preference primary .....	88

**Valuation manual;**

- insurance,
  - life insurance companies; reserve valuation method;
  - principle-based valuation; standard nonforfeiture law ..... 10

**Vehicles;**

- driving,
  - driving under the influence and other driving offenses; DUI-IID designation; DUI-IID designation fund; authorized restrictions of driving privileges, ignition interlock device; expungement of convictions and diversions ..... 71
- motor vehicles,
  - commercial vehicles; motor carriers; regulation ..... 9
  - reconciling amendments to certain statutes ..... 100
  - regulating traffic,
    - transportation network companies, transportation network company services, regulation ..... 43
  - transportation network company services act, Kansas,
    - definitions; transportation network company requirements;
    - transportation network company drivers; liens on personal vehicles ..... 69

**Vehicles, director of;**

- insurance,
  - coverage for autism spectrum disorder; motor vehicle liability insurance, mailing notice of termination of coverage; certain financial examinations, consulting fees, examination period; surplus lines insurance, gross premiums and tax thereon ..... 83
- veterans,
  - license plates for disabled veterans; parking in certain public parking spaces ..... 23

**Vehicles, division of;**

- motor vehicles,
  - autocycles, definitions, safety belts, child passenger safety restraints, requirements; distinctive license plates, providing for the omega psi phi license plate ..... 48
  - registration; decals for license plates, serial numbers; apportioned fleet registration, mileage applications, fees and calculations; permanent registration of certain vehicles, annual report; commercial drivers' licenses, endorsements or restrictions; size limitations of certain vehicles, exceptions, forage cutters ..... 49

registration of vehicles, penalties, evidence of renewal; commercial drivers' licenses, examination fees, commercial driver's license drive test fee fund .....	47
<b>Veterans;</b>	
license plates for disabled veterans, parking in certain public parking spaces .....	23
servicemembers and veterans of the United States armed forces, private sector employment; postsecondary educational institution tuition; diversions and sentencing; servicemember and military spouse expedited professional credentialing .....	76
<b>Veterans affairs office, Kansas commission on;</b>	
appropriations .....	1, 104
<b>Veterans' institutions, Kansas;</b>	
reconciling amendments to certain statutes .....	100
<b>Veterinary diagnostic laboratory;</b>	
animal care, veterinary practice act, Kansas; licensure; providing for an institutional license to practice veterinary medicine; the Kansas pet animal act; euthanasia .....	61
<b>Veterinary examiners, state board of;</b>	
appropriations .....	104
<b>Veterinary licenses;</b>	
animal care, veterinary practice act, Kansas; licensure; providing for an institutional license to practice veterinary medicine; the Kansas pet animal act; euthanasia .....	61
<b>Veterinary medicine;</b>	
animal care, veterinary practice act, Kansas; licensure; providing for an institutional license to practice veterinary medicine; the Kansas pet animal act; euthanasia .....	61
<b>Veterinary practice act, Kansas;</b>	
animal care, veterinary practice act, Kansas; licensure; providing for an institutional license to practice veterinary medicine; the Kansas pet animal act; euthanasia .....	61
<b>Veterinary training program for rural Kansas;</b>	
animal care, veterinary practice act, Kansas; licensure; providing for an institutional license to practice veterinary medicine; the Kansas	

pet animal act; euthanasia ..... 61

**Victim notification;**  
 criminal history record information,  
 definitions ..... 3

**Victims of crime;**  
 criminal history record information,  
 definitions ..... 3  
 human trafficking and related crimes,  
 commercial sexual exploitation of a child; civil action for victims;  
 restitution ..... 94

**Vineyard permit;**  
 alcoholic beverages ..... 82

**Virtual schools;**  
 education,  
 financing and instruction; state board of regents; university  
 support staff; making and concerning appropriations for the  
 fiscal years ending June 30, 2016, and June 30, 2017, for the  
 department of education ..... 92  
 financing and instruction thereof; making and concerning  
 appropriations for the fiscal years ending June 30, 2015, June 30,  
 2016, and June 30, 2017, for the department of education; creating  
 the classroom learning assuring student success act ..... 4

**Vision care discount plans;**  
 vision care services act,  
 powers and duties of the commissioner of insurance; powers  
 and duties of the attorney general ..... 97

**Vision care services act;**  
 insurance,  
 powers and duties of the commissioner of insurance; powers and  
 duties of the attorney general ..... 97

**Vision care services providers;**  
 vision care services act,  
 powers and duties of the commissioner of insurance; powers and  
 duties of the attorney general ..... 97

**Voluntary cleanup and property redevelopment act;**  
 health and environment, secretary of,  
 environmental remediation; risk management program act;  
 voluntary cleanup and property redevelopment act ..... 29

**Voluntary risk management program;**  
 health and environment, secretary of,

environmental remediation; risk management program act; voluntary cleanup and property redevelopment act .....	29
<b>Voter fraud;</b>	
elections,	
voting; penalties for voting crimes; prosecution of election crimes .....	87
<b>Voters and voting;</b>	
elections,	
certain municipalities and special districts; filling vacancies of nominees; presidential preference primary .....	88
voting; penalties for voting crimes; prosecution of election crimes .....	87

## W

<b>Waste;</b>	
health and environment, department of,	
radioactive materials; by-product material; low-level radioactive waste; naturally occurring radioactive material; water and soil pollution; solid waste disposal; land-spreading of drilling waste ....	35
health and environment, secretary of,	
environmental remediation; risk management program act; voluntary cleanup and property redevelopment act .....	29
solid and hazardous waste; Kansas storage tank act; creating the environmental stewardship fund .....	26
<b>Water;</b>	
diversion of water,	
chief engineer; multi-year flex accounts; local enhanced management areas; public water supply storage .....	60
<b>Water and soil pollution;</b>	
health and environment, department of,	
radioactive materials; by-product material; low-level radioactive waste; naturally occurring radioactive material; water and soil pollution; solid waste disposal; land-spreading of drilling waste ....	35
<b>Water appropriations act;</b>	
agriculture, department of,	
water conservation areas; agricultural liming materials; the Arkansas river gaging fund .....	37
<b>Water conservation areas;</b>	
agriculture, department of,	



water conservation areas; agricultural liming materials; the  
Arkansas river gaging fund ..... 37

**Water office, Kansas;**  
appropriations ..... 104  
water,  
diversion of water; chief engineer; multi-year flex accounts; local  
enhanced management areas; public water supply storage ..... 60

**Water pollution control;**  
health and environment, department of,  
creating the local conservation lending program ..... 36

**Water reservation rights;**  
water,  
diversion of water; chief engineer; multi-year flex accounts; local  
enhanced management areas; public water supply storage ..... 60

**Water resources division of department of agriculture;**  
water,  
diversion of water; chief engineer; multi-year flex accounts; local  
enhanced management areas; public water supply storage ..... 60

**Water rights;**  
agriculture, department of,  
water conservation areas; agricultural liming materials; the  
Arkansas river gaging fund ..... 37

**Waters and watercourses;**  
making and concerning appropriations for fiscal years ending  
June 30, 2015, June 30, 2016, June 30, 2017, June 30, 2018, and  
June 30, 2019, for state agencies,  
authorizing and directing payment of certain claims against the  
state; authorizing certain transfers, capital improvement projects  
and fees, imposing certain restrictions and limitations, and  
directing or authorizing certain receipts, disbursements,  
procedures and acts incidental to the foregoing ..... 104  
water,  
diversion of water; chief engineer; multi-year flex accounts; local  
enhanced management areas; public water supply storage ..... 60

**Watershed districts;**  
agriculture,  
relating to the Kansas department of agriculture division of  
conservation; state conservation commission; powers and  
duties ..... 58

**Weapons;**

firearms, carrying of concealed firearms; personal and family protection act .....	16
possession .....	93
<b>Welfare, social;</b>	
department for children and families, Kansas, eligibility requirements for assistance .....	42
public assistance, medical assistance fee fund, privilege fees and TANF cash assistance .....	98
<b>Well operators;</b>	
oil and gas, oil and gas wells; licensing of well operators, fees; abandoned oil and gas well fund, extension .....	44
<b>Wichita state university;</b>	
appropriations .....	104
<b>Wildlife, parks and recreation;</b>	
firearms, carrying of concealed firearms; personal and family protection act .....	16
judicial branch, court fees, docket fees and court costs; dispositive motions; judicial branch surcharge fund, electronic filing and management fund and judicial branch docket fee fund; making and concerning appropriations for the fiscal years ending June 30, 2016, and June 30, 2017, for the judicial branch .....	81
wildlife, parks and tourism, land purchases .....	19
<b>Wildlife, parks and tourism;</b>	
land purchases .....	19
<b>Wildlife, parks and tourism, Kansas department of;</b>	
appropriations .....	1,104
domesticated deer, identification of deer .....	2
<b>Wine, beer, and spirit sampling;</b>	
alcoholic beverages .....	82
<b>Work-site utility vehicles;</b>	
motor vehicles, definitions .....	12
reconciling amendments to certain statutes .....	100

**Working after retirement;**

retirement and pensions,

relating to the Kansas public employees retirement system and systems thereunder; employment after retirement; special provisions for certain retirants; certain duties of the joint committee on pensions, investments and benefits; enacting the Kansas deferred retirement option program act; providing terms, conditions, requirements, benefits and contributions related thereto; member election; Kansas highway patrol affiliation; interest credits; account distribution .....77

STATUTES REPEALED OR AMENDED  
BY THE 2015 LEGISLATURE

---

Kansas Statutes Annotated and Supplement	CHAP.	Kansas Statutes Annotated and Supplement	CHAP.
2-223 (Supp), Am. ....	104	9-533 (Supp), Am. ....	38
2-623, Am. ....	88	9-534 (Supp), Am. ....	38
2-624, Am. ....	88	9-535 (Supp), Am. ....	38
2-1904 (Supp), Am. ....	58	9-536, Am. ....	38
2-2903 (Supp), Am. ....	37	9-538, Rep. ....	38
2-2907, Am. ....	37	9-539, Rep. ....	38
8-126 (Supp), Am. ....	12	9-542, Am. ....	38
8-126 (Supp), Am. ....	100	9-701, Am. ....	38
8-126 (Supp), Rep. ....	100	9-702, Rep. ....	38
8-126 (Supp), Am. ....	48	9-703, Rep. ....	38
8-134 (Supp), Am. ....	49	9-801, Am. ....	38
8-142 (Supp), Am. ....	47	9-802, Am. ....	38
8-143e, Am. ....	47	9-803, Am. ....	38
8-161 (Supp), Am. ....	23	9-804, Am. ....	38
8-1,107, Am. ....	49	9-805 (Supp), Rep. ....	38
8-1,134 (Supp), Am. ....	49	9-806, Am. ....	38
8-234b (Supp), Am. ....	48	9-807, Rep. ....	38
8-240 (Supp), Am. ....	47	9-808, Am. ....	38
8-241 (Supp), Am. ....	71	9-809, Am. ....	38
8-2,135 (Supp), Am. ....	49	9-810, Rep. ....	38
8-2,144 (Supp), Am. ....	56	9-811, Am. ....	38
8-1015 (Supp), Am. ....	71	9-812, Am. ....	38
8-1025 (Supp), Am. ....	56	9-813, Rep. ....	38
8-1344 (Supp), Am. ....	48	9-901a, Am. ....	38
8-1345 (Supp), Am. ....	48	9-902, Am. ....	38
8-1402a (Supp), Am. ....	12	9-903, Am. ....	38
8-1438, Am. ....	48	9-904, Am. ....	38
8-1486 (Supp), Am. ....	48	9-905, Am. ....	38
8-1493 (Supp), Am. ....	12	9-906, Am. ....	38
8-1594, Am. ....	48	9-907, Am. ....	38
8-1598 (Supp), Am. ....	48	9-908, Am. ....	38
8-1904 (Supp), Am. ....	49	9-909, Am. ....	38
8-2107 (Supp), Am. ....	81	9-910, Am. ....	38
8-2110 (Supp), Am. ....	81	9-911, Am. ....	38
8-2503 (Supp), Am. ....	48	9-912, Am. ....	38
8-2702 (Supp), Am. ....	69	9-1101 (Supp), Am. ....	38
8-2712 (Supp), Am. ....	69	9-1101a, Am. ....	38
8-2719 (Supp), Am. ....	69	9-1101b, Rep. ....	38
9-508 (Supp), Am. ....	33	9-1102, Am. ....	38
9-509 (Supp), Am. ....	33	9-1103, Rep. ....	38
9-510 (Supp), Am. ....	33	9-1104 (Supp), Am. ....	38
9-511 (Supp), Am. ....	33	9-1105, Rep. ....	38
9-513a (Supp), Am. ....	33	9-1106, Rep. ....	38
9-513b (Supp), Am. ....	33	9-1107, Am. ....	38
9-514, Rep. ....	38	9-1108, Rep. ....	38
9-515, Rep. ....	38	9-1109, Rep. ....	38
9-516, Rep. ....	38	9-1110, Rep. ....	38
9-517, Rep. ....	38	9-1111 (Supp), Rep. ....	100
9-518, Rep. ....	38	9-1111 (Supp), Am. ....	33
9-519, Am. ....	38	9-1111 (Supp), Am. ....	38
9-520, Am. ....	38	9-1111b, Am. ....	38
9-523, Rep. ....	38	9-1111d, Rep. ....	38
9-532 (Supp), Am. ....	38	9-1112, Am. ....	38

# Statutes Repealed or Amended

2285

Kansas Statutes Annotated and Supplement	CHAP.	Kansas Statutes Annotated and Supplement	CHAP.
9-1113, Rep. ....	38	9-1612, Am. ....	38
9-1114 (Supp), Am. ....	38	9-1701, Am. ....	38
9-1116, Am. ....	38	9-1702 (Supp), Am. ....	38
9-1118 (Supp), Rep. ....	38	9-1703 (Supp), Am. ....	38
9-1119, Am. ....	38	9-1704 (Supp), Am. ....	38
9-1122, Am. ....	38	9-1705, Rep. ....	38
9-1123, Am. ....	38	9-1706 (Supp), Rep. ....	38
9-1124, Am. ....	38	9-1707 (Supp), Rep. ....	38
9-1125, Am. ....	38	9-1708, Am. ....	38
9-1127a, Am. ....	38	9-1709, Am. ....	38
9-1127b, Am. ....	38	9-1710, Rep. ....	38
9-1127c, Am. ....	38	9-1711, Rep. ....	38
9-1130, Am. ....	38	9-1712, Am. ....	38
9-1132, Am. ....	38	9-1713 (Supp), Am. ....	38
9-1133, Am. ....	38	9-1714, Am. ....	38
9-1135 (Supp), Rep. ....	38	9-1715, Am. ....	38
9-1137, Am. ....	38	9-1716, Am. ....	38
9-1138, Am. ....	38	9-1717, Am. ....	38
9-1139 (Supp), Rep. ....	38	9-1718, Rep. ....	38
9-1140 (Supp), Am. ....	38	9-1719, Am. ....	38
9-1201, Am. ....	38	9-1720, Am. ....	38
9-1204, Am. ....	38	9-1721 (Supp), Am. ....	38
9-1205, Am. ....	38	9-1722 (Supp), Am. ....	38
9-1207, Am. ....	38	9-1723, Rep. ....	38
9-1213, Am. ....	38	9-1724, Am. ....	38
9-1214, Am. ....	38	9-1801 (Supp), Rep. ....	38
9-1215 (Supp), Am. ....	38	9-1802, Rep. ....	38
9-1215 (Supp), Rep. ....	100	9-1803, Rep. ....	38
9-1215 (Supp), Am. ....	42	9-1804 (Supp), Rep. ....	38
9-1216 (Supp), Rep. ....	100	9-1805 (Supp), Am. ....	38
9-1216 (Supp), Rep. ....	38	9-1807, Am. ....	38
9-1216 (Supp), Am. ....	42	9-1808, Rep. ....	38
9-1301, Am. ....	38	9-1901, Am. ....	38
9-1301a, Rep. ....	38	9-1902, Am. ....	38
9-1303 (Supp), Rep. ....	38	9-1902a, Am. ....	38
9-1304, Am. ....	38	9-1903, Am. ....	38
9-1401 (Supp), Am. ....	38	9-1904, Rep. ....	38
9-1402 (Supp), Am. ....	38	9-1905, Am. ....	38
9-1403, Am. ....	38	9-1906, Am. ....	38
9-1405, Am. ....	38	9-1907, Am. ....	38
9-1407 (Supp), Am. ....	38	9-1908, Am. ....	38
9-1408 (Supp), Am. ....	38	9-1909, Am. ....	38
9-1501, Am. ....	38	9-1910, Am. ....	38
9-1502, Am. ....	38	9-1912, Rep. ....	38
9-1503, Am. ....	38	9-1914, Rep. ....	38
9-1504, Am. ....	38	9-1914a, Rep. ....	38
9-1505, Am. ....	38	9-1915, Am. ....	38
9-1506, Am. ....	38	9-1916, Am. ....	38
9-1507, Rep. ....	38	9-2001, Am. ....	38
9-1601 (Supp), Am. ....	38	9-2002, Am. ....	38
9-1602, Am. ....	38	9-2003, Rep. ....	38
9-1603, Am. ....	38	9-2004 (Supp), Am. ....	38
9-1604, Am. ....	38	9-2005, Am. ....	38
9-1605, Rep. ....	38	9-2006, Am. ....	38
9-1606, Rep. ....	38	9-2007, Am. ....	38
9-1607, Am. ....	38	9-2008, Am. ....	38
9-1608, Rep. ....	38	9-2009, Rep. ....	38
9-1609, Am. ....	38	9-2010, Am. ....	38
9-1610, Rep. ....	38	9-2011, Am. ....	38
9-1611, Am. ....	38	9-2012, Am. ....	38

Kansas Statutes Annotated and Supplement	CHAP.	Kansas Statutes Annotated and Supplement	CHAP.
9-2013, Am. ....	38	12-1023, Rep. ....	88
9-2014, Am. ....	38	12-1024, Rep. ....	88
9-2015, Rep. ....	38	12-1025, Rep. ....	88
9-2016, Am. ....	38	12-1027, Rep. ....	88
9-2017, Rep. ....	38	12-1028, Rep. ....	88
9-2018, Am. ....	38	12-1028a, Rep. ....	88
9-2101, Am. ....	38	12-1029, Rep. ....	88
9-2102, Am. ....	38	12-1030, Rep. ....	88
9-2103, Am. ....	38	12-1031, Rep. ....	88
9-2104, Am. ....	38	12-1032, Rep. ....	88
9-2105, Rep. ....	38	12-1033, Rep. ....	88
9-2106 (Supp), Rep. ....	38	12-1034, Rep. ....	88
9-2107 (Supp), Am. ....	38	12-1035, Rep. ....	88
9-2108 (Supp), Am. ....	38	12-1036, Rep. ....	88
9-2111 (Supp), Am. ....	38	12-1036a, Rep. ....	88
9-2201 (Supp), Am. ....	33	12-1036b, Rep. ....	88
10-123, Am. ....	34	12-1036c, Rep. ....	88
10-1007a, Am. ....	34	12-1036d, Rep. ....	88
10-1116a (Supp), Am. ....	4	12-1036e, Rep. ....	88
12-105a (Supp), Am. ....	28	12-1036f, Rep. ....	88
12-105b (Supp), Am. ....	28	12-1036g, Rep. ....	88
12-187 (Supp), Am. ....	99	12-1036h, Rep. ....	88
12-189 (Supp), Am. ....	99	12-1037, Rep. ....	88
12-192 (Supp), Am. ....	99	12-1038, Rep. ....	88
12-344, Am. ....	88	12-1677, Am. ....	4
12-363 (Supp), Am. ....	88	12-16,124 (Supp), Am. ....	93
12-520 (Supp), Am. ....	91	12-1744a (Supp), Am. ....	100
12-520c, Am. ....	91	12-1744f (Supp), Rep. ....	100
12-1001, Rep. ....	88	12-1770a (Supp), Am. ....	4
12-1002, Rep. ....	88	12-1775a, Am. ....	4
12-1003, Rep. ....	88	12-1776a (Supp), Am. ....	4
12-1004, Rep. ....	88	12-3915 (Supp), Am. ....	99
12-1005, Rep. ....	88	12-4415 (Supp), Am. ....	76
12-1005a, Rep. ....	88	12-4516 (Supp), Am. ....	100
12-1005b, Rep. ....	88	12-4516 (Supp), Am. ....	71
12-1005c, Rep. ....	88	12-4516a (Supp), Am. ....	100
12-1005d, Rep. ....	88	12-4516b (Supp), Rep. ....	71
12-1005e, Rep. ....	88	12-4516b (Supp), Rep. ....	100
12-1005f, Rep. ....	88	12-4516c (Supp), Rep. ....	100
12-1005g, Rep. ....	88	12-5256 (Supp), Am. ....	104
12-1005h, Rep. ....	88	12-5909 (Supp), Am. ....	99
12-1005j, Rep. ....	88	13-1220, Am. ....	88
12-1005k, Rep. ....	88	13-1221, Am. ....	88
12-1005l, Rep. ....	88	16-311 (Supp), Am. ....	42
12-1006, Rep. ....	88	17-12a204, Am. ....	70
12-1007, Rep. ....	88	17-12a508 (Supp), Am. ....	70
12-1008, Rep. ....	88	17-12a601 (Supp), Am. ....	70
12-1009, Rep. ....	88	17-12a601a (Supp), Rep. ....	70
12-1010, Rep. ....	88	17-2263, Am. ....	42
12-1011, Rep. ....	88	17-2264 (Supp), Am. ....	42
12-1012, Rep. ....	88	17-5828, Am. ....	42
12-1013, Rep. ....	88	17-5829 (Supp), Am. ....	42
12-1014, Rep. ....	88	17-6601, Am. ....	65
12-1015, Rep. ....	88	17-6602, Am. ....	65
12-1017, Rep. ....	88	17-7002, Am. ....	65
12-1018, Rep. ....	88	17-7304, Rep. ....	65
12-1019, Rep. ....	88	17-7308, Rep. ....	65
12-1020, Rep. ....	88	17-7664 (Supp), Rep. ....	65
12-1021, Rep. ....	88	17-7666 (Supp), Rep. ....	65
12-1022, Rep. ....	88	17-7673 (Supp), Am. ....	100

# Statutes Repealed or Amended

2287

Kansas Statutes Annotated and Supplement	CHAP.	Kansas Statutes Annotated and Supplement	CHAP.
17-7673 (Supp), Am. ....	65	21-6403 (Supp), Am. ....	62
17-7673a (Supp), Rep. ....	65	21-6604 (Supp), Am. ....	96
17-7673a (Supp), Rep. ....	100	21-6604c (Supp), Rep. ....	96
17-7674 (Supp), Am. ....	65	21-6614 (Supp), Am. ....	71
17-7674 (Supp), Am. ....	100	21-6614 (Supp), Am. ....	81
17-7674a (Supp), Rep. ....	100	21-6614e (Supp), Rep. ....	81
17-7674a (Supp), Rep. ....	65	21-6614e (Supp), Rep. ....	71
17-7675 (Supp), Am. ....	65	21-6630 (Supp), Am. ....	76
17-7676 (Supp), Rep. ....	65	21-6804 (Supp), Am. ....	96
17-7677 (Supp), Am. ....	100	21-6810 (Supp), Am. ....	5
17-7677 (Supp), Am. ....	65	21-6811 (Supp), Am. ....	90
17-7677a (Supp), Rep. ....	65	21-6811 (Supp), Am. ....	5
17-7677a (Supp), Rep. ....	100	21-6815 (Supp), Am. ....	76
17-7678 (Supp), Rep. ....	65	21-6821 (Supp), Am. ....	54
17-7680 (Supp), Am. ....	65	22-2202, Am. ....	89
17-7681 (Supp), Am. ....	65	22-2410 (Supp), Am. ....	81
17-7683 (Supp), Rep. ....	65	22-2502 (Supp), Am. ....	90
17-76,121 (Supp), Rep. ....	65	22-2908 (Supp), Am. ....	76
17-76,121a (Supp), Rep. ....	65	22-3424 (Supp), Am. ....	94
17-76,122 (Supp), Rep. ....	65	22-3436 (Supp), Am. ....	94
17-76,123 (Supp), Rep. ....	65	22-3701 (Supp), Am. ....	94
17-76,124 (Supp), Rep. ....	65	22-3727 (Supp), Am. ....	94
17-76,125 (Supp), Rep. ....	65	22-3727a (Supp), Am. ....	94
17-76,127 (Supp), Rep. ....	65	22-4614 (Supp), Am. ....	94
17-76,128 (Supp), Am. ....	65	22-4701 (Supp), Am. ....	3
17-76,143 (Supp), Am. ....	65	22a-102, Am. ....	88
17-76,146 (Supp), Am. ....	65	23-2225 (Supp), Am. ....	94
17-7910 (Supp), Am. ....	65	23-2510 (Supp), Am. ....	81
17-7912 (Supp), Am. ....	65	23-3222 (Supp), Am. ....	94
17-7916 (Supp), Am. ....	65	23-36,101 (Supp), Am. ....	64
17-7918 (Supp), Am. ....	65	23-36,102 (Supp), Am. ....	64
17-7931 (Supp), Am. ....	65	23-36,103 (Supp), Am. ....	64
17-7932 (Supp), Am. ....	65	23-36,201 (Supp), Am. ....	64
17-7933 (Supp), Am. ....	65	23-36,202 (Supp), Am. ....	64
17-7934 (Supp), Am. ....	65	23-36,203 (Supp), Am. ....	64
17-7937 (Supp), Am. ....	65	23-36,204 (Supp), Am. ....	64
19-26,111, Am. ....	99	23-36,205 (Supp), Am. ....	64
19-2760, Am. ....	88	23-36,206 (Supp), Am. ....	64
19-2761, Am. ....	80	23-36,207 (Supp), Am. ....	64
19-2762, Rep. ....	88	23-36,208 (Supp), Am. ....	64
19-3505, Am. ....	88	23-36,209 (Supp), Am. ....	64
19-3507, Am. ....	88	23-36,301 (Supp), Am. ....	64
19-3610, Am. ....	99	23-36,303 (Supp), Am. ....	64
20-302b (Supp), Am. ....	53	23-36,304 (Supp), Am. ....	64
20-362 (Supp), Am. ....	81	23-36,305 (Supp), Am. ....	64
20-380a (Supp), Rep. ....	100	23-36,306 (Supp), Am. ....	64
20-3021 (Supp), Am. ....	81	23-36,307 (Supp), Am. ....	64
20-3127, Am. ....	53	23-36,308 (Supp), Am. ....	64
21-5413 (Supp), Am. ....	90	23-36,310 (Supp), Am. ....	64
21-5501 (Supp), Am. ....	94	23-36,311 (Supp), Am. ....	64
21-5712 (Supp), Am. ....	20	23-36,312 (Supp), Am. ....	64
21-5804 (Supp), Am. ....	96	23-36,313 (Supp), Am. ....	64
21-5813 (Supp), Am. ....	96	23-36,314 (Supp), Am. ....	64
21-5914 (Supp), Am. ....	16	23-36,316 (Supp), Am. ....	64
21-6110 (Supp), Am. ....	79	23-36,317 (Supp), Am. ....	64
21-6301 (Supp), Am. ....	16	23-36,318 (Supp), Am. ....	64
21-6302 (Supp), Am. ....	16	23-36,319 (Supp), Am. ....	64
21-6308 (Supp), Am. ....	16	23-36,401 (Supp), Am. ....	64
21-6309 (Supp), Am. ....	16	23-36,501 (Supp), Am. ....	64
21-6328 (Supp), Am. ....	94	23-36,502 (Supp), Am. ....	64

Kansas Statutes Annotated and Supplement	CHAP.	Kansas Statutes Annotated and Supplement	CHAP.
23-36,503 (Supp), Am. ....	64	25-2311 (Supp), Am. ....	88
23-36,504 (Supp), Am. ....	64	25-2409, Am. ....	87
23-36,505 (Supp), Am. ....	64	25-2416, Am. ....	87
23-36,506 (Supp), Am. ....	64	25-2423, Am. ....	87
23-36,507 (Supp), Am. ....	64	25-2431, Am. ....	87
23-36,601 (Supp), Am. ....	64	25-2502, Am. ....	88
23-36,602 (Supp), Am. ....	64	25-2507 (Supp), Am. ....	87
23-36,603 (Supp), Am. ....	64	25-2804, Am. ....	88
23-36,604 (Supp), Am. ....	64	25-2901, Am. ....	88
23-36,605 (Supp), Am. ....	64	25-3503, Am. ....	88
23-36,606 (Supp), Am. ....	64	25-3904 (Supp), Am. ....	88
23-36,607 (Supp), Am. ....	64	25-3904a (Supp), Am. ....	88
23-36,608 (Supp), Am. ....	64	25-3905, Am. ....	88
23-36,609 (Supp), Am. ....	64	25-4119f (Supp), Am. ....	85
23-36,610 (Supp), Am. ....	64	25-4145 (Supp), Am. ....	85
23-36,611 (Supp), Am. ....	64	25-4148a (Supp), Am. ....	85
23-36,612 (Supp), Am. ....	64	25-4153a (Supp), Am. ....	85
23-36,613 (Supp), Am. ....	64	25-4156 (Supp), Am. ....	85
23-36,701 (Supp), Am. ....	64	25-4157, Am. ....	85
23-36,801 (Supp), Am. ....	64	25-4157a (Supp), Am. ....	85
23-36,802 (Supp), Am. ....	64	25-4169a (Supp), Am. ....	85
23-36,901 (Supp), Am. ....	64	25-4173, Am. ....	85
23-36,902 (Supp), Am. ....	64	25-4501, Rep. ....	88
24-412 (Supp), Am. ....	88	28-170 (Supp), Am. ....	81
24-414 (Supp), Am. ....	88	28-172a (Supp), Am. ....	81
24-459 (Supp), Am. ....	88	28-177 (Supp), Am. ....	81
24-504, Am. ....	88	28-178 (Supp), Am. ....	81
24-506 (Supp), Am. ....	88	28-179 (Supp), Am. ....	81
25-205 (Supp), Am. ....	88	32-833 (Supp), Am. ....	19
25-209, Am. ....	88	32-1002 (Supp), Am. ....	16
25-210, Am. ....	88	32-1049a (Supp), Am. ....	81
25-212, Am. ....	88	38-2202 (Supp), Am. ....	94
25-213 (Supp), Am. ....	88	38-2215 (Supp), Am. ....	81
25-306b, Am. ....	88	38-2271 (Supp), Am. ....	94
25-610, Am. ....	88	38-2309 (Supp), Am. ....	94
25-611 (Supp), Am. ....	88	38-2310 (Supp), Rep. ....	94
25-618 (Supp), Am. ....	88	38-2310 (Supp), Am. ....	100
25-904, Am. ....	85	38-2310 (Supp), Rep. ....	100
25-1115, Am. ....	88	38-2310 (Supp), Am. ....	94
25-1122 (Supp), Am. ....	88	38-2312 (Supp), Am. ....	81
25-1128 (Supp), Am. ....	87	38-2314 (Supp), Am. ....	81
25-2006, Am. ....	88	38-2361 (Supp), Am. ....	32
25-2007, Am. ....	88	38-2366 (Supp), Am. ....	32
25-2010, Am. ....	88	38-2369 (Supp), Am. ....	32
25-2014, Am. ....	88	39-702 (Supp), Am. ....	42
25-2017, Am. ....	88	39-709 (Supp), Rep. ....	98
25-2017a, Am. ....	88	39-709 (Supp), Am. ....	42
25-2018, Am. ....	88	39-709 (Supp), Am. ....	38
25-2020 (Supp), Am. ....	88	39-709 (Supp), Am. ....	98
25-2022, Am. ....	88	39-709b, Am. ....	42
25-2023, Am. ....	88	39-709c (Supp), Am. ....	42
25-2102 (Supp), Am. ....	88	39-753 (Supp), Am. ....	42
25-2107, Am. ....	88	39-756a (Supp), Am. ....	42
25-2108a (Supp), Am. ....	88	39-7,101, Rep. ....	42
25-2109, Am. ....	88	39-7,102 (Supp), Rep. ....	42
25-2110 (Supp), Am. ....	88	39-7,103 (Supp), Rep. ....	42
25-2113, Am. ....	88	39-7,104 (Supp), Rep. ....	42
25-2115, Am. ....	88	39-7,105 (Supp), Rep. ....	42
25-2118, Am. ....	88	39-7,106, Rep. ....	42
25-2120, Am. ....	88	39-7,107, Rep. ....	42



# Statutes Repealed or Amended

2289

Kansas Statutes Annotated and Supplement	CHAP.	Kansas Statutes Annotated and Supplement	CHAP.
39-7,108 (Supp), Rep. ....	42	41-328 (Supp), Am. ....	82
39-7,109 (Supp), Rep. ....	42	41-351 (Supp), Am. ....	82
39-7,110, Rep. ....	42	41-709, Am. ....	82
39-7,119 (Supp), Am. ....	63	41-710 (Supp), Am. ....	82
39-7,120 (Supp), Am. ....	63	41-719 (Supp), Am. ....	82
39-7,121b (Supp), Am. ....	63	41-2609, Am. ....	82
39-7,122 (Supp), Rep. ....	42	41-2611 (Supp), Am. ....	82
39-7,160 (Supp), Am. ....	55	41-2623 (Supp), Am. ....	82
39-923 (Supp), Am. ....	56	41-2633a, Am. ....	82
39-970 (Supp), Am. ....	94	41-2640 (Supp), Am. ....	82
39-1605 (Supp), Am. ....	55	41-2643, Am. ....	82
40-223 (Supp), Am. ....	83	41-2645 (Supp), Am. ....	82
40-223j (Supp), Am. ....	24	42-706 (Supp), Am. ....	88
40-246c (Supp), Am. ....	83	44-314 (Supp), Am. ....	38
40-2,118 (Supp), Am. ....	45	44-704 (Supp), Am. ....	57
40-2,194 (Supp), Am. ....	83	44-706 (Supp), Am. ....	57
40-2a05, Am. ....	7	44-706 (Supp), Am. ....	94
40-2a12, Am. ....	7	44-709 (Supp), Am. ....	57
40-2a16, Am. ....	7	44-710a (Supp), Am. ....	57
40-2a25, Am. ....	7	44-714 (Supp), Am. ....	57
40-2a26, Am. ....	7	44-757 (Supp), Am. ....	57
40-2a27 (Supp), Am. ....	7	45-221 (Supp), Am. ....	68
40-2a28 (Supp), Am. ....	7	45-222 (Supp), Am. ....	68
40-2b04, Am. ....	7	45-223, Am. ....	68
40-2b05, Am. ....	7	45-228, Am. ....	68
40-2b09, Am. ....	7	45-229 (Supp), Am. ....	6
40-2b13, Am. ....	7	46-222, Am. ....	85
40-2b26, Am. ....	7	46-265 (Supp), Am. ....	85
40-2b27, Am. ....	7	46-268, Am. ....	85
40-2b28 (Supp), Am. ....	7	46-1103 (Supp), Am. ....	30
40-2b29 (Supp), Am. ....	7	46-1128, Am. ....	101
40-2c01 (Supp), Am. ....	24	46-1130 (Supp), Rep. ....	17
40-409 (Supp), Am. ....	10	46-1132 (Supp), Rep. ....	17
40-428 (Supp), Am. ....	10	46-1226 (Supp), Am. ....	17
40-1102, Am. ....	45	46-2201, Am. ....	77
40-19a11, Am. ....	45	46-3401 (Supp), Rep. ....	4
40-2127, Am. ....	83	46-3402 (Supp), Rep. ....	4
40-2203, Am. ....	45	47-815, Am. ....	61
40-22a13 (Supp), Am. ....	45	47-817, Am. ....	61
40-3118 (Supp), Am. ....	83	47-822 (Supp), Am. ....	61
40-3213 (Supp), Am. ....	98	47-829, Am. ....	61
40-3401 (Supp), Am. ....	45	47-830 (Supp), Am. ....	61
40-3414 (Supp), Am. ....	45	47-1718, Am. ....	61
40-4201, Am. ....	45	47-2101 (Supp), Am. ....	2
40-5701 (Supp), Rep. ....	83	48-517, Am. ....	76
40-5702 (Supp), Rep. ....	83	48-1603, Am. ....	35
40-5703 (Supp), Rep. ....	83	48-1620, Am. ....	35
40-5905 (Supp), Am. ....	97	48-2301, Am. ....	66
40-5906 (Supp), Am. ....	97	48-3406 (Supp), Am. ....	76
41-102 (Supp), Am. ....	82	50-6,109 (Supp), Am. ....	96
41-106, Am. ....	82	50-6,110 (Supp), Am. ....	96
41-306 (Supp), Am. ....	82	50-6,111 (Supp), Am. ....	96
41-306a (Supp), Am. ....	82	50-6,112 (Supp), Rep. ....	96
41-307 (Supp), Am. ....	82	50-6,112a (Supp), Am. ....	96
41-311 (Supp), Am. ....	82	50-6,112b (Supp), Am. ....	96
41-314, Rep. ....	82	50-6,112c (Supp), Am. ....	96
41-319 (Supp), Am. ....	82	50-6,122 (Supp), Am. ....	31
41-320 (Supp), Am. ....	82	50-6a02, Am. ....	79
41-321, Am. ....	82	50-6a04 (Supp), Am. ....	79
41-326 (Supp), Am. ....	82	50-6a07 (Supp), Am. ....	79

Kansas Statutes Annotated and Supplement	CHAP.	Kansas Statutes Annotated and Supplement	CHAP.
50-6a10 (Supp), Am. ....	79	65-2857, Am. ....	46
50-6a11 (Supp), Am. ....	79	65-2860, Am. ....	46
50-6a16 (Supp), Am. ....	79	65-2895 (Supp), Am. ....	100
55-155 (Supp), Am. ....	44	65-2895 (Supp), Rep. ....	100
55-193 (Supp), Am. ....	104	65-2895 (Supp), Am. ....	46
55-193 (Supp), Am. ....	44	65-28,127 (Supp), Am. ....	46
56-1a152, Am. ....	65	65-28a02, Am. ....	46
56-1a153, Am. ....	65	65-28a03 (Supp), Am. ....	46
56-1a156 (Supp), Rep. ....	65	65-28a08, Am. ....	46
56-1a508, Rep. ....	65	65-3031 (Supp), Am. ....	74
58-3046a (Supp), Am. ....	21	65-3407c (Supp), Am. ....	35
58-3050 (Supp), Am. ....	21	65-34,117 (Supp), Am. ....	26
58-3062 (Supp), Am. ....	21	65-34,119, Am. ....	26
58-3063 (Supp), Am. ....	21	65-34,131 (Supp), Am. ....	26
58-30,103 (Supp), Am. ....	21	65-34,167, Am. ....	29
58-30,106, Am. ....	21	65-34,168, Am. ....	29
59-104 (Supp), Am. ....	81	65-34,169, Am. ....	29
59-1301, Am. ....	42	65-34,170, Rep. ....	29
59-2132 (Supp), Am. ....	94	65-4101 (Supp), Am. ....	46
59-2222 (Supp), Am. ....	42	65-4105 (Supp), Am. ....	27
59-2247 (Supp), Am. ....	42	65-4107 (Supp), Am. ....	27
59-2401a (Supp), Am. ....	95	65-4109 (Supp), Am. ....	27
59-2801 (Supp), Am. ....	42	65-4111 (Supp), Am. ....	27
59-29a01, Am. ....	95	65-4941, Am. ....	46
59-29a03, Am. ....	95	65-4942, Am. ....	46
59-29a04 (Supp), Am. ....	95	65-5117 (Supp), Am. ....	94
59-29a04a (Supp), Am. ....	95	65-6233 (Supp), Am. ....	56
59-29a05 (Supp), Am. ....	95	65-6824 (Supp), Am. ....	46
59-29a06 (Supp), Am. ....	95	66-1,109 (Supp), Am. ....	9
59-29a07 (Supp), Am. ....	95	66-1,129 (Supp), Am. ....	9
59-29a08 (Supp), Am. ....	95	66-1,142b (Supp), Am. ....	13
59-29a10, Am. ....	95	66-1256 (Supp), Am. ....	75
59-29a11 (Supp), Am. ....	95	66-1257 (Supp), Am. ....	75
59-29a14 (Supp), Am. ....	94	66-1258 (Supp), Rep. ....	75
59-29a18, Rep. ....	95	66-1259 (Supp), Am. ....	75
59-29a22 (Supp), Am. ....	95	66-1260 (Supp), Rep. ....	75
59-29a23 (Supp), Am. ....	95	66-1261 (Supp), Rep. ....	75
59-29a24 (Supp), Am. ....	56	66-1262 (Supp), Rep. ....	75
59-29a24 (Supp), Am. ....	95	68-1034, Am. ....	40
59-3086 (Supp), Am. ....	42	68-10,106 (Supp), Am. ....	40
59-3504, Am. ....	42	68-1111, Rep. ....	40
60-256 (Supp), Am. ....	81	68-2003 (Supp), Am. ....	8
60-455 (Supp), Am. ....	94	68-2015, Am. ....	8
60-729 (Supp), Am. ....	81	68-2021 (Supp), Am. ....	8
60-2001 (Supp), Am. ....	81	68-2021a (Supp), Am. ....	8
60-2003 (Supp), Am. ....	53	68-2320 (Supp), Am. ....	104
60-2203a (Supp), Am. ....	81	71-1408, Am. ....	88
60-2403 (Supp), Am. ....	53	71-1412, Am. ....	88
60-3351 (Supp), Am. ....	6	71-1413, Am. ....	88
60-5001 (Supp), Am. ....	94	71-1414, Am. ....	88
61-2704 (Supp), Am. ....	81	71-1417, Rep. ....	88
61-4001 (Supp), Am. ....	81	71-1419, Am. ....	88
65-171d (Supp), Am. ....	35	72-978 (Supp), Am. ....	4
65-409 (Supp), Am. ....	81	72-1046b (Supp), Am. ....	92
65-4a10 (Supp), Am. ....	84	72-1046b (Supp), Am. ....	4
65-1626 (Supp), Am. ....	46	72-1397 (Supp), Am. ....	94
65-2809 (Supp), Am. ....	46	72-1398 (Supp), Am. ....	4
65-2811a, Am. ....	46	72-1414, Am. ....	4
65-2836 (Supp), Am. ....	46	72-1923 (Supp), Am. ....	4
65-2852, Am. ....	46	72-3607 (Supp), Am. ....	4

# Statutes Repealed or Amended

2291

Kansas Statutes Annotated and Supplement	CHAP.	Kansas Statutes Annotated and Supplement	CHAP.
72-3711 (Supp), Am. ....	4	72-6449 (Supp), Rep. ....	4
72-3712 (Supp), Am. ....	4	72-6450 (Supp), Rep. ....	4
72-3715 (Supp), Am. ....	92	72-6451 (Supp), Rep. ....	4
72-3715 (Supp), Am. ....	4	72-6452 (Supp), Rep. ....	4
72-3716 (Supp), Rep. ....	4	72-6453 (Supp), Rep. ....	4
72-5333b (Supp), Am. ....	4	72-6455 (Supp), Rep. ....	4
72-5413 (Supp), Am. ....	92	72-6456 (Supp), Rep. ....	4
72-5423, Am. ....	92	72-6457 (Supp), Rep. ....	4
72-6405 (Supp), Rep. ....	4	72-6458 (Supp), Rep. ....	4
72-6406, Rep. ....	4	72-6460 (Supp), Rep. ....	4
72-6407 (Supp), Rep. ....	4	72-6460 (Supp), Am. ....	4
72-6408, Rep. ....	4	72-6461 (Supp), Rep. ....	4
72-6409 (Supp), Rep. ....	4	72-64b01 (Supp), Am. ....	4
72-6410 (Supp), Rep. ....	4	72-64c03 (Supp), Am. ....	4
72-6411, Rep. ....	4	72-64c05 (Supp), Am. ....	4
72-6412 (Supp), Rep. ....	4	72-6622, Am. ....	4
72-6413 (Supp), Rep. ....	4	72-6624 (Supp), Am. ....	4
72-6414 (Supp), Rep. ....	4	72-6625 (Supp), Am. ....	4
72-6414a (Supp), Rep. ....	4	72-6757, Am. ....	4
72-6414b (Supp), Rep. ....	4	72-6760f (Supp), Am. ....	11
72-6415, Rep. ....	4	72-67,115 (Supp), Am. ....	4
72-6415b (Supp), Rep. ....	4	72-7535 (Supp), Am. ....	4
72-6416 (Supp), Rep. ....	4	72-8008, Am. ....	88
72-6417 (Supp), Rep. ....	4	72-8187 (Supp), Am. ....	4
72-6418, Rep. ....	4	72-8190, Am. ....	4
72-6419, Rep. ....	4	72-8230, Am. ....	4
72-6420 (Supp), Rep. ....	4	72-8233, Am. ....	4
72-6421 (Supp), Rep. ....	4	72-8236, Am. ....	4
72-6423 (Supp), Rep. ....	4	72-8237 (Supp), Am. ....	4
72-6424, Rep. ....	4	72-8249 (Supp), Am. ....	4
72-6425 (Supp), Rep. ....	4	72-8250 (Supp), Am. ....	4
72-6426 (Supp), Rep. ....	4	72-8251 (Supp), Am. ....	4
72-6427, Rep. ....	4	72-8252 (Supp), Am. ....	46
72-6428 (Supp), Rep. ....	4	72-8302 (Supp), Am. ....	4
72-6429, Rep. ....	4	72-8309, Am. ....	4
72-6430 (Supp), Rep. ....	4	72-8316 (Supp), Am. ....	4
72-6431 (Supp), Rep. ....	4	72-8415b (Supp), Am. ....	4
72-6432, Rep. ....	4	72-8801 (Supp), Am. ....	4
72-6433 (Supp), Rep. ....	4	72-8801a (Supp), Rep. ....	4
72-6433d (Supp), Rep. ....	4	72-8804 (Supp), Am. ....	4
72-6434 (Supp), Am. ....	92	72-8814 (Supp), Rep. ....	92
72-6434 (Supp), Rep. ....	92	72-8814 (Supp), Rep. ....	4
72-6434 (Supp), Am. ....	4	72-8814 (Supp), Am. ....	92
72-6434 (Supp), Rep. ....	4	72-8814 (Supp), Am. ....	4
72-6434b (Supp), Rep. ....	4	72-8814 (Supp), Am. ....	1
72-6435 (Supp), Rep. ....	4	72-8814b (Supp), Rep. ....	4
72-6436, Rep. ....	4	72-8815 (Supp), Rep. ....	4
72-6437, Rep. ....	4	72-8908, Am. ....	4
72-6438 (Supp), Rep. ....	4	72-9509 (Supp), Am. ....	4
72-6439 (Supp), Rep. ....	4	72-9609 (Supp), Am. ....	4
72-6439a (Supp), Rep. ....	4	72-99a02 (Supp), Am. ....	4
72-6441 (Supp), Rep. ....	4	72-99a02 (Supp), Am. ....	99
72-6441a (Supp), Rep. ....	4	72-99a03 (Supp), Am. ....	99
72-6442b (Supp), Rep. ....	4	72-99a04 (Supp), Am. ....	99
72-6443 (Supp), Rep. ....	4	74-5,133 (Supp), Am. ....	37
72-6444, Rep. ....	4	74-2433 (Supp), Am. ....	51
72-6445a (Supp), Rep. ....	4	74-2433f (Supp), Am. ....	51
72-6446, Rep. ....	4	74-2434 (Supp), Am. ....	51
72-6447, Rep. ....	4	74-32,141 (Supp), Am. ....	4
72-6448 (Supp), Rep. ....	4	74-4911f (Supp), Am. ....	100

Kansas Statutes Annotated and Supplement	CHAP.	Kansas Statutes Annotated and Supplement	CHAP.
74-4911j (Supp), Rep. ....	100	75-5291 (Supp), Am. ....	54
74-4914 (Supp), Am. ....	77	75-5308d, Am. ....	56
74-4914d (Supp), Am. ....	39	75-5364, Rep. ....	42
74-4914d (Supp), Am. ....	100	75-53,105 (Supp), Am. ....	56
74-4914d (Supp), Rep. ....	100	75-6102 (Supp), Am. ....	50
74-4914d (Supp), Am. ....	1	75-6202 (Supp), Am. ....	53
74-4920 (Supp), Am. ....	100	75-6204 (Supp), Am. ....	53
74-4920 (Supp), Am. ....	1	75-6209, Am. ....	53
74-4920 (Supp), Am. ....	39	75-6210 (Supp), Am. ....	53
74-4920 (Supp), Rep. ....	100	75-6524 (Supp), Am. ....	56
74-4937 (Supp), Am. ....	77	75-6702 (Supp), Am. ....	104
74-4939a (Supp), Am. ....	4	76-4,112 (Supp), Am. ....	61
74-4952 (Supp), Am. ....	41	76-715a (Supp), Am. ....	92
74-50,107 (Supp), Am. ....	1	76-715b (Supp), Am. ....	92
74-50,107 (Supp), Am. ....	104	76-729 (Supp), Am. ....	76
74-50,208 (Supp), Am. ....	99	76-775 (Supp), Am. ....	104
74-50,223 (Supp), Am. ....	99	76-783 (Supp), Am. ....	104
74-5616 (Supp), Am. ....	89	76-7,107 (Supp), Am. ....	104
74-5622 (Supp), Am. ....	89	76-7,131 (Supp), Am. ....	11
74-7003 (Supp), Am. ....	78	76-7,132 (Supp), Am. ....	11
74-7305 (Supp), Am. ....	94	76-11a13 (Supp), Am. ....	94
74-7336 (Supp), Am. ....	59	76-12a24, Am. ....	56
74-8704, Am. ....	62	76-1936 (Supp), Am. ....	100
74-8718, Am. ....	62	76-1936a (Supp), Rep. ....	100
74-8720, Am. ....	62	77-603 (Supp), Am. ....	95
74-8925 (Supp), Am. ....	4	79-201 (Supp), Am. ....	75
74-8963 (Supp), Am. ....	104	79-201x (Supp), Am. ....	4
74-99b34 (Supp), Am. ....	104	79-213 (Supp), Am. ....	4
74-99b34a (Supp), Rep. ....	104	79-213f (Supp), Rep. ....	4
74-99b34a (Supp), Rep. ....	100	79-223 (Supp), Am. ....	75
74-99b43 (Supp), Am. ....	4	79-5a01 (Supp), Am. ....	75
75-452 (Supp), Am. ....	94	79-1609 (Supp), Am. ....	100
75-719 (Supp), Am. ....	53	79-1609a (Supp), Rep. ....	100
75-7c01 (Supp), Am. ....	16	79-1703 (Supp), Am. ....	100
75-7c03 (Supp), Am. ....	16	79-1703a (Supp), Rep. ....	100
75-7c04 (Supp), Am. ....	16	79-2001, Am. ....	4
75-7c04 (Supp), Am. ....	93	79-2925b (Supp), Rep. ....	105
75-7c05 (Supp), Am. ....	16	79-2925b (Supp), Am. ....	4
75-7c10 (Supp), Am. ....	16	79-2925b (Supp), Am. ....	102
75-7c17 (Supp), Am. ....	16	79-2925b (Supp), Am. ....	99
75-7c19 (Supp), Rep. ....	16	79-2925b (Supp), Am. ....	105
75-7c20 (Supp), Am. ....	16	79-2959 (Supp), Am. ....	104
75-7c21 (Supp), Am. ....	16	79-2964 (Supp), Am. ....	104
75-1253 (Supp), Am. ....	73	79-32,110 (Supp), Am. ....	99
75-2319 (Supp), Am. ....	92	79-32,110 (Supp), Am. ....	102
75-2319 (Supp), Am. ....	4	79-32,117 (Supp), Am. ....	99
75-2935 (Supp), Am. ....	52	79-32,120 (Supp), Am. ....	99
75-3747 (Supp), Am. ....	86	79-32,265 (Supp), Am. ....	99
75-37,121 (Supp), Am. ....	100	79-32,267 (Supp), Am. ....	99
75-37,121b (Supp), Rep. ....	100	79-32,269 (Supp), Am. ....	102
75-37,143 (Supp), Am. ....	11	79-32,269 (Supp), Am. ....	99
75-37,144 (Supp), Am. ....	11	79-32,270 (Supp), Rep. ....	99
75-37,145 (Supp), Am. ....	11	79-3310 (Supp), Am. ....	99
75-4317a (Supp), Am. ....	68	79-3310c (Supp), Am. ....	99
75-4318 (Supp), Am. ....	68	79-3311 (Supp), Am. ....	99
75-4319 (Supp), Am. ....	68	79-3312 (Supp), Am. ....	99
75-4320 (Supp), Am. ....	68	79-3425i (Supp), Am. ....	104
75-4320a, Am. ....	68	79-34,156 (Supp), Am. ....	104
75-4320b (Supp), Am. ....	68	79-34,171 (Supp), Am. ....	104
75-5133 (Supp), Am. ....	79	79-3602 (Supp), Am. ....	102

# Statutes Repealed or Amended

2293

Kansas Statutes Annotated and Supplement	CHAP.	Kansas Statutes Annotated and Supplement	CHAP.
79-3602 (Supp), Am. ....	99	79-4708 (Supp), Rep. ....	62
79-3603 (Supp), Am. ....	99	79-4710 (Supp), Rep. ....	62
79-3603 (Supp), Am. ....	102	79-4711 (Supp), Rep. ....	62
79-3603 (Supp), Am. ....	62	79-4712a (Supp), Rep. ....	62
79-3606 (Supp), Am. ....	102	79-4713 (Supp), Rep. ....	62
79-3606 (Supp), Am. ....	99	79-4715, Rep. ....	62
79-3620 (Supp), Am. ....	102	79-4716 (Supp), Rep. ....	62
79-3620 (Supp), Am. ....	99	79-4717 (Supp), Rep. ....	62
79-3695 (Supp), Am. ....	99	79-4718 (Supp), Rep. ....	62
79-3703 (Supp), Am. ....	102	79-4719 (Supp), Rep. ....	62
79-3703 (Supp), Am. ....	99	79-4804 (Supp), Am. ....	104
79-3710 (Supp), Am. ....	99	79-5105, Am. ....	4
79-3710 (Supp), Am. ....	102	79-5108, Am. ....	99
79-4701 (Supp), Rep. ....	62	80-2508, Am. ....	88
79-4701a (Supp), Rep. ....	62	82a-706b, Am. ....	60
79-4702, Rep. ....	62	82a-708c (Supp), Am. ....	60
79-4703 (Supp), Rep. ....	62	82a-736 (Supp), Am. ....	60
79-4704 (Supp), Rep. ....	62	82a-953a (Supp), Am. ....	104
79-4705 (Supp), Rep. ....	62	82a-1041 (Supp), Am. ....	60
79-4705a (Supp), Rep. ....	62	82a-1604 (Supp), Am. ....	60
79-4706 (Supp), Rep. ....	62	82a-1605 (Supp), Am. ....	60
79-4707 (Supp), Rep. ....	62	82a-1606 (Supp), Am. ....	60