

STATE OF KANSAS

2020 SESSION LAWS OF KANSAS

INCLUDES 2020 SPECIAL SESSION

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

PASSED DURING THE 2020 REGULAR SESSION AND
THE 2020 SPECIAL SESSION OF THE LEGISLATURE OF
THE STATE OF KANSAS

Date of Publication of this Volume
July 1, 2020

Publisher's Note:

This volume consists of two separate sections. The first section contains information from the 2020 Session of the Kansas Legislature. The second section contains information from the 2020 Special Session of the Kansas Legislature. A separate index was compiled for each session.

AUTHENTICATION

STATE OF KANSAS OFFICE OF SECRETARY OF STATE

I, Scott Schwab, Secretary of State of the state of Kansas, do hereby certify that the printed acts contained in this volume are true and correct copies of enrolled laws or resolutions which were passed during the 2020 regular session of the Legislature of the State of Kansas, begun on the 13th day of January, AD 2020, and concluded on the 21st day of May, AD 2020; and I further certify that all laws contained in this volume which took effect and went into force on and after publication in the *Kansas Register* were so published (on the date thereto annexed) as provided by law; and I further certify that all laws contained in this volume will take effect and be in force on and after the 1st day of July, AD 2020, except when otherwise provided.

Given under my hand and seal this 1st day of July, AD 2020.

(SEAL)

SCOTT SCHWAB
Secretary of State

AUTHENTICATION

STATE OF KANSAS OFFICE OF SECRETARY OF STATE

I, Scott Schwab, Secretary of State of the state of Kansas, do hereby certify that the printed acts contained in this volume are true and correct copies of enrolled laws or resolutions which were passed during the 2020 special session of the Legislature of the State of Kansas, begun on the 3rd day of June, AD 2020, and concluded on the 4th day of June, AD 2020.

Given under my hand and seal this 1st day of July, AD 2020.

(SEAL)

SCOTT SCHWAB
Secretary of State

EXPLANATORY NOTES

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

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

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

Approval and publication dates are included.

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

NOTICE

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

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ELECTIVE STATE OFFICERS

<i>Office</i>	<i>Name</i>	<i>Residence</i>	<i>Party</i>
Governor	Laura Kelly	Topeka	Dem.
Lieutenant Governor	Lynn W. Rogers	Wichita	Dem.
Secretary of State	Scott Schwab	Olathe	Rep.
State Treasurer	Jacob LaTurner	Pittsburg	Rep.
Attorney General.....	Derek Schmidt	Independence	Rep.
Commissioner of Insurance.....	Vicki Schmidt	Topeka	Rep.

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<i>Dist.</i>	<i>Name and residence</i>	<i>Dist.</i>	<i>Name and residence</i>
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2	Steve Roberts , Overland Park	7	Ben Jones , Sterling
3	Michelle Dombrosky , Olathe	8	Kathy Busch , Wichita
4	Ann E. Mah , Topeka	9	Jim Porter , Fredonia
5	Jean Clifford , Garden City	10	Jim, McNiece , Wichita

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<i>Name and residence</i>	<i>Party</i>	<i>Term</i>
Pat Roberts , Dodge City	Republican.....	term expires Jan. 3, 2021
Jerry Moran , Hays	Republican.....	term expires Jan. 3, 2023

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(Terms expire January 3, 2023)

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Second.....	Steve Watkins	Topeka.....	Rep.
Third.....	Sharice Davids	Overland Park	Dem.
Fourth.....	Ron Estes	Wichita	Rep.

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<i>Name and residence</i>	<i>Party</i>	<i>Dist.</i>
Alley, Larry , 517 Quail Nest Rd., Winfield 67156.....	Rep.	32
Baumgardner, Molly , 29467 Masters Ct., Louisburg 66053.....	Rep.	37
Berger, Edward E. , 2501 Briarwood, Hutchinson 67502	Rep.	34
Billinger, Richard (Rick) , Box 594, Goodland 67735.....	Rep.	40
Bollier, Barbara , 6910 Overhill Rd., Mission Hills 66208.....	Dem.	7
Bowers, Elaine , 1326 N. 150th Rd., Concordia 66901.....	Rep.	36
Braun, Kevin , 4315 N. 110th Terr., Kansas City 66109.....	Rep.	5
Denning, Jim , 8416 W. 115th St., Overland Park 66210	Rep.	8
Doll, John , 2927 Cliff Pl., Garden City 67846.....	Rep.	39
Estes, Bud , 1405 Elbow Bend, Dodge City 67801	Rep.	38
Faust Goudeau, Oletha , PO Box 20335, Wichita 67208.....	Dem.	29
Francisco, Marci , 1101 Ohio, Lawrence 66044.....	Dem.	2
Givens, Bruce , 1525 Country Club Rd., El Dorado 67042	Rep.	14
Goddard, Dan , 3420 Mosher Rd., Parsons 67357.....	Rep.	15
Haley, David , 936 Cleveland Ave., Kansas City 66101.....	Dem.	4
Hardy, Randall , 816 Highland Ave., Salina 67401	Rep.	24
Hawk, Tom , 2600 Woodhaven Ct., Manhattan 66502.....	Dem.	22
Hensley, Anthony , 4240 SE Wisconsin Ave., Topeka 66609.....	Dem.	19
Hilderbrand, Richard , 10337 SE 107th Terr., Galena 66739.....	Rep.	13
Holland, Tom , 961 E. 1600 Rd., Baldwin City 66006	Dem.	3
Kerschen, Dan , 645 S. 263 West, Garden Plain 67050.....	Rep.	26
Longbine, Jeff , 2801 Lakeridge Rd., Emporia 66801	Rep.	17
Lynn, Julia , 18837 W. 115th Terr., Olathe 66061	Rep.	9
Masterson, Ty , 1539 Phyllis Ln., Andover 67002.....	Rep.	16
McGinn, Carolyn , PO Box A, Sedgwick 67135	Rep.	31
Miller, Vic , 1174 SW Fillmore, Topeka 66604.....	Dem.	18
Olson, Rob , 15944 S. Clairborne St., Olathe 66062.....	Rep.	23
Petersen, Mike , 2608 S. Southeast Dr., Wichita 67216	Rep.	28
Petty, Pat , 5316 Lakewood St., Kansas City 66106.....	Dem.	6
Pyle, Dennis , 2979 Kingfisher Rd., Hiawatha 66434	Rep.	1
Rucker, Eric , 7061 SW Queens Ct., Topeka 66614	Rep.	20
Skubal, John , 6503 W. 134th Terr., Overland Park 66209.....	Rep.	11
Suellentrop, Gene , 6813 W. Northwind Cir., Wichita 67205.....	Rep.	27
Sykes, Dinah H. , 10227 Theden Cir., Lenexa 66220	Dem.	21
Taylor, Mary Jo , 114 N. Union, Stafford 67578	Rep.	33
*Thompson, Mike , Shawnee 66216	Rep.	10
Tyson, Caryn , PO Box 191, Parker 66072	Rep.	12
Wagle, Susan , 4 N. Sagebrush St., Wichita 67230	Rep.	30
Ware, Mary , 1444 N. Perry, Wichita 67203.....	Dem.	25
Wilborn, Richard E. , 1504 Heritage Pl., McPherson 67460	Rep.	35

*Mike Thompson sworn in January 21, 2020 to replace Mary Pilcher-Cook

HOUSE OF REPRESENTATIVES

<i>Name and residence</i>	<i>Party</i>	<i>Dist.</i>
Alcala, John , 520 NE Lake St., Topeka 66616.....	Dem.	57
Amyx, Mike , 501 Lawrence Ave., Lawrence 66049.....	Dem.	45
Arnberger, Tory Marie , PO Box 103, Great Bend 67530.....	Rep.	112
Awerkamp, Francis , 807 W. Linn St., St. Marys 66536	Rep.	61
Baker, Dave , 278 Lake Rd., Council Grove 66846.....	Rep.	68
Ballard, Barbara W. , 1532 Alvamar Dr., Lawrence 66047.....	Dem.	44
Barker, John E. , 103 Wassinger Ave., Abilene 67410.....	Rep.	70
*Benson, David , 13901 Hemlock St., Overland Park 66223	Dem.	48
Bergquist, Emil , 6430 N. Hydraulic, Park City 67219.....	Rep.	91
Bishop, Elizabeth , 8518 E. Longlake St., Wichita 67207	Dem.	88
Blex, Doug , 3131 CR 2600, Independence 67301.....	Rep.	12
Burris, Jesse , 1545 E. 119th St., Mulvane 67110	Rep.	82
Burroughs, Tom , 3131 S. 73rd Terr., Kansas City 66106.....	Dem.	33
Capps, Michael , 10202 E. Bronco St., Wichita 67206	Rep.	85
Carlin, Sydney , 1650 Sunnyslope Ln., Manhattan 66502.....	Dem.	66
Carlson, Suzi , 1741 Berglund Dr., Clay Center 67432	Rep.	64
Carmichael, John , 1475 N. Lieunett, Wichita 67203	Dem.	92
Carpenter, Blake , PO Box 350, Derby 67037.....	Rep.	81
Carpenter, Will , 6965 SW 18th, El Dorado 67042.....	Rep.	75
Claeys, J.R. , 2157 Redhawk Ln., Salina 67401	Rep.	69
Clark, Lonnie G. , 1221 Country Club Ln., Junction City 66441	Rep.	65
Clayton, Stephanie Sawyer , 9825 Woodson Dr., Overland Park 66207	Dem.	19
Collins, Ken , 102 E. 1st St., Mulberry 66756.....	Rep.	2
Concannon, Susan , 921 N. Mill St., Beloit 67420	Rep.	107
Corbet, Ken , 10351 SW 61st St., Topeka 66610	Rep.	54
Cox, Tom , 13510 W. 72nd St., Shawnee 66216.....	Rep.	17
Croft, Chris , 8909 W. 148th Terr., Overland Park 66221	Rep.	8
Curtis, Pam , 322 N. 16th St., Kansas City 66102.....	Dem.	32
Delperdang, Leo G. , 2103 N. Pintail St., Wichita 67235	Rep.	94
Dierks, Diana , 1221 Sunrise Dr., Salina 67401.....	Rep.	71
Dietrich, Brenda S. , 6110 SW 38th Terr., Topeka 66610.....	Rep.	52
Donohoe, Owen , 6265 Arapahoe St., Shawnee 66226.....	Rep.	39
Dove, Willie , 14715 Timber Ln., Bonner Springs 66012.....	Rep.	38
Ellis, Ronald B. , 9199 K-4 Highway, Meriden 66512.....	Rep.	47
Eplee, John R. , 163 Deer Run, Atchison 66002	Rep.	63
Erickson, Renee , 26 N. Cypress Dr., Wichita 67206.....	Rep.	87
Esau, Charlotte , 11702 S. Winchester St., Olathe 66061.....	Rep.	14
Finch, Blaine , 5 SW Fairview Dr., Ottawa 66067	Rep.	59
Finney, Gail , 1754 N. Madison Ave., Wichita 67214	Dem.	84
Francis, Shannon , 1501 Tucker Ct., Liberal 67901	Rep.	125
French, David , 950 Holiday Dr., Lansing 66043.....	Rep.	40
Frownfelter, Stan S. , 5225 Crest Dr., Kansas City 66106.....	Dem.	37
Garber, Randy , 2424 Timberline Terr., Sabetha 66534	Rep.	62
Gartner, Jim , 928 SW Woodbridge Ct., Topeka 66606	Dem.	53
Hawkins, Daniel , 9406 Harvest Ln., Wichita 67212	Rep.	100
Helgerson, Henry , 12 E. Peach Tree Ln., Eastborough 67207	Dem.	83
Helmer, Cheryl , 1066 E. 130th Avenue North, Mulvane 67110.....	Rep.	79

<i>Name and residence</i>	<i>Party</i>	<i>Dist.</i>
Henderson, Broderick , 2710 N. 8th St., Kansas City 66101	Dem.	35
Highberger, Dennis (Boog) , 1024 New York, Lawrence 66044	Dem.	46
Highland, Ron , 27487 Wells Creek Rd., Wamego 66547	Rep.	51
Hineman, Don , 116 S. Longhorn Rd., Dighton 67839	Rep.	118
Hodge, Tim , 2727 N. Main, North Newton 67117	Dem.	72
Hoffman, Kyle D. , 1318 Avenue T, Coldwater 67029	Rep.	116
Hoheisel, Nick J. , 3130 S. Richmond, Wichita 67217	Rep.	97
Holscher, Cindy , 12345 Westgate St., Overland Park 66213	Dem.	16
Horn, Eileen , 2121 Vermont St., Lawrence 66046	Dem.	10
Houser, Michael , 6891 SW 10th St., Columbus 66725	Rep.	1
Howard, Ron , 2719 E. Timberlane St., Wichita 67216	Rep.	98
Huebert, Steve , 619 N. Birch, Valley Center 67147	Rep.	90
Humphries, Susan , 8 Sagebrush St., Wichita 67230	Rep.	99
Jacobs, Trevor , 1927 Locust Rd., Fort Scott 66701	Rep.	4
Jennings, J. Russell , PO Box 295, Lakin 67860	Rep.	122
Johnson, Steven C. , 10197 S. Hopkins Rd., Assaria 67416	Rep.	108
Karleskint, Jim , 24542 Cantrell Rd., Tonganoxie 66086	Rep.	42
Kelly, Jim , 309 S. 5th St., Independence 67301	Rep.	11
Kessinger, Jan H. , 12605 Walmer St., Overland Park 66209	Rep.	20
Kuether, Annie , 1346 SW Wayne Ave., Topeka 66604	Dem.	55
Landwehr, Brenda K. , 2611 N. Bayside Ct., Wichita 67205	Rep.	105
Long, Martin , 817 N. Joyce St., Ulysses 67880	Rep.	124
Lusk, Nancy , 7700 W. 83rd St., Overland Park 66204	Dem.	22
Lynn, Megan , 14430 W. 139th Pl., Olathe 66063	Rep.	49
Mason, Les , 108 Arcadian Ct., McPherson 67460	Rep.	73
Mastroni, Leonard A. , 102 Fairway Dr., La Crosse 67548	Rep.	117
Moore, J.C. (Jesse C.) , 717 W. 49th St., Haysville 67060	Rep.	93
Murnan, Monica , 1313 Mallory Ct., Pittsburg 66762	Dem.	3
Neighbor, Cindy , 10405 W. 52nd Terr., Shawnee 66203	Dem.	18
Newland, Joe , 6395 Trego Rd., Neodesha 66757	Rep.	13
Ohaebosim, KC , PO Box 21271, Wichita 67208	Dem.	89
Orr, Boyd , 30111 H Rd., Fowler 67844	Rep.	115
Ousley, Jarrod , 6800 Farley St., Merriam 66203	Dem.	24
Owens, Stephen , PO Box 606, Hesston 67062	Rep.	74
Pannbacker, Bill , 210 E. College, Washington 66968	Rep.	106
Parker, Brett , 8323 W. 108th St., Apt. F, Overland Park 66210	Dem.	29
Patton, Fred C. , 339 NE 46th, Topeka 66617	Rep.	50
Phillips, Tom , 1530 Barrington Dr., Manhattan 66503	Rep.	67
Pittman, Jeff , 1108 S. Broadway, Leavenworth 66048	Dem.	41
Probst, Jason , PO Box 3262, Hutchinson 67504	Dem.	102
Proehl, Rich , 510 Pine Ridge Rd., Parsons 67357	Rep.	7
Rahjes, Ken , 1798 E. 900 Rd., Agra 67621	Rep.	110
Ralph, Brad , 103A Corral Way, Dodge City 67801	Rep.	119
Resman, John , 434 N. Persimmon Dr., Olathe 66061	Rep.	121
Rhiley Sr., Bill , Wellington 67152	Rep.	80
Ruiz, Louis E. , 2914 W. 46th Ave., Kansas City 66103	Dem.	31
Ruiz, Susan , 7306 Bond St., Shawnee 66203	Dem.	23
Ryckman Jr., Ron , 14234 W. 158th St., Olathe 66062	Rep.	78
Samsel, Mark , 508 E. 4th St., Wellsville 66092	Rep.	5

<i>Name and residence</i>	<i>Party</i>	<i>Dist.</i>
Sawyer, Tom , 1041 S. Elizabeth St., Wichita 67213.....	Dem.	95
Schreiber, Mark , 1722 Yucca Ln., Emporia 66801.....	Rep.	60
Seiwert, Joe , 1111 E. Boundary Rd., Pretty Prairie 67570.....	Rep.	101
Smith, Adam , 1970 Road 3, Weskan 67762.....	Rep.	120
Smith, Eric L. , 627 Kennebec St., Burlington 66839.....	Rep.	76
Stogsdill, Jerry W. , 4414 Tomahawk Rd., Prairie Village 66208.....	Dem.	21
Straub, Alicia , 401 S. Kennedy Ave., Ellinwood 67526.....	Rep.	113
Sutton, William M. , 215 W. Park St., Gardner 66030.....	Rep.	43
Tarwater Sr., Sean E. , 16006 Meadow Ln., Stilwell 66085.....	Rep.	27
Thimesch, Jack , 11716 SW 80th St., Spivey 67142.....	Rep.	114
Thomas, Adam , 16272 S. Sunset St., Olathe 66062.....	Rep.	26
Thompson, Kent L. , 1816 2800 St., LaHarpe 66751.....	Rep.	9
Toplikar, John , 507 E. Spruce St., Olathe 66061.....	Rep.	15
Vickrey, Jene , 502 S. Countryside Dr., Louisburg 66053.....	Rep.	6
Victors, Ponka-We , PO Box 48081, Wichita 67201.....	Dem.	103
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Warren, Kellie , 14505 Falmouth St., Leawood 66224.....	Rep.	28
Wasinger, Barbara , 1602 Elm St., Hays 67601.....	Rep.	111
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Weigel, Virgil , 1900 SW Briarwood Dr., Topeka 66611.....	Dem.	56
Wheeler Jr., John P. , 902 Anderson St., Garden City 67846.....	Rep.	123
Williams, Kristey , 506 Stone Lake Ct., Augusta 67010.....	Rep.	77
Winn, Valdenia C. , PO Box 12327, Kansas City 66112.....	Dem.	34
Wolfe Moore, Kathy , 3209 N. 131st St., Kansas City 66109.....	Dem.	36
Woodard, Brandon , 9051 Renner Blvd., Apt. 3002, Lenexa 66219.....	Dem.	30
Xu, Rui , 4724 Belinder Ave., Westwood 66205.....	Dem.	25
**Yeager, Stephanie , 4480 S. Meridian #94, Wichita 67217.....	Dem.	96

* David Benson resigned May 15, 2020, and no replacement was chosen before Sine Die

** Stephanie Yeager sworn in on January 13, 2020 to replace Brandon Whipple

OFFICERS OF THE SENATE

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Jeff Longbine Vice President
Jim Denning Majority Leader
Anthony HensleyMinority Leader

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Ron Ryckman Speaker
Blaine FinchSpeaker Pro Tem
Dan HawkinsMajority Leader
Tom SawyerMinority Leader

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House Majority Leader: **Dan Hawkins**, Wichita
Senate Minority Leader: **Anthony Hensley**, Topeka
House Minority Leader: **Tom Sawyer**, Wichita

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2020 SESSION LAWS OF KANSAS

CHAPTER 1

SENATE BILL No. 155°

AN ACT concerning certain cemetery districts and the deannexation of territory located within a city.

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

Section 1. (a) All territory of the city of Valley Center that is included within the Hillside cemetery district, located in Harvey and Sedgwick counties, is hereby deannexed from such cemetery district effective June 30, 2020.

(b) Any territory added to the city of Valley Center by annexation after July 1, 2020, that is included within the Hillside cemetery district, shall be deannexed from such cemetery district upon such annexation.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.

Approved February 21, 2020.

CHAPTER 2

House Substitute for SENATE BILL No. 27
(Amended by Special Session Chapter 1)

AN ACT concerning employment security law; relating to the maximum benefit eligibility period; compensation for the pre-payment waiting period; amending K.S.A. 2019 Supp. 44-704 and 44-705 and repealing the existing sections.

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

Section 1. K.S.A. 2019 Supp. 44-704 is hereby amended to read as follows: 44-704. (a) *Payment of benefits.* All benefits provided herein shall be payable from the fund. All benefits shall be paid through the secretary of labor, in accordance with such rules and regulations as the secretary may adopt. Benefits based on service in employment defined in K.S.A. 44-703(i)(3)(E) and (i)(3)(F), and amendments thereto, shall be payable in the same amount, on the same terms and subject to the same conditions as compensation payable on the basis of other service subject to this act except as provided in K.S.A. 44-705(e) and ~~K.S.A. 44-711(e)(2)~~, and amendments thereto.

(b) *Determined weekly benefit amount.* An individual's determined weekly benefit amount shall be an amount equal to 4.25% of the individual's total wages for insured work paid during that calendar quarter of the individual's base period ~~in which~~ that such total wages were highest, subject to the following limitations:

(1) If an individual's determined weekly benefit amount is less than the minimum weekly benefit amount, it shall be raised to such minimum weekly benefit amount;

(2) if the individual's determined weekly benefit amount is more than the maximum weekly benefit amount, it shall be reduced to the maximum weekly benefit amount; and

(3) if the individual's determined weekly benefit amount is not a multiple of \$1, it shall be reduced to the next lower multiple of \$1.

(c) *Maximum weekly benefit amount.* (1) For initial claims effective prior to July 1, 2015, the maximum weekly benefit amount shall be determined as follows: On July 1 of each year, the secretary shall determine the maximum weekly benefit amount by computing 60% of the average weekly wages paid to employees in insured work during the previous calendar year and shall, prior to that date, announce the maximum weekly benefit amount so determined, by publication in the Kansas register. Such computation shall be made by dividing the gross wages reported as paid for insured work during the previous calendar year by the product of the average of mid-month employment during such calendar year multiplied by 52. The maximum weekly benefit amount so determined and announced for the twelve-month period shall apply only to those claims filed in that

period qualifying for maximum payment under the foregoing formula. All claims qualifying for payment at the maximum weekly benefit amount shall be paid at the maximum weekly benefit amount in effect when the benefit year to which the claim relates was first established, notwithstanding a change in the maximum benefit amount for a subsequent twelve-month period. If the computed maximum weekly benefit amount is not a multiple of \$1, then the computed maximum weekly benefit amount shall be reduced to the next lower multiple of \$1.

(2) For initial claims effective on or after July 1, 2015, the maximum weekly benefit amount shall be determined as follows: On July 1 of each year, the secretary shall determine the maximum weekly benefit amount by computing 55% of the average weekly wages paid to employees in insured work during the previous calendar year, but not to be less than \$474, and shall, prior to that date, announce the maximum weekly benefit amount so determined by publication in the Kansas register. Such computation shall be made by dividing the gross wages reported as paid for insured work during the previous calendar year by the product of the average of mid-month employment during such calendar year multiplied by 52. The maximum weekly benefit amount so determined and announced for the 12-month period shall apply only to those claims filed in that period qualifying for maximum payment under the foregoing formula. All claims qualifying for payment at the maximum weekly benefit amount shall be paid at the maximum weekly benefit amount in effect when the benefit year to which the claim relates was first established, notwithstanding a change in the maximum benefit amount for a subsequent 12-month period. If the computed maximum weekly benefit amount is not a multiple of \$1, then the computed maximum weekly benefit amount shall be reduced to the next lower multiple of \$1.

(d) *Minimum weekly benefit amount.* The minimum weekly benefit amount payable to any individual shall be 25% of the maximum weekly benefit amount effective as of the beginning of the individual's benefit year. If the minimum weekly benefit amount is not a multiple of \$1 it shall be reduced to the next lower multiple of \$1. The minimum weekly benefit amount shall apply through the benefit year, notwithstanding a change in the minimum weekly benefit amount.

(e) All claims qualifying for payment at the maximum weekly benefit amount shall be paid at the maximum weekly benefit amount in effect when the benefit year to which the claim relates was first established, notwithstanding a subsequent change in the maximum weekly benefit amount.

(f) *Weekly benefit payable.* Each eligible individual who is unemployed with respect to any week, except as to final payment, shall be paid with respect to such week a benefit in an amount equal to such individual's determined weekly benefit amount, less that part of the wage, if any, pay-

able to such individual with respect to such week ~~which~~ *that* is in excess of the amount ~~which~~ *that* is equal to 25% of such individual's determined weekly benefit amount, and if the resulting amount is not a multiple of \$1, it shall be reduced to the next lower multiple of \$1.

(1) For the purposes of this section, remuneration received under the following circumstances shall be construed as wages:

(A) Vacation or holiday pay that was attributable to a week that the individual claimed benefits; and

(B) severance pay, if paid as scheduled, and all other employment benefits within the employer's control, as defined in subsection (f)(3), if continued as though the severance had not occurred, except as set out in subsection (f)(2)(C).

(2) For the purposes of this section, remuneration received under the following circumstances shall not be construed as wages:

(A) Remuneration received for services performed on a public assistance work project;

(B) severance pay, in lieu of notice, under the provisions of public law 100-379, the federal worker adjustment and retraining notification act, ~~(29 U.S.C.A. U.S.C. §§ 2101 through 2109);~~

(C) all other severance pay, separation pay, bonuses, wages in lieu of notice or remuneration of a similar nature that is payable after the severance of the employment relationship, except as set out in subsection (f)(1)(B); and

(D) moneys received as federal social security payments.

(3) For the purposes of this subsection ~~(f)~~, "employment benefits within the employer's control" means benefits offered by the employer to employees ~~which~~ *that* are employee benefit plans as defined by section 3 of the federal employee retirement income security act of 1974, as amended, ~~(29 U.S.C. § 1002), and which~~ *that* the employer has the option to continue to provide to the employee after the last day that the employee worked for that employer.

(g) *Duration of benefits.* Any otherwise eligible individual shall be entitled during any benefit year to a total amount of benefits equal to whichever is the lesser of 26 times such individual's weekly benefit amount, or $\frac{1}{3}$ of such individual's wages for insured work paid during such individual's base period. Such total amount of benefits, if not a multiple of \$1, shall be reduced to the next lower multiple of \$1.

(h) For the purposes of this section, wages shall be counted as "wages for insured work" for benefit purposes with respect to any benefit year only if such benefit year begins subsequent to the date ~~on which~~ *when* the employing unit by whom such wages were paid has satisfied the conditions of K.S.A. 44-703(h), and amendments thereto, with respect to becoming an employer.

(i) Notwithstanding any other provisions of this section to the contrary, any benefit otherwise payable for any week shall be reduced by the amount of any separation, termination, severance or other similar payment paid to a claimant at the time of or after the claimant's separation from employment during the benefit year.

(1) If any payment pursuant to this subsection is paid with respect to a month, then the amount deemed to be received with respect to any week during such month shall be computed by multiplying such monthly amount by 12 and dividing the product by 52. If there is no designation of the period with respect to which payments to an individual are made under this section, then an amount equal to such individual's normal weekly wage shall be attributed to and deemed paid with respect to the first and each succeeding week following payment of the separation pay to the individual until such amount so paid is exhausted.

(2) If benefits for any week, when reduced as provided in this subsection, result in an amount *that is* not a multiple of ~~one dollar~~ \$1, such benefits shall be rounded to the next lower multiple of ~~one dollar~~ \$1.

(3) Notwithstanding the reemployment provisions of K.S.A. 44-705(e), and amendments thereto, any individual whose benefit amount is completely reduced under this subsection for 52 or more weeks shall, upon exhaustion of the separation pay, be entitled to a new benefit year based upon entitlement from the base period of the claim that was reduced.

(j) *Except as provided in subsection (k)*, for weeks commencing on and after January 1, 2014, if at the beginning of the benefit year, the ~~three-month~~ *three-month* seasonally adjusted average unemployment rate for the state of Kansas is: (1) Less than 4.5%, a claimant shall be eligible for a maximum of 16 weeks of benefits; (2) at least 4.5% but less ~~than~~ *than* 6%, a claimant shall be eligible for a maximum of 20 weeks of benefits; or (3) at least 6%, a claimant shall be eligible for a maximum of 26 weeks of benefits.

(k) *On and after the effective date of this act, a claimant shall be eligible for a maximum of 26 weeks of benefits. A claimant who filed a new claim on or after January 1, 2020, and before the effective date of this act shall be eligible for a maximum of 26 weeks of benefits including the number of weeks of benefits received after January 1, 2020, and before the effective date of this act. This subsection shall not apply to initial claims effective on and after April 1, 2021.*

Sec. 2. K.S.A. 2019 Supp. 44-705 is hereby amended to read as follows: 44-705. Except as provided by K.S.A. 44-757, and amendments thereto, an unemployed individual shall be eligible to receive benefits with respect to any week only if the secretary, or a person or persons designated by the secretary, finds that:

(a) The claimant has registered for work at and thereafter continued to report at an employment office in accordance with rules and regula-

tions adopted by the secretary, except that, subject to the provisions of ~~subsection (a) of K.S.A. 44-704(a)~~, and amendments thereto, the secretary may adopt rules and regulations ~~which~~ *that* waive or alter either or both of the requirements of this subsection.

(b) The claimant has made a claim for benefits with respect to such week in accordance with rules and regulations adopted by the secretary.

(c) The claimant is able to perform the duties of such claimant's customary occupation or the duties of other occupations ~~for which~~ *that* the claimant is reasonably fitted by training or experience, and is available for work, as demonstrated by the claimant's pursuit of the full course of action most reasonably calculated to result in the claimant's reemployment except that, notwithstanding any other provisions of this section, an unemployed claimant otherwise eligible for benefits shall not become ineligible for benefits: (1) Because of the claimant's enrollment in and satisfactory pursuit of approved training, including training approved under section 236(a)(1) of the trade act of 1974; or (2) solely because such individual is seeking only part-time employment if the individual is available for a number of hours per week that are comparable to the individual's part-time work experience in the base period.

For the purposes of this subsection, an inmate of a custodial or correctional institution shall be deemed to be unavailable for work and not eligible to receive unemployment compensation while incarcerated.

(d) (1) Except as provided further, the claimant has been unemployed for a waiting period of one week or the claimant is unemployed and has satisfied the requirement for a waiting period of one week under the shared work unemployment compensation program as provided in ~~subsection (k) (4) of K.S.A. 44-757(k)(4)~~, and amendments thereto, ~~which~~ *and that* period of one week, in either case, occurs within the benefit year ~~which~~ *that* includes the week for which the claimant is claiming benefits. No week shall be counted as a week of unemployment for the purposes of this subsection:

(A) If benefits have been paid for such week;

(B) if the individual fails to meet with the other eligibility requirements of this section; or

(C) if an individual 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 state or of the United States finally determines that the claimant is not entitled to unemployment benefits under such other law, this subparagraph shall not apply.

(2) The waiting week requirement of paragraph (1) shall not apply to new claims, ~~filed on or after July 1, 2007~~, by claimants who become unemployed as a result of an employer terminating business operations within this state, declaring bankruptcy or initiating a work force reduction pursuant to public law 100-379, the federal worker adjustment and retraining notification act ~~(, 29 U.S.C. §§ 2101 through 2109)~~, as amended.

The secretary shall adopt rules and regulations to administer the provisions of this paragraph.

(3) *A claimant shall become eligible to receive compensation for the waiting period of one week, pursuant to paragraph (1), upon completion of three weeks of unemployment consecutive to such waiting period. This paragraph shall not apply to initial claims effective on and after April 1, 2021.*

(e) For benefit years established on and after the effective date of this act, the claimant has been paid total wages for insured work in the claimant's base period of not less than 30 times the claimant's weekly benefit amount and has been paid wages in more than one quarter of the claimant's base period, except that the wage credits of an individual earned during the period commencing with the end of a prior base period and ending on the date ~~on which~~ *that* such individual filed a valid initial claim shall not be available for benefit purposes in a subsequent benefit year unless, in addition thereto, such individual has returned to work and subsequently earned wages for insured work in an amount equal to at least eight times the claimant's current weekly benefit amount.

(f) The claimant participates in reemployment services, such as job search assistance services, if the individual has been determined to be likely to exhaust regular benefits and needs reemployment services pursuant to a profiling system established by the secretary, unless the secretary determines that: (1) The individual has completed such services; or (2) there is justifiable cause for the claimant's failure to participate in such services.

(g) The claimant is returning to work after a qualifying injury and has been paid total wages for insured work in the claimant's alternative base period of not less than 30 times the claimant's weekly benefit amount and has been paid wages in more than one quarter of the claimant's alternative base period if:

(1) The claimant has filed for benefits within four weeks of being released to return to work by a licensed and practicing health care provider;

(2) the claimant files for benefits within 24 months of the date the qualifying injury occurred; and

(3) the claimant attempted to return to work with the employer where the qualifying injury occurred, but the individual's regular work or comparable and suitable work was not available.

Sec. 3. K.S.A. 2019 Supp. 44-704 and 44-705 are hereby repealed.

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

Approved March 19, 2020.

Published in the *Kansas Register* March 19, 2020.

CHAPTER 3

House Substitute for SENATE BILL No. 142

AN ACT concerning education; relating to the duration of the school term; authorizing the grant of a waiver from school term requirements; amending K.S.A. 72-3117 and repealing the existing section.

WHEREAS, It is the intent of the legislature that any school district applying for a waiver under K.S.A. 72-3117, and amendments thereto, shall continue to pay all current hourly employees, including, but not limited to, paras, maintenance and custodial employees.

Now, therefore:

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

Section 1. K.S.A. 72-3117 is hereby amended to read as follows: 72-3117. (a) The state board of education may waive the requirements of law relating to the duration of the school term in any school year upon application for such waiver by a school district. The waiver may be granted by the state board of education upon: (1) Certification by a board of education that, due to disaster, conditions resulting from widespread or severe property damage caused by the disaster *or other conditions restricting the operation of public schools* will exist in the school district for an inordinate period of time; and (2) a determination by the state board that the school district cannot reasonably adjust its schedule to comply with such requirements of law. The period of time school is not maintained during any school year due to conditions resulting from disaster, upon granting of the waiver by the state board of education, shall be considered a part of the school term.

(b) As used in this section, the term “disaster” means the *declaration of a state of disaster emergency by the governor pursuant to K.S.A. 48-924, and amendments thereto, closure of schools by order issued by a county or joint board of health, a local health officer pursuant to K.S.A. 65-119, and amendments thereto, or the secretary of health and environment pursuant to K.S.A. 65-126, and amendments thereto, or occurrence of widespread or severe damage, injury or loss of life or property resulting from any natural or manmade cause, including, but not limited to, fire, flood, earthquake, tornado, wind, storm, epidemics, air contamination, blight, drought, infestation, or explosion.*

Sec. 2. K.S.A. 72-3117 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

Approved March 19, 2020.

Published in the *Kansas Register* March 19, 2020.

CHAPTER 4

House Substitute for SENATE BILL No. 102
(Amended by Special Session Chapter 1)

AN ACT concerning courts; relating to extension or suspension of deadlines or time limitations to secure the health and safety of court users, staff and judicial officers; amending K.S.A. 2019 Supp. 22-3402 and 60-206 and repealing the existing sections.

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

New Section 1. (a) Notwithstanding any other provisions of law, during any state of disaster emergency pursuant to K.S.A. 48-924, and amendments thereto, the chief justice of the Kansas supreme court may issue an order to extend or suspend any deadlines or time limitations established by statute when the chief justice determines such action is necessary to secure the health and safety of court users, staff and judicial officers.

(b) Notwithstanding any other provisions of law, during any state of disaster emergency pursuant to K.S.A. 48-924, and amendments thereto, the chief justice of the Kansas supreme court may issue an order to authorize the use of two-way electronic audio-visual communication in any court proceeding when the chief justice determines such action is necessary to secure the health and safety of court users, staff and judicial officers.

(c) Any order issued pursuant to this section may remain in effect for up to 150 days after a state of disaster emergency is terminated pursuant to K.S.A. 48-924, and amendments thereto. Any order in violation of this section shall be void.

(d) The provisions of this section shall expire on March 31, 2021.

Sec. 2. K.S.A. 2019 Supp. 22-3402 is hereby amended to read as follows: 22-3402. (a) If any person charged with a crime and held in jail solely by reason thereof shall not be brought to trial within 150 days after such person's arraignment on the charge, such person shall be entitled to be discharged from further liability to be tried for the crime charged, unless the delay shall happen as a result of the application or fault of the defendant or a continuance shall be ordered by the court under subsection (e).

(b) If any person charged with a crime and held to answer on an appearance bond shall not be brought to trial within 180 days after arraignment on the charge, such person shall be entitled to be discharged from further liability to be tried for the crime charged, unless the delay shall happen as a result of the application or fault of the defendant, or a continuance shall be ordered by the court under subsection (e).

(c) If any trial scheduled within the time limitation prescribed by subsection (a) or (b) is delayed by the application of or at the request of the defendant, the trial shall be rescheduled within 90 days of the original trial deadline.

(d) After any trial date has been set within the time limitation prescribed by subsection (a), (b) or (c), if the defendant fails to appear for the trial or any pretrial hearing, and a bench warrant is ordered, the trial shall be rescheduled within 90 days after the defendant has appeared in court after apprehension or surrender on such warrant. However, if the defendant was subject to the 180-day deadline prescribed by subsection (b) and more than 90 days of the original time limitation remain, then the original time limitation remains in effect.

(e) For those situations not otherwise covered by subsection (a), (b) or (c), the time for trial may be extended for any of the following reasons:

(1) The defendant is incompetent to stand trial. If the defendant is subsequently found to be competent to stand trial, the trial shall be scheduled as soon as practicable and in any event within 90 days of such finding;

(2) a proceeding to determine the defendant's competency to stand trial is pending. If the defendant is subsequently found to be competent to stand trial, the trial shall be scheduled as soon as practicable and in any event within 90 days of such finding. However, if the defendant was subject to the 180-day deadline prescribed by subsection (b) and more than 90 days of the original time limitation remain, then the original time limitation remains in effect. The time that a decision is pending on competency shall never be counted against the state;

(3) there is material evidence which is unavailable; that reasonable efforts have been made to procure such evidence; and that there are reasonable grounds to believe that such evidence can be obtained and trial commenced within the next succeeding 90 days. Not more than one continuance may be granted the state on this ground, unless for good cause shown, where the original continuance was for less than 90 days, and the trial is commenced within 120 days from the original trial date; or

(4) because of other cases pending for trial, the court does not have sufficient time to commence the trial of the case within the time fixed for trial by this section. Not more than one continuance of not more than 30 days may be ordered upon this ground.

(f) In the event a mistrial is declared, a motion for new trial is granted or a conviction is reversed on appeal to the supreme court or court of appeals, the time limitations provided for herein shall commence to run from the date the mistrial is declared, the date a new trial is ordered or the date the mandate of the supreme court or court of appeals is filed in the district court.

(g) If a defendant, or defendant's attorney in consultation with the defendant, requests a delay and such delay is granted, the delay shall be charged to the defendant regardless of the reasons for making the request, unless there is prosecutorial misconduct related to such delay. If a

delay is initially attributed to the defendant, but is subsequently charged to the state for any reason, such delay shall not be considered against the state under subsections (a), (b) or (c) and shall not be used as a ground for dismissing a case or for reversing a conviction unless not considering such delay would result in a violation of the constitutional right to a speedy trial or there is prosecutorial misconduct related to such delay.

(h) When a scheduled trial is scheduled within the period allowed by subsections (a), (b) or (c) and is delayed because a party has made or filed a motion, or because the court raises a concern on its own, the time elapsing from the date of the making or filing of the motion, or the court's raising a concern, until the matter is resolved by court order shall not be considered when determining if a violation under subsections (a), (b) or (c) has occurred. If the resolution of such motion or concern by court order occurs at a time when less than 30 days remains under the provisions of subsections (a), (b) or (c), the time in which the defendant shall be brought to trial is extended 30 days from the date of the court order.

(i) If the state requests and is granted a delay for any reason provided in this statute, the time elapsing because of the order granting the delay shall not be subsequently counted against the state if an appellate court later determines that the district court erred by granting the state's request unless not considering such delay would result in a violation of the constitutional right to a speedy trial or there is prosecutorial misconduct related to such delay.

(j) *The chief justice of the Kansas supreme court may issue an order to extend or suspend any deadlines or time limitations established in this section pursuant to section 1, and amendments thereto. When an order issued pursuant to section 1, and amendments thereto, is terminated, any trial scheduled to occur during the time such order was in effect shall be placed back on the court schedule within 150 days.*

Sec. 3. K.S.A. 2019 Supp. 60-206 is hereby amended to read as follows: 60-206. (a) *Computing time.* The following provisions apply in computing any time period specified in this chapter, in any local rule or court order or in any statute or administrative rule or regulation that does not specify a method of computing time.

(1) *Period stated in days or a longer unit.* When the period is stated in days or a longer unit of time:

(A) Exclude the day of the event that triggers the period;

(B) count every day, including intermediate Saturdays, Sundays and legal holidays; and

(C) include the last day of the period, but if the last day is a Saturday, Sunday or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday or legal holiday.

(2) *Period stated in hours.* When the period is stated in hours:

(A) Begin counting immediately on the occurrence of the event that triggers the period;

(B) count every hour, including hours during intermediate Saturdays, Sundays and legal holidays; and

(C) if the period would end on a Saturday, Sunday or legal holiday, the period continues to run until the same time on the next day that is not a Saturday, Sunday or legal holiday.

(3) *Inaccessibility of the clerk's office.* Unless the court orders otherwise, if the clerk's office is inaccessible:

(A) On the last day for filing under subsection (a)(1), then the time for filing is extended to the first accessible day that is not a Saturday, Sunday or legal holiday; or

(B) during the last hour for filing under subsection (a)(2), then the time for filing is extended to the same time on the first accessible day that is not a Saturday, Sunday or legal holiday.

(4) *"Last day" defined.* Unless a different time is set by a statute, local rule or court order, the last day ends:

(A) For electronic or telefacsimile filing, at midnight in the court's time zone; and

(B) for filing by other means, when the clerk's office is scheduled to close.

(5) *"Next day" defined.* The "next day" is determined by continuing to count forward when the period is measured after an event and backward when measured before an event.

(6) *"Legal holiday" defined.* "Legal holiday" means any day declared a holiday by the president of the United States, the congress of the United States or the legislature of this state, or any day observed as a holiday by order of the Kansas supreme court. A half holiday is considered as other days and not as a holiday.

(b) *Extending time.* (1) *In general.* When an act may or must be done within a specified time, the court may, for good cause, extend the time:

(A) With or without motion or notice if the court acts, or if a request is made, before the original time or its extension expires; or

(B) on motion made after the time has expired if the party failed to act because of excusable neglect.

(2) *Exceptions.* A court must not extend the time to act under K.S.A. 60-250(b), ~~K.S.A. 60-252(b)~~, ~~K.S.A. 60-259(b)~~, (e) and (f) and ~~K.S.A. 60-260(b)~~, and amendments thereto.

(c) *Motions, notices of hearing and affidavits or declarations.* (1) *In general.* A written motion and notice of the hearing must be served at least seven days before that time specified for the hearing with the following exceptions:

(A) When the motion may be heard ex parte;

(B) when these rules set a different time; or
(C) when a court order, which a party may, for good cause, apply for ex parte, sets a different time.

(2) *Supporting affidavit or declaration.* Any affidavit or declaration pursuant to K.S.A. 53-601, and amendments thereto, supporting a motion must be served with the motion. Except as otherwise provided in K.S.A. 60-259(d), and amendments thereto, any opposing affidavit or declaration must be served at least one day before the hearing, unless the court permits service at another time.

(d) *Additional time after certain kinds of service.* When a party may or must act within a specified time after being served and service is made under K.S.A. 60-205(b)(2)(C) (mail), or (D) (leaving with the clerk), and amendments thereto, three days are added after the period would otherwise expire under subsection (a).

(e) *Extension or suspension of deadlines during times of emergency.* *The chief justice of the Kansas supreme court may issue an order to extend or suspend computation rules or time limitations established in this section pursuant to section 1, and amendments thereto.*

Sec. 4. K.S.A. 2019 Supp. 22-3402 and 60-206 are hereby repealed.

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

Approved March 19, 2020.

Published in the *Kansas Register* March 19, 2020.

CHAPTER 5

SENATE BILL No. 66

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AN ACT making and concerning appropriations for fiscal years ending June 30, 2020, June 30, 2021, and June 30, 2022, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 65-180, 75-2263, 75-6707, 76-775, 76-7, 107, 79-2959, 79-2964, 79-3425i, 79-34, 171, 79-4804 and 82a-953a and K.S.A. 2019 Supp. 2-223, 12-1775a, 12-5256, 55-193, 74-50, 107 and 74-99b34 and repealing the existing sections.

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

Section 1. (a) For the fiscal years ending June 30, 2020, June 30, 2021, and June 30, 2022, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, capital improvement projects, fees, receipts, disbursements and acts incidental to the foregoing are hereby directed or authorized as provided in this act.

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

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

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

Sec. 2.

BOARD OF ACCOUNTANCY

(a) On July 1, 2020, the expenditure limitation established for the fiscal year ending June 30, 2021, by section 8(a) of chapter 68 of the 2019 Session Laws of Kansas on the board of accountancy fee fund (028-00-2701-0100) of the board of accountancy is hereby increased from \$416,663 to \$420,478.

Sec. 3.

STATE BANK COMMISSIONER

(a) On July 1, 2020, the expenditure limitation established for the fiscal year ending June 30, 2021, by section 10(a) of chapter 68 of the 2019 Session Laws of Kansas on the bank commissioner fee fund (094-00-2811) of the state bank commissioner is hereby increased from \$11,662,597 to \$11,762,186.

Sec. 4.

KANSAS BOARD OF BARBERING

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2020, by the state finance council by section 132(e) of the 2019 Session Laws of Kansas on the board of barbering fee fund (100-00-2704-0100) of the Kansas board of barbering is hereby decreased from \$159,647 to \$138,424.

Sec. 5.

KANSAS BOARD OF BARBERING

(a) On July 1, 2020, the expenditure limitation established for the fiscal year ending June 30, 2021, by section 12(a) of chapter 68 of the 2019 Session Laws of Kansas on the board of barbering fee fund (100-00-2704-0100) of the Kansas board of barbering is hereby decreased from \$157,501 to \$141,042.

Sec. 6.

BEHAVIORAL SCIENCES REGULATORY BOARD

(a) On July 1, 2020, the expenditure limitation established for the fiscal year ending June 30, 2021, by section 13(a) of chapter 68 of the 2019 Session Laws of Kansas on the behavioral sciences regulatory board fee fund (102-00-2730-0100) of the behavioral sciences regulatory board is hereby increased from \$947,220 to \$959,271.

Sec. 7.

KANSAS STATE BOARD OF COSMETOLOGY

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2020, by the state finance council by section 132(e) of the 2019 Session Laws of Kansas on the cosmetology fee fund (149-00-2706-0100) of the Kansas board of cosmetology is hereby increased from \$1,141,846 to \$1,151,079.

Sec. 8.

KANSAS STATE BOARD OF COSMETOLOGY

(a) On July 1, 2020, the expenditure limitation established for the fiscal year ending June 30, 2021, by section 16(a) of chapter 68 of the 2019 Session Laws of Kansas on the cosmetology fee fund (149-00-2706-0100) of the Kansas state board of cosmetology is hereby increased from \$1,144,609 to \$1,164,966.

Sec. 9.

STATE BOARD OF HEALING ARTS

(a) On July 1, 2020, the expenditure limitation established for the fiscal year ending June 30, 2021, by section 14(a) of chapter 68 of the 2019 Session Laws of Kansas on the healing arts fee fund (105-00-2705-0100) of the state board of healing arts is hereby increased from \$6,331,086 to \$6,419,900.

Sec. 10.

STATE DEPARTMENT OF CREDIT UNIONS

(a) On July 1, 2020, the expenditure limitation established for the fiscal year ending June 30, 2021, by section 17(a) of chapter 68 of the 2019 Session Laws of Kansas on the credit union fee fund (159-00-2026-0100) of the state department of credit unions is hereby increased from \$1,269,934 to \$1,284,202.

Sec. 11.

KANSAS DENTAL BOARD

(a) On July 1, 2020, the expenditure limitation established for the fiscal year ending June 30, 2021, by section 19(a) of chapter 68 of the 2019 Session Laws of Kansas on the dental board fee fund (167-00-2708-0100) of the Kansas dental board is hereby increased from \$420,600 to \$425,814.

Sec. 12.

BOARD OF NURSING

(a) On July 1, 2020, the expenditure limitation established for the fiscal year ending June 30, 2021, by section 24(a) of chapter 68 of the 2019 Session Laws of Kansas on the board of nursing fee fund (482-00-2716-0200) of the state board of nursing is hereby increased from \$2,747,110 to \$2,795,009.

Sec. 13.

BOARD OF EXAMINERS IN OPTOMETRY

(a) On July 1, 2020, the expenditure limitation established for the fiscal year ending June 30, 2021, by section 25(a) of chapter 68 of the 2019 Session Laws of Kansas on the optometry fee fund (488-00-2717-0100) of the board of examiners in optometry is hereby increased from \$161,435 to \$164,097.

Sec. 14.

STATE BOARD OF PHARMACY

(a) On July 1, 2020, the expenditure limitation established for the fiscal year ending June 30, 2021, by section 27(c) of chapter 68 of the 2019 Session Laws of Kansas on the state board of pharmacy fee fund (531-00-2718-0100) of the above agency is hereby decreased from \$2,959,371 to \$2,472,475.

(b) On the effective date of this act, the provisions of sections 27(b), (g), (i), (k) and (m) of chapter 68 of the 2019 Session Laws of Kansas are hereby declared to be null and void and shall have no force and effect.

Sec. 15.

REAL ESTATE APPRAISAL BOARD

(a) On July 1, 2020, the expenditure limitation established for the fiscal year ending June 30, 2021, by section 28(a) of chapter 68 of the 2019 Session Laws of Kansas on the appraiser fee fund (543-00-2732-0100) of the real estate appraisal board is hereby increased from \$334,160 to \$337,930.

Sec. 16.

KANSAS REAL ESTATE COMMISSION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2020, 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:

Special litigation reserve fund No limit
Provided, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2020, except upon the

approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal that bears a valid relationship to powers and functions of the above agency.

(b) During the fiscal year ending June 30, 2020, the executive director of the Kansas real estate commission, with the approval of the director of the budget, may transfer moneys from the real estate fee fund (549-00-2721-0100) to the special litigation reserve fund of the Kansas real estate commission: *Provided*, That the aggregate of such transfers for the fiscal year ending June 30, 2020, shall not exceed \$20,000: *Provided further*, That the executive director of the Kansas real estate commission shall certify each such transfer of moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

Sec. 17.

KANSAS REAL ESTATE COMMISSION

(a) On July 1, 2020, the expenditure limitation established for the fiscal year ending June 30, 2021, by section 30(a) of chapter 68 of the 2019 Session Laws of Kansas on the real estate fee fund (549-00-2721-0100) of the Kansas real estate commission is hereby increased from \$1,169,916 to \$1,185,799.

(b) There is appropriated from the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, 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:

Special litigation reserve fund No limit
Provided, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2021, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal that bears a valid relationship to powers and functions of the above agency.

(c) During the fiscal year ending June 30, 2021, the executive director of the Kansas real estate commission, with the approval of the director of the budget, may transfer moneys from the real estate fee fund (549-00-2721-0100) to the special litigation reserve fund of the Kansas real estate commission: *Provided*, That the aggregate of such transfers for the fiscal year ending June 30, 2021, shall not exceed \$20,000: *Provided further*, That the executive director of the Kansas real estate commission shall certify each such transfer of moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

Sec. 18.

STATE BOARD OF TECHNICAL PROFESSIONS

(a) On July 1, 2020, the expenditure limitation established for the fiscal year ending June 30, 2021, by section 32(a) of chapter 68 of the 2019 Session Laws of Kansas on the technical professions fee fund (663-00-2729-0100) of the state board of technical professions is hereby increased from \$775,111 to \$780,918.

Sec. 19.

STATE BOARD OF VETERINARY EXAMINERS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2020, by the state finance council by section 132(e) of the 2019 Session Laws of Kansas on the veterinary examiners fee fund (700-00-2727-1100) of the state board of veterinary examiners is hereby increased from \$368,974 to \$374,294.

Sec. 20.

STATE BOARD OF VETERINARY EXAMINERS

(a) On July 1, 2020, the expenditure limitation established for the fiscal year ending June 30, 2021, by section 34(a) of chapter 68 of the 2019 Session Laws of Kansas on the veterinary examiners fee fund (700-00-2727-1100) of the state board of veterinary examiners is hereby decreased from \$367,017 to \$355,328.

Sec. 21.

GOVERNMENTAL ETHICS COMMISSION

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2020, by section 35(b) of chapter 68 of the 2019 Session Laws of Kansas on the governmental ethics commission fee fund (247-00-2188-2000) of the governmental ethics commission is hereby decreased from \$296,551 to \$288,443.

Sec. 22.

GOVERNMENTAL ETHICS COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

Operating expenditures (247-00-1000-0103).....\$29,455

(b) On July 1, 2020, the expenditure limitation established for the fiscal year ending June 30, 2021, by section 35(b) of chapter 68 of the 2019 Session Laws of Kansas on the governmental ethics commission fee fund (247-00-2188-2000) of the governmental ethics commission is hereby increased from \$248,530 to \$264,197.

Sec. 23.

LEGISLATIVE COORDINATING COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2020, the following:

Coronavirus response.....\$50,000,000

Provided, That the director of the budget shall submit each request of a state agency for expenditures from the coronavirus response account to respond to the coronavirus pandemic during the fiscal years ending June 30, 2020, and June 30, 2021, to the legislative budget committee: *Provided further*, That the legislative budget committee shall meet and review each such request of the director of the budget and shall report such committee’s recommendation to the legislative coordinating council: *And provided further*, That, after receiving recommendations from the legislative budget committee, expenditures may be made from the coronavirus response account upon a vote of a majority of the members of the legislative coordinating council.

(b) On the effective date of this act, of the \$3,976,120 appropriated for the above agency for the fiscal year ending June 30, 2020, by section 36(a) of chapter 68 of the 2019 Session Laws of Kansas from the state general fund in the office of revisor of statutes – operations account (579-00-1000-0103), the sum of \$348,898 is hereby lapsed.

Sec. 24.

LEGISLATIVE COORDINATING COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

Legislative coordinating council –
operations (422-00-1000-0100).....\$745,222

Provided, That any unencumbered balance in the legislative coordinating council – operations account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Legislative research department –
operations (425-00-1000-0103).....\$4,380,604

Provided, That any unencumbered balance in the legislative research department – operations account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Office of revisor of statutes –
operations (579-00-1000-0103).....\$4,121,467

Provided, That any unencumbered balance in the office of revisor of statutes – operations account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Any unencumbered balance in the coronavirus response account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

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

Sec. 25.

LEGISLATURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2020, the following:

Jordan – legislative claim (428-00-1000-0520).....\$90

(b) On the effective date of this act, of the \$15,018,014 appropriated for the above agency for the fiscal year ending June 30, 2020, by section 37(a) of chapter 68 of the 2019 Session Laws of Kansas from the state general fund in the operations (including official hospitality) account (428-00-1000-0103), the sum of \$90 is hereby lapsed.

Sec. 26.

LEGISLATURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

Operations (including official
hospitality) (428-00-1000-0103).....\$15,533,780

Provided, That any unencumbered balance in the operations (including official hospitality) account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided further*, That expenditures may be made from this account, pursuant to vouchers approved by the chairperson or vice-chairperson of the legislative coordinating council, to pay compensation and travel expenses and subsistence expenses or allowances as authorized by K.S.A. 75-3212, and amendments thereto, for members and associate members of the advisory committee to the Kansas commission on interstate cooperation established under K.S.A. 46-407a, and amendments thereto, for attendance at meetings of the advisory committee that

are authorized by the legislative coordinating council, except that: (1) The legislative coordinating council may establish restrictions or limitations, or both, on travel expenses, subsistence expenses or allowances, or any combination thereof, paid to members and associate members of such advisory committee; and (2) any person who is an associate member of such advisory committee, by reason of such person having been accredited by the national conference of commissioners on uniform state laws as a life member of that organization, shall receive the same travel expenses and subsistence expenses for attendance at meetings of the advisory committee as a regular member; but shall receive no per diem compensation: *And provided further*, That expenditures may be made from this account for services, facilities and supplies provided for legislators in addition to those provided under the approved budget and for related copying, facsimile transmission and other services provided to persons other than legislators, in accordance with policies and any restrictions or limitations prescribed by the legislative coordinating council: *And provided further*, That no expenditures shall be made from this account for any meeting of any joint committee, or of any subcommittee of any joint committee, chargeable to fiscal year 2021 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 2021: *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 2021: *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 2021: *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 2021: *And provided further*, That, notwithstanding the provisions of K.S.A. 75-1005, and amendments thereto, or any other statute, expenditures may be made from this account to reimburse members of the legislature for expenses incurred in

printing correspondence with constituents: *And provided further*, That no expenses shall be reimbursed unless a legislator has first obtained approval for such printing by the director of legislative administrative services: *And provided further*, That such reimbursements shall only be issued after a legislator provides written receipts showing such expense to the director of legislative administrative services: *And provided further*, That the maximum amount reimbursed to any legislator shall be equal to or less than the maximum amount allotted to any legislator for constituent correspondence pursuant to policies adopted by the legislative coordinating council: *And provided further*, That 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 2021, expenditures shall be made by the above agency from the operations (including official hospitality) account of the state general fund for fiscal year 2021 for the director of legislative administrative services, under the direction of the legislative coordinating council, to administer and supervise the live streaming of legislative proceedings in an amount not to exceed \$247,399: *And provided further*, That in providing such live streaming, the director shall work in cooperation with the information network of Kansas, inc., created by K.S.A. 74-9303, and amendments thereto, which shall provide any services and equipment that the director and the board of the information network of Kansas, inc., have agreed upon and that the director determines to be necessary for the provision of such live streaming.

Legislative information system (428-00-1000-0300).....\$5,315,294

Provided, That any unencumbered balance in the legislative Information system account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Jordan – legislative claim (428-00-1000-0520).....\$27,768

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

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

Provided, That expenditures may be made from the legislative special revenue fund, pursuant to vouchers approved by the chairperson or the vice-chairperson of the legislative coordinating council, to pay compensation and travel expenses and subsistence expenses or allowances as authorized by K.S.A. 75-3212, and amendments thereto, for members and associate members of the advisory committee to the Kansas commission on interstate cooperation established under K.S.A. 46-407a, and amendments thereto, for attendance at meetings of the advisory committee which

are authorized by the legislative coordinating council, except that: (1) The legislative coordinating council may establish restrictions or limitations, or both, on travel expenses, subsistence expenses or allowances, or any combination thereof, paid to members and associate members of such advisory committee; and (2) any person who is an associate member of such advisory committee, by reason of such person having been accredited by the national conference of commissioners on uniform state laws as a life member of that organization, shall receive the same travel expenses and subsistence expenses for attendance at meetings of the advisory committee as a regular member, but shall receive no per diem compensation: *Provided further*, That expenditures may be made from this fund for services, facilities and supplies provided for legislators in addition to those provided under the approved budget and for related copying, facsimile transmission and other services provided to persons other than legislators, in accordance with policies and any restrictions or limitations prescribed by the legislative coordinating council: *And provided further*, That amounts are hereby authorized to be collected for such services, facilities and supplies in accordance with policies of the council: *And provided further*, That such amounts shall be fixed in order to recover all or part of the expenses incurred for providing such services, facilities and supplies and shall be consistent with policies and fees established in accordance with K.S.A. 46-1207a, and amendments thereto: *And provided further*, That all such amounts received shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the legislative special revenue fund: *And provided further*, That all donations, gifts or bequests of money for the legislative branch of government which are received and accepted by the legislative coordinating council shall be deposited in the state treasury and credited to an account of the legislative special revenue fund: *And provided further*, That no expenditures shall be made from this fund for any meeting of any joint committee, or of any subcommittee of any joint committee, during fiscal year 2021 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 2021: *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 2021: *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 2021: *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 2021.

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

(c) As used in this section, “joint committee” includes the joint committee on administrative rules and regulations, health care stabilization fund oversight committee, joint committee on special claims against the state, legislative budget committee, joint committee on state building construction, joint committee on information technology, joint committee on pensions, investments and benefits, joint committee on state-tribal relations, confirmation oversight committee, joint committee on corrections and juvenile justice oversight, compensation commission, joint committee on Kansas security, Robert G. (Bob) Bethell joint committee on home and community based services and KanCare oversight, capitol 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. 27.

DIVISION OF POST AUDIT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

Operations (including legislative post audit committee) (540-00-1000-0100)\$3,099,254

Provided, That any unencumbered balance in the operations (including legislative post audit committee) account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Sec. 28.

GOVERNOR’S DEPARTMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

Governor’s department (252-00-1000-0503).....\$2,753,099

Provided, That any unencumbered balance in the governor’s department account in excess of \$100 as of June 30, 2020, is hereby reappropriated for

fiscal year 2021: *Provided further*, That expenditures may be made from this account for official hospitality and contingencies without limitation at the discretion of the governor.

Domestic violence prevention grants (252-00-1000-0600)\$4,639,941

Provided, That any unencumbered balance in the domestic violence prevention grants account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided further*, That expenditures may be made from the domestic violence prevention grants account for official hospitality and contingencies without limitation at the discretion of the governor.

Child advocacy centers (252-00-1000-0610)\$804,948

Provided, That any unencumbered balance in the child advocacy centers account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *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.

(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, 2021, by subsection (a) from the state general fund in the governor's department account (252-00-1000-0503).

(c) Expenditures may be made by the above agency for travel expenses of the lieutenant governor's spouse when accompanying the lieutenant governor or when representing the lieutenant governor on official state business, for travel and subsistence expenditures for security personnel when traveling with the lieutenant governor and for entertainment of officials and other persons as guests from the amount appropriated for the fiscal year ending June 30, 2021, by subsection (a) from the state general fund in the governor's department account (252-00-1000-0503).

(d) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Special programs fund (252-00-2149-2000)No limit

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

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

Conversion of materials and
equipment fund (252-00-2409-0400) No limit
Hispanic and Latino American affairs commission –
donations fund (252-00-7236-7200) No limit
Advisory commission on African-American affairs –
donations fund (252-00-7242-7210) No limit
Kansas commission on disability concerns
fee fund (252-00-2767-2705) No limit
Domestic violence grants fund (252-00-2014-2014) No limit

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

Child advocacy centers grant fund (252-00-2024-2024)..... No limit
Residential substance abuse –
federal fund (252-00-3006-3013)..... No limit
Arrest grant – federal fund (252-00-3082-3040)..... No limit
National criminal history improvement program –
federal fund (252-00-3189-3195)..... No limit
Violence against women grant –
federal fund (252-00-3214-3211)..... No limit
Project safe neighborhood grant
federal fund (252-00-3252-3252)..... No limit
Coverdell forensic science improvement –
federal fund (252-00-3227-3234)..... No limit
State victim assistance – federal fund (252-00-3250-3250)..... No limit
Crime victim assistance – federal fund (252-00-3260-3260)..... No limit
Access visitation grant – federal fund (252-00-3460-3460) No limit
Battered women/family violence prevention –
federal fund (252-00-3461-3461)..... No limit
Sexual assault services program –
federal fund (252-00-3465-3465)..... No limit
Edward Byrne justice assistance grants –
federal fund (252-00-3757-3763)..... No limit
Prison rape elimination act –
federal fund (252-00-3758-3755)..... No limit
John R Justice grant – federal fund (252-00-3802-3802) No limit

Sec. 29.

ATTORNEY GENERAL

(a) On the effective date of this act, of the \$4,913,613 appropriated for the above agency for the fiscal year ending June 30, 2020, by section 41(a) of chapter 68 of the 2019 Session Laws of Kansas from the state general fund in operating expenditures account (082-00-1000-0103), the sum of \$160,472 is hereby lapsed.

Sec. 30.

ATTORNEY GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

Operating expenditures (082-00-1000-0103)\$4,880,302
Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$2,000.

Litigation costs (082-00-1000-0040)\$78,000
Provided, That any unencumbered balance in the litigation costs account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Abuse, neglect and exploitation unit (082-00-1000-0500)\$349,999
Provided, That any unencumbered balance in the abuse, neglect and exploitation unit account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided further*, That expenditures may be made by the attorney general from the abuse, neglect and exploitation unit account pursuant to contracts with other agencies or organizations to provide services related to the investigation or litigation of findings related to abuse, neglect or exploitation.

Child abuse grants (082-00-1000-0400)\$75,000
Child exchange and
visitation centers (082-00-1000-0450)\$128,000
Provided, That notwithstanding the provisions of K.S.A. 74-7334, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2021, the above agency may use moneys in the child exchange and visitation centers account for matching funds.

Protection from abuse (082-00-1000-0900)\$519,000
Office of inspector general (082-00-1000-0300)\$464,282
Provided, That any unencumbered balance in the office of inspector general account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Private detective fee fund (082-00-2029-2029)	No limit
Court cost fund (082-00-2012-2000)	No limit
Bond transcript review fee fund (082-00-2254-2300)	No limit
Conversion of materials and equipment fund (082-00-2405-2040)	No limit
Attorney general's antitrust special revenue fund (082-00-2506-2050)	No limit
Private gifts fund (082-00-7300-7000)	No limit
Medicaid fraud reimbursement fund (082-00-9034-9040)	No limit
Medicaid fraud control unit (082-00-3060-3080)	No limit
Attorney general's antitrust suspense fund (082-00-9002-9000) ...	No limit
Attorney general's consumer protection clearing fund (082-00-9003-9010)	No limit
Attorney general's committee on crime prevention fee fund (082-00-2113-2090)	No limit

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

Tort claims fund (082-00-2613-2080)	No limit
Crime victims compensation fund (082-00-2563-2060)	No limit

Provided, That expenditures from the crime victims compensation fund for state operations shall not exceed \$497,246: *Provided further*, That any expenditures for payment of compensation to crime victims are authorized to be made from this fund regardless of when the claim was awarded.

Crime victims assistance fund (082-00-2598-2070)	No limit
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Protection from abuse fund (082-00-2239-2030)No limit
Crime victims grants and gifts fund (082-00-7340-7010)No limit
Provided, That all private grants and gifts received by the crime victims compensation board shall be deposited to the credit of the crime victims grants and gifts fund.

Kansas attorney general batterer intervention program certification fund (082-00-2103-2103).....No limit
Debt collection administration cost recovery fund (082-00-2305-2240).....No limit
Provided, That the attorney general shall deposit in the state treasury to the credit of the debt collection administration cost recovery fund all moneys remitted to the attorney general as administrative costs under contracts entered into pursuant to K.S.A. 75-719, and amendments thereto.

Medicaid fraud prosecution revolving fund (082-00-2641-2280)No limit
Provided, That all moneys recovered by the medicaid fraud and abuse division of the attorney general’s office in the enforcement of state and federal law which are in excess of any restitution for overcharges and interest, including all moneys recovered as recoupment of expenses of investigation and prosecution, shall be deposited in the state treasury to the credit of the medicaid fraud prosecution revolving fund: *Provided further*, That, notwithstanding the provisions of K.S.A. 2019 Supp. 21-5933, and amendments thereto, or any other statute, expenditures may be made from the medicaid fraud prosecution revolving fund for other operating expenditures of the attorney general’s office other than for medicaid fraud prosecution costs.

Interstate water litigation fund (082-00-2311-2295)No limit
Provided, That, in addition to the other purposes authorized by K.S.A. 82a-1802, and amendments thereto, expenditures may be made from the interstate water litigation fund for: (1) Litigation costs for the case of Kansas v. Colorado No. 105, Original in the Supreme Court of the United States, including repayment of past contributions; (2) expenses related to the appointment of a river master or such other official as may be appointed by the Supreme Court to administer, implement or enforce its decree or other orders of the Supreme Court related to this case; and (3) expenses incurred by agencies of the state of Kansas to monitor actions of the state of Colorado and its water users and to enforce any settlement, decree or order of the Supreme Court related to this case.

Suspense fund (082-00-9112-9030).....No limit
Children’s advocacy center fund (082-00-2654-2610)No limit

Abuse, neglect and exploitation of people with disabilities unit grant acceptance fund (082-00-2482-2500)	No limit
Concealed weapon licensure fund (082-00-2450-2400)	No limit
Tobacco master settlement agreement compliance fund (082-00-2383-2320)	No limit
Sexually violent predator expense fund (082-00-2379-2310)	No limit
County law enforcement equipment fund (082-00-2470-2470) ...	No limit
Child exchange and visiting centers fund (082-00-2579-2250)	No limit
Roofing contractor registration fund (082-00-2774-2774)	No limit
State medicaid fraud control unit – federal fund (082-00-3060-3060)	No limit
Com def sol – violence against women federal fund (082-00-3082-3082)	No limit
Crime victims compensation federal fund (082-00-3133-3020)	No limit
Ed Byrne state/local law enforcement federal fund (082-00-3213-3213)	No limit
Violence against women – ARRA federal fund (082-00-3214-3212)	No limit
Comm prsct/project safe neighborhood federal fund (082-00-3217-3217)	No limit
Public safety prtnt/comm pol fund (082-00-3218-3218).	No limit
Anti-gang initiative federal fund (082-00-3229-3229)	No limit
Alcohol impaired driving cntmr federal fund (082-00-3247-3247)	No limit
Children’s justice grant federal fund (082-00-3381-3381)	No limit
Sexual assault kit initiative federal fund (082-00-3416-3416)	No limit
Ed Byrne memorial JAG – ARRA federal fund (082-00-3455-3455)	No limit
Medicaid indirect cost federal fund (082-00-3919-3919)	No limit
Federal forfeiture fund (082-00-3940-3940)	No limit
SSA fraud prevention federal fund (082-00-2174-2175)	No limit
False claims litigation revolving fund (082-00-2650-2600)	No limit
<i>Provided, That expenditures may be made from the false claims litigation revolving fund for costs associated with litigation under the Kansas false claims act, K.S.A. 75-7501 et seq., and amendments thereto.</i>	
Ed Byrne memorial justice assistance grant federal fund (082-00-3057-3057)	No limit
911 state maintenance fund (082-00-2747-2447)	No limit
DOT prohibit racial profiling (082-00-3566-3566)	No limit
Human trafficking victim assistance fund (082-00-2775-2775)	No limit
Criminal appeals cost fund (082-00-2779-2779)	No limit
Attorney general’s open government fund (082-00-2497-2497) ...	No limit

Scrap metal theft reduction fee fund (082-00-2085-2100).....No limit
 Bail enforcement agents fee fund (082-00-2259-2259).....No limit
 Fraud and abuse criminal
 prosecution fund (082-00-2262-2262).....No limit
 Attorney general's state agency representation fundNo limit
 State medicaid fraud forfeiture fund.....No limit

(c) During the fiscal year ending June 30, 2021, grants made pursuant to K.S.A. 74-7325, and amendments thereto, from the protection from abuse fund (082-00-2239-2030) and grants made pursuant to K.S.A. 74-7334, and amendments thereto, from the crime victims assistance fund (082-00-2598-2070) shall be made after consideration of the recommendation of an entity that has been designated by the United States department of health and human services and by the centers for disease control as the official domestic violence or sexual assault coalition.

(d) During the fiscal year ending June 30, 2021, the attorney general, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2021 from the state general fund for the attorney general to another item of appropriation for fiscal year 2021 from the state general fund for the attorney general. The attorney general shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) On July 1, 2020, 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 (082-00-2383-2320) of the attorney general.

(f) On July 1, 2020, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$50,000 from the state general fund to the sexually violent predator expense fund (082-00-2379-2310) of the attorney general.

Sec. 31.

SECRETARY OF STATE

(a) On the effective date of this act, of the moneys appropriated and reappropriated for the above agency for the fiscal year ending June 30, 2020, by section 43(a) of chapter 68 of the 2019 Session Laws of Kansas from the state general fund in the help America vote act matching funds account, the sum of \$219,180 is hereby lapsed.

(b) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$222,075 from the state general fund to the democracy fund (622-00-2702-2400) of the secretary of state.

(c) On or before the 10th day of each month commencing on the effective date of this act during fiscal year 2020, the director of accounts and

reports shall transfer from the state general fund to the democracy fund interest earnings based on:

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

Sec. 32.

SECRETARY OF STATE

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Cemetery and funeral audit fee fund (622-00-2225-2100)	No limit
HAVA ELVIS fund (622-00-2353-2150).....	No limit
Conversion of materials and	
equipment fund (622-00-2418-2200)	No limit
Information and services fee fund (622-00-2430-2300)	No limit

Provided, That expenditures from the information and services fee fund for official hospitality shall not exceed \$2,533.

State register fee fund (622-00-2619-2500)	No limit
Uniform commercial code fee fund (622-00-2664-2600).....	No limit
State flag and banner fund (622-00-5130-4600)	No limit
Secretary of state fee refund fund (622-00-9047-9100)	No limit
Electronic voting machine	
examination fund (622-00-9101-9200)	No limit
Credit card clearing fund (622-00-9434-9400)	No limit
Suspense fund (622-00-9046-9000).....	No limit
Prepaid services fund (622-00-9114-9300)	No limit
Athlete agent registration fee fund (622-00-2674-2700)	No limit
Democracy fund (622-00-2702-2400)	No limit

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 (622-00-2672-2900)	No limit
Help America vote act federal fund (622-00-3091)	No limit
HAVA title I federal fund (622-00-3283-3283)	No limit
HAVA election security fraud 2018 (622-00-3956-3956).....	No limit

(b) During the fiscal year ending June 30, 2021, 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 2021 by the above agency by this or other appropriation act of

the 2020 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 2021 regular session of the legislature and detailing costs to local units of governments for conducting elections that include proposed constitutional amendments.

(c) On July 1, 2020, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$981,899 from the state general fund to the democracy fund (622-00-2702-2400) of the secretary of state.

(d) On or before the 10th day of each month commencing July 1, 2020, during fiscal year 2021, the director of accounts and reports shall transfer from the state general fund to the democracy fund interest earnings based on:

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

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

Sec. 33.

STATE TREASURER

(a) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$907,652 from the state treasurer operating fund (670-00-2374-2300) of the state treasurer, to the state general fund.

Sec. 34.

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, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

State treasurer operating fund (670-00-2374-2300)\$1,726,906

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 2021, the state treasurer is hereby authorized and directed to credit the first amount equal to the expenditure limitation approved by this or other appropriation act of the legislature received and deposited in the state treasury to the state treasurer operating fund: *Provided fur-*

ther, 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 2021 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 2021 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 (670-00-7754-6400)	No limit
Bond services fee fund (670-00-2061-2500)	No limit
City bond finance fund (670-00-7654)	No limit
Local ad valorem tax reduction fund (670-00-7394-4800)	No limit
County and city revenue sharing fund (670-00-7395-4900)	No limit
Suspense fund (670-00-9054-9000)	No limit
County and city retailers' sales tax fund (670-00-7608-6000)	No limit
County and city compensating use	
tax fund (670-00-7667-6200)	No limit
Local alcoholic liquor fund (670-00-7665-6100)	No limit
Local alcoholic liquor equalization fund (670-00-7759-6500)	No limit
Unclaimed property claims fund (670-00-7758-7700)	No limit
Unclaimed property expense fund (670-00-2362-2200)	No limit

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

County and city transient	
guest tax fund (670-00-7602-6600)	No limit
Racing admissions tax fund (670-00-7670-6300)	No limit
Rental motor vehicle excise tax fund (670-00-7681-6800)	No limit
Transportation development district	
sales tax fund (670-00-7601-7000)	No limit
Redevelopment bond fund (670-00-7683-6900)	No limit
Special qualified industrial	
manufacturer fund (670-00-9525-9525)	No limit
Kansas postsecondary education savings	
program trust fund (670-00-7241-7100)	No limit
Kansas postsecondary education savings	
expense fund (670-00-2096-2000)	No limit
Conversion of materials and	
equipment fund (670-00-2461-2700)	No limit
Tax increment financing revenue	
replacement fund (670-00-7391-4700)	No limit

Spirit bonds fund (670-00-9515-9515)No limit
Provided, That, on the 15th day of each month that commences during fiscal year 2021, the secretary of revenue shall determine the amount of revenue received by the state during the preceding month from withholding taxes paid with respect to an eligible project by each taxpayer that is an eligible business for which bonds have been issued under K.S.A. 74-50,136, and amendments thereto, and for which the Spirit bonds fund was created, and shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of legislative research: *Provided further*, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the Spirit bonds fund: *And provided further*, That, on or before the 10th day of each month commencing during fiscal year 2021, the director of accounts and reports shall transfer from the state general fund to the Spirit bonds fund interest earnings based on: (1) The average daily balance of moneys in the Spirit bonds fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*, That the moneys credited to the Spirit bonds fund from the withholding taxes paid by an eligible business and the interest earnings thereon shall be transferred by the state treasurer from the Spirit bonds fund to the special economic revitalization fund administered by the state treasurer in accordance with K.S.A. 74-50,136, and amendments thereto.

Siemens bond fund (670-00-9540-9540)No limit
Provided, That, on the 15th day of each month that commences during fiscal year 2021, the secretary of revenue shall determine the amount of revenue received by the state during the preceding month from withholding taxes paid with respect to an eligible project by each taxpayer that is an eligible business for which bonds have been issued under K.S.A. 74-50,136, and amendments thereto, and for which the 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 2021, 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 Sie-

mens 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. 74-50,136, and amendments thereto.

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

(b) During the fiscal year ending June 30, 2021, 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 2021, the state treasurer shall not credit such deposit pursuant to K.S.A. 75-1514, and amendments thereto, but shall credit such deposit in accordance with the provisions of this subsection: *Provided further*, That the state treasurer shall credit 10% of each such deposit to the state general fund and the state treasurer shall credit the remainder of each such deposit as follows: (1) The amount equal to 64% of the remainder of such deposit shall be credited to the fire marshal fee fund (234-00-2330-2000) of the state fire marshal; (2) the amount equal to 20% of the remainder of such deposit shall be credited to the emergency medical services board operating fund (206-00-2326-4000) of the emergency medical services board; and (3) the amount equal to 16% of the remainder of such deposit shall be credited to the fire service training program fund (682-00-2123-2170) of the university of Kansas: *And provided further*, That the amount of each such deposit that is credited to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other government-

tal 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 2021 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 2021, the state treasurer shall credit the full 100% so received of each such deposit as follows: (A) The amount equal to 64% of such deposit shall be credited to the fire marshal fee fund of the state fire marshal; (B) the amount equal to 20% of such deposit shall be credited to the emergency medical services board operating fund of the emergency medical services board; and (C) the amount equal to 16% of such deposit shall be credited to the fire service training program fund of the university of Kansas.

(c) Notwithstanding the provisions of K.S.A. 75-648, and amendments thereto, or any other statute, on July 1, 2020, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$50,000 from the Kansas postsecondary education savings expense fund (670-00-2096-2000) of the state treasurer to the KS ABLE savings expense fund (670-00-2177-2177) of the state treasurer.

Sec. 35.

INSURANCE DEPARTMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2020, the following:

Privilege fee refund.....\$976,666

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2020, by the state finance council by section 132(e) of chapter 68 of the 2019 Session Laws of Kansas on the securities act fee fund (331-00-2162-0100) of the insurance department is hereby increased from \$3,109,856 to \$3,661,842.

Sec. 36.

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, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

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

Provided, That expenditures from the insurance department service regulation fund for official hospitality shall not exceed \$2,500: *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 (331-00-2055-2000) 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 (331-00-2056-2100) No limit

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

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

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

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

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.

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

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

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 (331-00-7356-7100) 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 (331-00-2328-2500) No limit

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

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

Provided, That expenditures may be made from the insurance education and training fund for training programs and official hospitality: *Provided further*, That the insurance commissioner is hereby authorized to fix, charge and collect fees for such training programs: *And provided further*,

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

Monumental life settlement fund (331-00-7360-7360) No limit
Provided, That all expenditures from the monumental life settlement fund shall be made for scholarship purposes: *Provided further*, That the scholarship recipients shall be African-American students who are currently enrolled and are attending an accredited higher education institution in the state of Kansas and who have designated a major in mathematics, computer science or business.

Fines and penalties fund (331-00-2351-2510) No limit
Provided, That, notwithstanding the provisions of K.S.A. 40-2606, and amendments thereto, or any other statute, all moneys received during fiscal year 2021 for penalties imposed pursuant to K.S.A. 40-2606, and amendments thereto, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the fines and penalties fund.

Settlements fund (331-00-2523-2520) No limit
Provided, That moneys may be transferred or otherwise credited to the settlements fund as the result of or pursuant to court orders under K.S.A. 40-3644, and amendments thereto, court-ordered settlements, or legislative authority: *Provided further*, That expenditures from the settlements fund shall be made for the purpose of providing consumer education and outreach or for costs that the insurance department may incur in closeout of any troubled insurance company matters.

HHS consumer assistance grant –
 federal fund (331-00-3555-3555) No limit

HHS exchange planning & establishment grant –
 federal fund (331-00-3556-3556) No limit

HHS rate review grant –
 federal fund (331-00-3505-3505) No limit

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

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

Securities act fee fund (331-00-2162-0100) \$3,215,574

Provided, That expenditures from the securities act fee fund for the fiscal year ending June 30, 2021, for official hospitality shall not exceed \$2,000.

Investor education and protection fund (331-00-2242-2240) No limit
Provided, That expenditures from the investor education and protection fund for the fiscal year ending June 30, 2021, for official hospitality shall not exceed \$5,000.

Captive insurance regulatory and supervision 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 (331-00-2055-2000) for fiscal year 2021 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 2021 for the examination of annual statements filed with the commissioner of insurance, regardless of when the services were rendered, when the expenses were incurred or when any claim was submitted or processed for payment and regardless of whether or not the services were rendered or the expenses were incurred prior to the effective date of this act.

Sec. 37.

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, 2021, 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 (270-00-7404-2000) No limit
 Conference fee fund (270-00-2453-2453)..... No limit

(b) Expenditures from the health care stabilization fund for the fiscal year ending June 30, 2021, other than refunds authorized by law for the following specified purposes shall not exceed the limitations prescribed therefor as follows:

Operating expenditures (270-00-7404-2100) No limit
Provided, That expenditures may be made from the operating expenditures account for official hospitality.

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

Sec. 38.

POOLED MONEY INVESTMENT BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, all

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

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

Provided, That, on or before the fifth day of each month of the fiscal year ending June 30, 2021, 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, 2021, the pooled money investment board shall review the certification from the state treasurer and shall make expenditures from the pooled money investment portfolio fee fund (671-00-2319-2000) to pay the amount of banking fees incurred by the state treasurer during the second preceding month that are attributable to the investment of the pooled money investment portfolio during the second preceding month, as determined by the pooled money investment board: *And provided further*, That expenditures from the pooled money investment portfolio fee fund for official hospitality shall not exceed \$800.

Sec. 39.

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, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

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

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

Publications fee fund (349-00-2297-2000) No limit

Sec. 40.

STATE BOARD OF INDIGENTS' DEFENSE SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2020, the following:

Assigned counsel expenditures (328-00-1000-0700) \$600,000

Sec. 41.

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, 2021, the following:

Operating expenditures (328-00-1000-0603)\$14,043,264

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided, however*, That expenditures for indigents' defense services are authorized to be made from the operating expenditures account regardless of when services were rendered: *Provided further*, That expenditures may be made from the operating expenditures account for negotiated contracts for malpractice insurance for public defenders and deputy or assistant public defenders: *And provided further*, That all contracts for malpractice insurance for public defenders and deputy or assistant public defenders shall be negotiated and purchased by the state board of indigents' defense services, shall not be subject to approval or purchase by the committee on surety bonds and insurance under K.S.A. 75-4114 and 75-6111, and amendments thereto, and shall not be subject to the provisions of K.S.A. 75-3739, and amendments thereto.

Assigned counsel expenditures (328-00-1000-0700)\$14,639,335

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2020, in the assigned counsel expenditures account is hereby reappropriated for fiscal year 2021: *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 (328-00-1000-0800)\$3,104,114

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2020, in the capital defense operations account is hereby reappropriated for fiscal year 2021: *Provided further*, That expenditures for indigents' defense services are authorized to be made from the capital defense operations account regardless of when services were rendered.

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

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

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2020, in the indigents' defense services operations account is hereby reappropriated for fiscal year 2021: *Provided further*, That expenditures may be made from the indigents' defense services operations account for the purpose of assigned counsel and other professional services related to contract cases.

Litigation support (328-00-1000-0510)\$2,760,665

Provided, That any unencumbered balance in the litigation support account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Capital litigation training grant fund (328-00-3211-3211) No limit
Indigents' defense services fund (328-00-2119-2000) No limit

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

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

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

(c) During the fiscal year ending June 30, 2021, 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, 2021, from the state general fund for the state board of indigents' defense services to any other item of appropriation for fiscal year 2021 from the state general fund for the state board of indigents' defense services. The executive director shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(d) In addition to the other purposes for which expenditures may be made by the state board of indigents' defense services from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2021 as authorized by this act or other appropriation act of the 2020 regular session of the legislature, expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2021 to classify public defenders based on the level of cases such public defenders are assigned.

(e) In addition to the other purposes for which expenditures may be made by the above agency from the operating expenditures account for fiscal year 2021 as authorized by this or other appropriation act of the 2020 regular session of the legislature, expenditures shall be made from such account for fiscal year 2021 to submit a report to the legislative budget committee on or before September 30, 2020, detailing the status of staff vacancies and retention and detailing a strategy to address such staffing concerns.

Sec. 42.

JUDICIAL BRANCH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

Judiciary operations (677-00-1000)\$112,056,817
Provided, That any unencumbered balance in the judiciary operations account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided further*, That contracts for computer input of judicial opinions and all purchases thereunder shall not be subject to the provisions of K.S.A. 75-3739, and amendments thereto: *And provided further*, That expenditures may be made from the judiciary operations account for contingencies without limitation at the discretion of the chief justice: *And provided further*, That expenditures from the judiciary operations account for such contingencies shall not exceed \$25,000: *And provided further*, That expenditures from the judiciary operations account for official hospitality shall not exceed \$4,000: *And provided further*, That expenditures shall be made from the judiciary operations account for the travel expenses of panels of the court of appeals for travel to cities across the state to hear appealed cases.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Library report fee fund (677-00-2106-2000)No limit
Judiciary technology fund (677-00-2272-1800).....No limit
Dispute resolution fund (677-00-2126-3500)No limit
Judicial branch education fund (677-00-2324-1900)No limit
Provided, That expenditures may be made from the judicial branch education fund to provide services and programs for the purpose of educating and training judicial branch officers and employees, administering the training, testing and education of municipal judges as provided in K.S.A. 12-4114, and amendments thereto, educating and training municipal judges and municipal court support staff, and for the planning and

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

Child welfare federal grant fund (677-00-3942-3300).....	No limit
Child support enforcement contractual agreement fund (677-00-2681-2400).....	No limit
SJI grant fund (677-00-2714-2714)	No limit
Bar admission fee fund (677-00-2724-2500).....	No limit
Permanent families account – family and children investment fund (677-00-7317-7000)	No limit
Duplicate law book fund (677-00-2543-2300)	No limit
Court reporter fund (677-00-2725-2600).....	No limit
Access to justice fund (677-00-2169-2100)	No limit
Judicial branch nonjudicial salary initiative fund (677-00-2229-2800).....	No limit
Judicial branch nonjudicial salary adjustment fund (677-00-2389-3200).....	No limit
Federal grants fund (677-00-3082-3100)	No limit
District magistrate judge supplemental compensation fund (677-00-2398-2390)	No limit
Correctional supervision fund (677-00-2465-2465).....	No limit
Violence against women grant fund – ARRA (677-00-3214-3214)	No limit
Judicial branch docket fee fund (677-00-2158-2158)	No limit
Electronic filing and management fund (677-00-2791-2791)	No limit

(c) On July 1, 2020, 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 (677-00-7317-7000) of the judicial branch.

(d) During the fiscal year ending June 30, 2021, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2021 by this or any other appropriation act of the 2020 regular session of the legislature, expenditures shall be made by the above agency from such moneys to provide a report to the house of representatives committee on appropriations and the senate

committee on ways and means on or before January 11, 2021, detailing the operations of the Kansas institute for peace and conflict resolution dispute resolution triage program.

Sec. 43.

KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2020, by the state finance council by section 132(e) of chapter 68 of the 2019 Session Laws of Kansas on the Kansas public employees retirement fund – agency operations account (365-00-7002-7400) of the Kansas public employees retirement system is hereby increased from \$12,839,877 to \$14,089,877.

Sec. 44.

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, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas public employees retirement fund (365-00-7002-7000) ...No limit
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 (365-00-2376).....No limit
Group insurance reserve fund (365-00-7358-9200)No limit
Optional death benefit plan reserve fund (365-00-7357-9100).....No limit
Kansas endowment for youth fund (365-00-7000-2000)No limit
Senior services trust fund (365-00-7550-7600).....No limit
Family and children endowment account –
family and children investment fund (365-00-7010-4000)No limit
Non-retirement administration fund (365-00-2277)No limit

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 (365-00-7000-2000), the senior services trust fund (365-00-7550-7600), the family and children endowment account – family and children investment fund (365-00-7010-4000) and the unclaimed property account (670-00-7758-7700) 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 (365-00-7001-2100).....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 2021: *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, 2021.

(b) Expenditures may be made from the expense reserve of the Kansas public employees retirement fund (365-00-7002-7000) for the fiscal year ending June 30, 2021, for the following specified purposes:

Agency operations (365-00-7002-7400)\$15,764,877

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

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

KPERS technology project (365-00-7002-7800)No limit

(c) On July 1, 2020, notwithstanding the provisions of K.S.A. 38-2102, and amendments thereto, the amount prescribed by K.S.A. 38-2102(d) (4), and amendments thereto, to be transferred on July 1, 2020, by the director of accounts and reports from the Kansas endowment for youth fund to the children's initiatives fund is hereby increased to \$50,402,827.

Sec. 45.

KANSAS HUMAN RIGHTS COMMISSION

(a) There is appropriated from the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

Operating expenditures (058-00-1000-0103).....\$1,104,781

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *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, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State and local fair employment practices –

federal fund (058-00-3016-3000)..... No limit

Conversion of materials and

equipment fund (058-00-2404-1300) No limit

Education and training fund (058-00-2282-2000) No limit

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

Sec. 46.

STATE CORPORATION COMMISSION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Public service regulation fund (143-00-2019-0100)..... No limit

Motor carrier license fees fund (143-00-2812-5500) No limit

Conservation fee fund (143-00-2130-2000) No limit

Provided, That any expenditure made from the conservation fee fund for plugging abandoned wells, cleanup of pollution from oil and gas activities and testing of wells shall be in addition to any expenditure limitation imposed on this fund: *Provided further*, That expenditures may be made from this fund for debt collection and set-off administration: *And provided further*, That a percentage of the fees collected, not to exceed 27%, shall be transferred from the conservation fee fund to the accounting services

recovery fund (173-00-6105-4010) of the department of administration for services rendered in collection efforts: *And provided further*, That all expenditures made from the conservation fee fund for debt collection and set-off administration shall be in addition to any expenditure limitation imposed on this fund: *And provided further*, That the state corporation commission shall include as part of the fiscal year 2021 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 2021, 2022 and 2023.

Natural gas underground storage fee fund (143-00-2181-2120)	No limit
Gas pipeline inspection fee fund (143-00-2023-1100)	No limit
Special one-call – federal fund (143-00-3477-3477)	No limit
Compressed air energy storage fee fund (143-00-2454-2410)	No limit
Abandoned oil and gas well fund (143-00-2143-2100)	No limit
Gas pipeline safety program – federal fund (143-00-3632-3000)	No limit
Carbon dioxide injection well and underground storage fund (143-00-2358-2500)	No limit
Vehicle information systems network – federal fund (143-00-3244-3244)	No limit
Underground injection control class II – federal fund (143-00-3768-3700)	No limit
One call – federal fund (143-00-3633-3120)	No limit
Inservice education workshop fee fund (143-00-2316-2300)	No limit

Provided, That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospital-ity, incurred for inservice workshops and conferences conducted by the state corporation commission for staff and members of the state corpo-ration commission: *Provided further*, That the state corporation commis-sion 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 provid-ed 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 (143-00-9062-9100)	No limit
Credit card clearing fund (143-00-9401-9400)	No limit
Suspense fund (143-00-9007-9000)	No limit
Well plugging assurance fund (143-00-2180-2110)	No limit

Facility conservation improvement

program fund (000-00-2432-2400)..... No limit

Energy grants management fund (000-00-2667-4000)..... No limit

Energy grant management – federal fund (000-00-3157-3150).... No limit

Energy efficiency/renewable energy –

federal fund (000-00-3029-3400)..... No limit

Energy conservation plan – federal fund (000-00-3682-3500)..... No limit

Energy efficiency revolving loan program –

ARRA federal fund (000-00-3161-3160)..... No limit

Provided, That expenditures may be made from the energy efficiency revolving loan program – ARRA federal fund for the energy efficiency revolving loan program pursuant to vouchers approved by the chairperson of the state corporation commission or by a person or persons designated by the chairperson: *Provided further*, That the state corporation commission is hereby authorized to establish the energy efficiency revolving loan program for the purpose of making loans for energy conservation and other energy-related activities: *And provided further*, That loans under such program shall be made at an interest rate established by the state corporation commission: *And provided further*, That the state corporation commission is hereby authorized to enter into contracts with other state agencies and with persons, as may be necessary, to administer the energy efficiency revolving loan program: *And provided further*, That any person who agrees to receive money from the energy efficiency revolving loan program – ARRA federal fund shall enter into an agreement requiring such person to submit a written report to the state corporation commission detailing and accounting for all expenditures and receipts related to the use of the moneys received from the energy efficiency revolving loan program – ARRA federal fund: *And provided further*, That moneys repaid to the energy efficiency revolving loan program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the energy efficiency revolving loan program – ARRA federal fund: *And provided further*, That, on or before the 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.

(b) Expenditures for the fiscal year ending June 30, 2021, by the state corporation commission from the conservation fee fund (143-00-2130-2000) or the abandoned oil and gas well fund (143-00-2143-2100) may be made for the service of independent on-site supervision of well plugging

contracts: *Provided*, That all such expenditures from the conservation fee fund or the abandoned oil and gas well fund for the purpose of plugging of abandoned oil and gas wells during fiscal year 2021 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, 2021, the chairperson of the state corporation commission, with the approval of the director of the budget, may transfer additional moneys from the conservation fee fund (143-00-2130-2000) of the state corporation commission that 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 (143-00-2143-2100) of the state corporation commission: *Provided*, That the chairperson 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, 2021, notwithstanding the provisions of any other statute, the chairperson of the state corporation commission, with the approval of the director of the budget, may transfer funds from any special revenue fund or funds of the state corporation commission to any other special revenue fund or funds of the state corporation commission. The chairperson of the state corporation commission shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) Expenditures for the fiscal year ending June 30, 2021, by the state corporation commission from the public service regulation fund (143-00-2019-0100), the motor carrier license fees fund (143-00-2812-5500) and the conservation fee fund (143-00-2130-2000) for official hospitality shall not exceed, in the aggregate, \$2,500.

(f) During the fiscal year ending June 30, 2021, notwithstanding the provisions of K.S.A. 55-164, 66-138 or 66-1,142b, and amendments thereto, or any other statute, all moneys received from civil fines and penalties charged and collected by the state corporation commission under K.S.A. 55-164, 66-138 or 66-1,142b, and amendments thereto, in the conservation fee fund (143-00-2130-2000), the public service regulation fund (143-00-2019-0100) and the motor carrier license fees fund (143-00-2812-5500) shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and deposited in the state treasury and credited to the state general fund.

(g) On July 1, 2020, 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

(143-00-2180-2110) of the state corporation commission to the abandoned oil and gas well fund (143-00-2143-2100) of the state corporation commission.

(h) On July 1, 2020, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$100,000 from the public service regulation fund (143-00-2019-0100) of the state corporation commission to the state general fund.

Sec. 47.

CITIZENS' UTILITY RATEPAYER BOARD

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2020, by the state finance council by section 132(e) of the 2019 Session Laws of Kansas on the utility regulatory fee fund (122-00-2030-2000) of the citizens' utility ratepayer board is hereby decreased from \$1,028,913 to \$1,015,913.

Sec. 48.

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, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Utility regulatory fee fund (122-00-2030-2000)\$999,659

(b) During the fiscal year ending June 30, 2021, in addition to other purposes for which expenditures may be made by the citizens' utility ratepayer board from the utility regulatory fee fund (122-00-2030-2000) for fiscal year 2021 for the citizens' utility ratepayer board as authorized by this or other appropriation act of the 2020 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 2020, then the amount equal to the remaining amount of such expenditure authority for fiscal year 2020 may be expended from the utility regulatory fee fund for fiscal year 2021 pursuant to contracts for professional services and any such expenditure for fiscal year 2021 shall be in addition to any expenditure limitation imposed on the utility regulatory fee fund for fiscal year 2021.

(c) On and after the effective date of this act, during the fiscal year ending June 30, 2020, no expenditures shall be made by the above agency from the utility regulatory fee fund (122-00-2030-2000) for the review or other oversight of proposed administrative rules and regulations or any other duties pursuant to executive order no. 11-02.

Sec. 49.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2020, the following:

Rehabilitation and repair for
state facilities (173-00-1000-8500).....\$626,399

(b) On the effective date of this act, of the \$3,424,074 appropriated for the above agency for the fiscal year ending June 30, 2020, by section 141(a) of chapter 68 of the 2019 Session Laws of Kansas from the state general fund in the restructuring debt service account (173-00-1000-0450), the sum of \$120,404 is hereby lapsed.

(c) On the effective date of this act, of the \$1,546,035 appropriated for the above agency for the fiscal year ending June 30, 2020, by section 62(a) of chapter 68 of the 2019 Session Laws of Kansas from the state general fund in the budget analysis account (173-00-1000-0520), the sum of \$34,608 is hereby lapsed.

(d) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2020, 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:

Department of administration audit services fundNo limit

Sec. 50.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

Operating expenditures (173-00-1000-0200)\$4,667,826

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$2,000: *Provided further*, That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, in addition to other positions within the department of administration in the unclassified service as prescribed by law, expenditures may be made from the operating expenditures account for three employees in the unclassified service under the Kansas civil service act.

Budget analysis (173-00-1000-0520)\$1,793,062

Provided, That any unencumbered balance in the budget analysis account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided further*, That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, in ad-

dition 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 (173-00-1000-0580).....\$293,866

Provided, That any unencumbered balance in the long-term care ombudsman account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided further*, That expenditures from this account for official hospitality shall not exceed \$1,000.

KPERS bonds debt service (173-00-1000-0440)\$64,004,622

(b) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2021, the following:

KPERS bond debt service (173-00-1700-1704).....\$36,119,102

Public broadcasting digital conversion

debt service (173-00-1700-1703)\$434,875

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds or indirect cost recoveries authorized by law shall not exceed the following:

Department of administration audit services fund No limit

Federal cash management fund (173-00-2001-2200)..... No limit

State leave payment reserve fund (173-00-7730-7350) No limit

Building and ground fund (173-00-2028-2000) No limit

General fees fund (173-00-2197-2020) No limit

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

Human resource information systems cost

recovery fund (173-00-6103-5700)..... No limit

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

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

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

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

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

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

Budget equipment conversion fund (173-00-2434-2090)No limit
Conversion of materials and

equipment fund (173-00-2408-2030)No limit

Architectural services equipment	
conversion fund (173-00-2401-2170)	No limit
Property contingency fund (173-00-2640-2060)	No limit
Flood control emergency –	
federal fund (173-00-3024-3020)	No limit
INK special revenue fund (173-00-2764-2702)	No limit
FICA reimbursements medical	
residents fund (173-00-7599-7500)	No limit
State buildings operating fund (173-00-6148-4100)	No limit

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

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

Provided, That expenditures may be made from the accounting services recovery fund for the operating expenditures, including official hospital-ity, of the department of administration: *Provided further*, That the secretary of administration is hereby authorized to fix, charge and collect

fees for services or sales provided by the department of administration that are not specifically authorized by any other statute: *And provided further*, That all fees received for such services or sales shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the accounting services recovery fund.

Architectural services recovery fund (173-00-6151-5500) No limit
Provided, That expenditures may be made from the architectural services recovery fund for operating expenditures for the division of facilities management: *Provided further*, That the director of facilities management is hereby authorized to fix, charge and collect fees for services provided to other state agencies not directly related to the construction of a capital improvement project: *And provided further*, That all fees received for all such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the architectural services recovery fund.

Motor pool service fund (173-00-6109-4020) No limit
Intragovernmental printing service fund (173-00-6165-9800)..... No limit
Intragovernmental printing service depreciation
reserve fund (173-00-6167-9810) No limit
Municipal accounting and training services
recovery fund (173-00-2033-1850) No limit

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

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

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

State gaming revenues fund (173-00-9011-9100)	No limit
Financial management system development fund – on budget (173-00-2689-2689)	No limit
Construction defects recovery fund (173-00-2632-2615)	No limit
Facilities conservation improvement fund (173-00-8745-4912) ...	No limit
State revolving fund services fee fund (173-00-2038-2700)	No limit
Conversion of materials and equipment – recycling program fund (173-00-2435-2031)	No limit
Curtis office building maintenance reserve fund (173-00-2010-2190)	No limit
Equipment lease purchase program administration clearing fund (173-00-8701-8000)	No limit
Suspense fund (173-00-9075-9220)	No limit
Electronic funds transfer suspense fund (173-00-9175-9490)	No limit
Surplus property program fund – on budget (173-00-2323-2300)	No limit
Surplus property program fund – off budget (173-00-6150-6150)	No limit
Older Americans act title IIIB long-term care ombudsman federal fund (173-00-3287-3287)	No limit
Older Americans act title VII long-term care ombudsman federal fund (173-00-3358-3140)	No limit
Long-term care ombudsman gift and grant fund (173-00-7258-7280)	No limit
Title XIX – long-term care ombudsman medical assistance program federal fund (173-00-3414-3414)	No limit
Wireless enhanced 911 grant fund (173-00-2577-2570)	No limit
Bioscience development fund (173-00-2765-2703)	No limit
Dwight D Eisenhower statue fund	No limit
Digital imaging program fund	No limit

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

(d) During the fiscal year ending June 30, 2021, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2021 by this or other appropriation act of the 2020 regular session of the legislature, expenditures may be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2021, for the secretary of administration, as part of the system of payroll accounting formulated under K.S.A. 75-5501, and amendments thereto, to establish a payroll deduction plan, for the purpose of allowing insurers, who are authorized to do business in the state of Kansas, to offer to state employees accident, disability, specified disease and hospital indemnity products, which may be purchased by such employees: *Provided, however,* That any such insurer and indemnity product shall be approved by the Kansas state employees health care commission prior to the establishment of such payroll deduction: *Provided,* That upon notification of an employing agency's receipt of written authorization by any state employee, the director of accounts and reports shall make periodic deductions of amounts as specified in such authorization from the salary or wages of such state employee for the purpose of purchasing such indemnity products: *Provided further,* That, subject to the approval of the secretary of administration, the director of accounts and reports may prescribe procedures, limitations and conditions for making payroll deductions pursuant to this section.

(e) On July 1, 2020, 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, 2021, the secretary of administration is hereby authorized to approve refinancing of equipment being financed by state agencies through the department's equipment financing program. Such refinancing project is hereby approved for the purposes of K.S.A. 74-8905(b), and amendments thereto.

(g) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated in any capital improvement account of any special revenue fund or funds or in any capital improvement account of the state general fund for the above agency for fiscal year 2021 by this or other appropriation act of the 2020 regular session of the legislature, expenditures may be made by the above agency from any such capital improvement account of any special revenue fund or funds or any such capital improvement account of the state general fund for fiscal year 2021 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, 2020, the director of accounts and reports shall record a debit to the state treasurer's receivables for the state economic development initiatives fund and shall record a corresponding credit to the state economic development initiatives fund in an amount certified by the director of the budget that shall be equal to 75% of the amount estimated by the director of the budget to be transferred and credited to the state economic development initiatives fund during the fiscal year ending June 30, 2021, except that such amount shall be proportionally adjusted during fiscal year 2021 with respect to any change in the moneys to be transferred and credited to the state economic development initiatives fund during fiscal year 2021. All moneys transferred and credited to the state economic development initiatives fund during fiscal year 2021 shall reduce the amount debited and credited to the state economic development initiatives fund under this subsection.

(2) On June 30, 2021, 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 2021.

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

(i) (1) On July 1, 2020, the director of accounts and reports shall record a debit to the state treasurer's receivables for the correctional institutions building fund and shall record a corresponding credit to the correctional institutions building fund in an amount certified by the director of the budget that shall be equal to 80% of the amount estimated by the director of the budget to be transferred and credited to the correctional institutions building fund during the fiscal year ending June 30, 2021, except that such amount shall be proportionally adjusted during fiscal year 2021 with respect to any change in the moneys to be transferred and credited to the correctional institutions building fund during fiscal year 2021. All moneys transferred and credited to the correctional institutions building fund during fiscal year 2021 shall reduce the amount debited and credited to the correctional institutions building fund under this subsection.

(2) On June 30, 2021, 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 2021.

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

(j) During the fiscal year ending June 30, 2021, 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, 2021, from the state general fund for the department of administration to another item of appropriation for fiscal year 2021 from the state general fund for the department of administration. The secretary of administration shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(k) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2021, the following: SIBF – state building insurance (173-00-8100-8920).....\$190,000
Provided, That, notwithstanding the provisions of K.S.A. 76-6b05, and amendments thereto, expenditures may be made by the above agency from the SIBF – state building insurance account of the state institutions building fund for state building insurance premiums.

(l) There is appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 2021, the following:

CIBF – state building insurance (173-00-8600-8930).....\$210,000
Provided, That, notwithstanding the provisions of K.S.A. 76-6b09, and amendments thereto, expenditures may be made by the above agency from the CIBF – state building insurance account of the correctional institutions building fund for state building insurance premiums.

(m) On July 1, 2020, or as soon thereafter as moneys are available during the fiscal year ending June 30, 2021, the director of accounts and reports shall transfer an amount or amounts from the appropriate federal fund or funds of the Kansas department for aging and disability services to the older Americans act title IIIB long-term care ombudsman federal

fund (173-00-3287-3287) of the department of administration: *Provided*, That the aggregate of such amount or amounts transferred during fiscal year 2021 shall be equal to and shall not exceed the older Americans act title VII: ombudsman award and 4.38% of the Kansas older Americans act title III: part B supportive services award.

(n) (1) (A) Prior to August 15, 2020, the state board of regents shall determine and certify to the director of the budget each of the specific amounts from the amounts appropriated from the state general fund or from the moneys appropriated and available in the special revenue funds for each of the regents agencies to be transferred to and debited to the 27th payroll adjustment account of the state general fund by the director of accounts and reports pursuant to this subsection: *Provided*, That the aggregate of all such amounts certified to the director of the budget shall be an amount that is equal to or more than \$1,184,054. The certification by the state board of regents shall specify the amount in each account of the state general fund or in each special revenue fund, or account thereof, that is designated by the state board of regents pursuant to this subsection for each of the regents agencies to be transferred to and debited to the 27th payroll adjustment account in the state general fund by the director of accounts and reports pursuant to this subsection. At the same time as such certification is transmitted to the director of the budget, the state board of regents shall transmit a copy of such certification to the director of legislative research.

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

(C) On August 15, 2020, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under this subsection, the appropriation for fiscal year 2021 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, 2021, by this or other appropriation act of the 2020 regular session of the legislature is hereby respectively lapsed by the amount equal to the amount certified under this subsection.

(2) In determining the amounts to be certified to the director of accounts and reports in accordance with this subsection, the director of the budget and the state board of regents shall consider any changed circumstances and unanticipated reductions in expenditures or unanticipated and required expenditures by the regents agencies for fiscal year 2021.

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

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

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

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

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

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

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

(o) During the fiscal year ending June 30, 2021, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2021 by this or other appropriation act of the 2020 regular session of the legislature, expenditures may be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2021, for the secretary of administration to fix, charge and collect fees for architectural, engineering and management services provided for capital improvement projects of the state board of regents or any state educational institution, as defined by K.S.A. 76-711, and amendments thereto, for which the department of administration provides such services and which are financed in whole or in part by gifts, bequests or donations made by

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

(p) (1) On July 1, 2020, the director of accounts and reports shall record a debit to the state treasurer's receivables for the expanded lottery act revenues fund and shall record a corresponding credit to the expanded lottery act revenues fund in an amount certified by the director of the budget that shall be equal to the amount estimated by the director of the budget to be transferred and credited to the expanded lottery act revenues fund during the fiscal year ending June 30, 2021, except that such amount shall be proportionally adjusted during fiscal year 2021 with respect to any change in the moneys to be transferred and credited to the expanded lottery act revenues fund during fiscal year 2021. All moneys transferred and credited to the expanded lottery act revenues fund during fiscal year 2021 shall reduce the amount debited and credited to the expanded lottery act revenues fund under this subsection.

(2) On June 30, 2021, 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 2021.

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

(q) (1) On July 1, 2020, the director of accounts and reports shall record a debit to the state treasurer's receivables for the children's initiatives fund and shall record a corresponding credit to the children's initiatives fund in an amount certified by the director of the budget that shall be equal to 50% of the amount estimated by the director of the budget to be transferred and credited to the children's initiatives fund during the fiscal year ending June 30, 2021, except that such amount shall be proportionally adjusted during fiscal year 2021 with respect to any change in the moneys to be transferred and credited to the children's initiatives fund during

fiscal year 2021. 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 2020 and fiscal year 2021 in determining the amount to be certified under this subsection. All moneys transferred and credited to the children's initiatives fund during fiscal year 2021 shall reduce the amount debited and credited to the children's initiatives fund under this subsection.

(2) On June 30, 2021, 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 2021.

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

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

(r) (1) On July 1, 2020, the director of accounts and reports shall record a debit to the state treasurer's receivables for the Kansas endowment for youth fund and shall record a corresponding credit to the Kansas endowment for youth fund in an amount certified by the director of the budget that shall be equal to 75% of the amount approved for expenditure by the children's cabinet during the fiscal year ending June 30, 2021, as certified by the director of the budget. All moneys received and credited to the Kansas endowment for youth fund during fiscal year 2021 shall reduce the amount debited and credited to the Kansas endowment for youth fund under this subsection.

(2) On June 30, 2021, 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 2021.

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

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

(s) On July 1, 2020, the director of accounts and reports shall transfer all moneys in the FICA reimbursements medical residents fund (173-00-7599-7500) to the accounting services recovery fund (173-00-6105-4010). On July 1, 2020, all liabilities of the FICA reimbursements medical residents fund are hereby transferred to and imposed on the accounting services recovery fund, and the FICA reimbursements medical residents fund is hereby abolished.

Sec. 51.

OFFICE OF INFORMATION
TECHNOLOGY SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2020, the following:

Data center migration (335-00-1000).....	\$9,000,000
Network remediation (335-00-1000).....	\$1,400,000
Rehabilitation and repair (335-00-1000)	\$4,500,000

Sec. 52.

OFFICE OF INFORMATION
TECHNOLOGY SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

Data center migration (335-00-1000).....	\$2,000,000
<i>Provided, That any unencumbered balance in the data center migration account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.</i>	
Network remediation (335-00-1000).....	\$3,400,000

Provided, That any unencumbered balance in the network remediation account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Rehabilitation and repair (335-00-1000)\$4,500,000

Provided, That any unencumbered balance in the rehabilitation and repair account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

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

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

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

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

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

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

State and local implementation grant –

federal fund (335-00-3576-3576)..... No limit

Sec. 53.

KANSAS INFORMATION SECURITY OFFICE

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

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

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

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

Sec. 54.

OFFICE OF ADMINISTRATIVE HEARINGS

(a) On the effective date of this act, the expenditure limitation for official hospitality established for the fiscal year ending June 30, 2020, by section 65(a) of chapter 68 of the 2019 Session Laws of Kansas on the administrative hearings office fund (178-00-2582-2584) of the office of administrative hearings is hereby decreased from \$100 to \$50.

Sec. 55.

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, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Administrative hearings office fund (178-00-2582) No limit
Provided, That expenditures from the administrative hearings office fund for official hospitality shall not exceed \$50.

Sec. 56.

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, 2021, the following:

Operating expenditures (562-00-1000-0103) \$807,323
Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Duplicating fees fund (562-00-2219-2200) \$3,000
BOTA filing fee fund (562-00-2240-2240) \$1,114,266

(c) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2021 for the above agency as authorized by this or other appropriation act of the 2020 regular session of the legislature, notwithstanding the provisions of K.S.A. 74-2433, and amendments thereto, or any other statute, expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2021 for a member to continue to serve for a period of 180 days after the expiration of the member's term during fiscal year 2021.

Sec. 57.

DEPARTMENT OF REVENUE

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2020, 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:

Fleet rental vehicle administration fund (565-00-2799-2799) No limit
 Fleet rental vehicle clearing fund (565-00-9089-9089) No limit

Sec. 58.

DEPARTMENT OF REVENUE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

Operating expenditures (565-00-1000-0303)\$16,027,478
Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *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, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Sand royalty fund (565-00-2087-2010) No limit
 Division of vehicles operating fund (565-00-2089-2020)\$50,768,614

Provided, That all receipts collected under authority of K.S.A. 74-2012, and amendments thereto, shall be credited to the division of vehicles operating fund: *Provided further*, That any expenditure from the division of vehicles operating fund of the department of revenue to reimburse the audit services fund (540-00-9204-9000) of the division of post audit for a financial-compliance audit in an amount certified by the legislative post auditor shall be in addition to any expenditure limitation imposed on the division of vehicles operating fund for the fiscal year ending June 30, 2021: *And provided further*, That, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, expenditures may be made from this fund for the administration and operation of the department of revenue.

Vehicle dealers and manufacturers
 fee fund (565-00-2189-2030) No limit
 Kansas qualified agricultural ethyl alcohol
 producer incentive fund (565-00-2215) No limit
 Division of vehicles modernization fund (565-00-2390-2390) No limit
 Kansas retail dealer incentive fund (565-00-2387-2380) No limit
 Local report fee fund (565-00-2249-2160)..... No limit
 Conversion of materials and
 equipment fund (565-00-2417-2050) No limit

Forfeited property fee fund (565-00-2428-2200)	No limit
Setoff services revenue fund (565-00-2617-2080)	No limit
Publications fee fund (565-00-2663-2090)	No limit
Child support enforcement contractual agreement fund (565-00-2683-2110)	No limit
County treasurers' vehicle licensing fee fund (565-00-2687-2120)	No limit
Tax amnesty recovery fund (565-00-2462-2462)	No limit
Reappraisal reimbursement fund (565-00-2693-2130)	No limit
<i>Provided</i> , That all moneys received for the costs incurred for conduct- ing appraisals for any county shall be deposited in the state treasury and credited to the reappraisal reimbursement fund: <i>Provided further</i> , That expenditures may be made from this fund for the purpose of conduct- ing appraisals pursuant to orders of the state board of tax appeals under K.S.A. 79-1479, and amendments thereto.	
Special training fund (565-00-2016-2000)	No limit
<i>Provided</i> , That expenditures may be made from the special training fund for operating expenditures, including official hospitality, incurred for con- ferences, training seminars, workshops and examinations: <i>Provided fur-</i> <i>ther</i> , That the secretary of revenue is hereby authorized to fix, charge and collect fees for conferences, training seminars, workshops and exam- inations sponsored or cosponsored by the department of revenue: <i>And</i> <i>provided further</i> , That such fees shall be fixed in order to recover all or part of the operating expenditures incurred for such conferences, train- ing seminars, workshops and examinations or for qualifying applicants for such conferences, training seminars, workshops and examinations: <i>And</i> <i>provided further</i> , That all fees received for conferences, training semi- nars, workshops and examinations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the special training fund.	
Recovery fund for enforcement actions and attorney fees (565-00-2021-2060)	No limit
Earned income tax credits – TANF – federal fund (565-00-3345-3340)	No limit
Commercial vehicle information systems/network federal fund (565-00-3244-3244)	No limit
Temporary assistance – needy families federal fund (565-00-3323-3323)	No limit
Highway planning construction federal fund (565-00-3333-3333)	No limit
Immigration MOU federal fund (565-00-3497-3497)	No limit

Commercial drivers licensing state

program federal fund (565-00-3515-3515).....	No limit
DL security grant program fund (565-00-3780-3150).....	No limit
State and community highway safety fund (565-00-3815-3815) ...	No limit
Microfilming fund (565-00-2281-2270).....	No limit

Provided, That expenditures may be made from the microfilming fund to operate and maintain a microfilming activity to sell microfilming services to other state agencies: *Provided further*, That all moneys received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the microfilming fund.

Miscellaneous trust

bonds fund (565-00-7556-5180)	No limit
Liquor excise tax guarantee bond fund (565-00-7604-5190).....	No limit
Non-resident contractors cash bond fund (565-00-7605-5200)	No limit
Bond guaranty fund (565-00-7606-5210).....	No limit
Interstate motor fuel user cash bond fund (565-00-7616-5220) ...	No limit
Motor fuel distributor cash bond fund (565-00-7617-5230)	No limit
Special county mineral production	
tax fund (565-00-7668-5280).....	No limit
County drug tax fund (565-00-7680-5310).....	No limit
Escheat proceeds suspense fund (565-00-7753-5290)	No limit
Privilege tax refund fund (565-00-9031-9300).....	No limit
Suspense fund (565-00-9032-9310).....	No limit
Cigarette tax refund fund (565-00-9033-9330).....	No limit
Motor-vehicle fuel tax refund fund (565-00-9035-9350)	No limit
Cereal malt beverage tax refund fund (565-00-9036-9360)	No limit
Income tax refund fund (565-00-9038-9370).....	No limit
Sales tax refund fund (565-00-9039-9380).....	No limit
Compensating tax refund fund (565-00-9040-9390)	No limit
Alcoholic liquor tax refund fund (565-00-9041-9400)	No limit
Cigarette/tobacco products	
regulation fund (565-00-2294-2190)	No limit
Motor carrier tax refund fund (565-00-9042-9410).....	No limit
Car company tax fund (565-00-9043-9420).....	No limit
Protested motor carrier taxes fund (565-00-9044-9430)	No limit
Tobacco products refund fund (565-00-9045-9440)	No limit
Transient guest tax refund fund (established by	
K.S.A. 12-1694a) (565-00-9066-9450).....	No limit
Interstate motor fuel taxes	
clearing fund (565-00-9070-9710)	No limit
Motor carrier permits escrow	
clearing fund (565-00-7581-5400)	No limit

Transient guest tax refund fund established by K.S.A. 12-16,100 (565-00-9074-9480)	No limit
Interstate motor fuel taxes refund fund (565-00-9069-9010)	No limit
Interfund clearing fund (565-00-9096-9510)	No limit
Local alcoholic liquor clearing fund (565-00-9100-9700)	No limit
International registration plan distribution clearing fund (565-00-9103-9520)	No limit
Rental motor vehicle excise tax refund fund (565-00-9106-9730)	No limit
International fuel tax agreement clearing fund (565-00-9072-9015)	No limit
Mineral production tax refund fund (565-00-9121-9540)	No limit
Special fuels tax refund fund (565-00-9122-9550)	No limit
LP-gas motor fuels refund fund (565-00-9123-9560)	No limit
Local alcoholic liquor refund fund (565-00-9124-9570)	No limit
Sales tax clearing fund (565-00-9148-9580)	No limit
Rental motor vehicle excise tax clearing fund (565-00-9187-9640)	No limit
VIPS/CAMA technology hardware fund (565-00-2244-2170)	No limit

Provided, That, notwithstanding the provisions of K.S.A. 74-2021, and amendments thereto, or of any other statute, expenditures may be made from the VIPS/CAMA technology hardware fund (565-00-2244-2170) for the purposes of upgrading the VIPS/CAMA computer hardware and software for the state or for the counties and for administration and operation of the department of revenue.

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

Provided, That, notwithstanding the provisions of K.S.A. 74-2022, and amendments thereto, or any other statute, expenditures may be made from the electronic databases fee fund (565-00-2287-2180) 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 rev-

enue, including the costs incurred to provide access to or to furnish copies of public records in such database systems and for the administration and operation of the department of revenue.

Photo fee fund (565-00-2084-2140) No limit

Provided, That, notwithstanding the provisions of K.S.A. 2019 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 (565-00-9082-9501) No limit

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

Repossessed certificates of title fee fund (565-00-2015-2070)..... No limit

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

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

Community improvement district sales tax
administration fund (565-00-7675-5300) No limit

Community improvement district sales tax
refund fund (565-00-9049-9455) No limit

Community improvement district sales tax
clearing fund (565-00-9189-9655) No limit

Drivers license first responders indicator
federal fund (565-00-3179-3179)..... No limit

Enforcing underage drinking federal fund (565-00-3219-3219).... No limit

FDA tobacco program federal fund (565-00-3330-3330) No limit

Commercial vehicle administrative
system fund (565-00-2098-2098) No limit

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

Charitable gaming refund fund (565-00-9001-9001)..... No limit

Commercial driver's license drive test
fee fund (565-00-2816-2816) No limit

DUI-IID designation fund (565-00-2380-2370)..... No limit

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

Alcoholic beverage control
modernization fund (565-00-2299-2299) No limit

Native American veterans' income tax refund fund No limit

Fleet rental vehicle administration fund (565-00-2799-2799) No limit

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

(c) On July 1, 2020, October 1, 2020, January 1, 2021, and April 1, 2021, the director of accounts and reports shall transfer \$12,050,132 from

the state highway fund (276-00-4100-4100) of the department of transportation to the division of vehicles operating fund (565-00-2089-2020) of the department of revenue for the purpose of financing the cost of operation and general expense of the division of vehicles and related operations of the department of revenue.

(d) On August 1, 2020, the director of accounts and reports shall transfer \$77,250 from the accounting services recovery fund (173-00-6105-4010) of the department of administration to the setoff services revenue fund (565-00-2617-2080) of the department of revenue for reimbursing costs of recovering amounts owed to state agencies under K.S.A. 75-6201 et seq., and amendments thereto.

(e) Notwithstanding the provisions of K.S.A. 8-145, and amendments thereto, or any other statute, for the fiscal year ending June 30, 2021, 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 \$500,000 to the digital imaging program fund (173-00-6121-6121) of the department of administration.

(f) Notwithstanding the provisions of K.S.A. 8-145, and amendments thereto, or any other statute, for the fiscal year ending June 30, 2021, 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 (083-00-2457-2400) of the attorney general – Kansas bureau of investigation.

(g) Notwithstanding the provisions of K.S.A. 8-145, and amendments thereto, or any other statute, for the fiscal year ending June 30, 2021, 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 (565-00-2390-2390) of the department of revenue.

(h) On July 1, 2020, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,220,688 from the Kansas endowment for youth fund (365-00-7000-2000) to the MSA compliance fund (565-00-2274-2274) of the department of revenue.

Sec. 59.

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, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Lottery prize payment fund (450-00-7381).....	No limit
Lottery operating fund (450-00-5123).....	No limit

Provided, That expenditures from the lottery operating fund for official hospitality shall not exceed \$5,000.

Expanded lottery receipts fund (450-00-5128).....No limit
Lottery gaming facility manager fund (450-00-5129-5150).....No limit
Expanded lottery act revenues fund (450-00-5127-5120).....\$0

(b) Notwithstanding the provisions of K.S.A. 74-8711, and amendments thereto, and subject to the provisions of this subsection: (1) An amount of not less than \$2,300,000 shall be certified by the executive director of the Kansas lottery to the director of accounts and reports on or before July 15, 2020; 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, 2020, and on or before the 15th of each month thereafter through June 15, 2021: *Provided*, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the lottery operating fund (450-00-5123-5100) to the state gaming revenues fund (173-00-9011-9100) and shall credit such amount to the state gaming revenues fund (173-00-9011-9100) for the fiscal year ending June 30, 2021: *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 2021 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, 2021, 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 2021 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 2021 is equal to or more than \$76,900,000: *And provided further*, That the aggregate of all amounts transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2021 pursuant to this subsection shall be equal to or more than \$76,900,000: *And provided further*, That the transfers prescribed by this subsection shall be the maximum amount possible while maintaining an adequate cash balance necessary to make expenditures for prize payments and operating costs: *And provided further*, That the transfers prescribed in this subsection shall include the total profit attributed to the special veterans benefit game under K.S.A. 74-8724, and amendments thereto: *And provided further*, That the transfers prescribed by this subsection shall be made in lieu of transfers under K.S.A. 74-8711(d), and amendments thereto, for fiscal year 2021.

(c) In addition to the purposes for which expenditures of moneys in the lottery operating fund (450-00-5123-5100) may be made, as authorized by provisions of K.S.A. 74-8711, and amendments thereto, in fiscal year 2021, moneys in the lottery operating fund may be used for payment of all costs incurred in the operation and administration of the Kansas lottery, the Kansas lottery act and the Kansas expanded lottery act.

(d) Notwithstanding the provisions of K.S.A. 74-8724, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2021, the director of accounts and reports shall transfer from the lottery operating fund (450-00-5123-5100) to the state gaming revenues fund (173-00-9011-9100) the amount of total profit attributed to the veterans benefits game pursuant to K.S.A. 74-8724, and amendments thereto, during fiscal year 2021: *Provided*, That, the transfer to the veterans benefit lottery game fund (694-00-2303-2303) of the Kansas commission on veterans affairs office for the fiscal year ending June 30, 2021, authorized by section 66(f) represents the total profits derived from the veterans benefits game pursuant to K.S.A. 74-8724, and amendments thereto: *Provided further*, That on or before August 1, 2021, the executive director of the lottery shall report the amount of total profit attributed to the veterans benefits game pursuant to K.S.A. 74-8724, and amendments thereto, during fiscal year 2021 to the director of the budget and the director of legislative research.

Sec. 60.

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, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State racing fund (553-00-5131-5000).....No limit

Provided, That expenditures from the state racing fund for official hospitality shall not exceed \$2,500.

Racing reimbursable expense fund (553-00-2616-2600).....No limit

Racing applicant deposit fund (553-00-7383-7000).....No limit

Kansas horse breeding development fund (553-00-2516-2300) ...No limit

Kansas greyhound breeding

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

Provided, That notwithstanding K.S.A. 74-8831, and amendments thereto, all moneys transferred into this fund pursuant to K.S.A. 74-8767(b), and amendments thereto, shall be deposited to a separate account established for the purpose described in this proviso and moneys in this

account shall be expended only to supplement special stake races and to enhance the amount per point paid to owners of Kansas-whelped greyhounds that win live races at Kansas greyhound tracks and pursuant to rules and regulations adopted by the Kansas racing and gaming commission: *Provided further*, That transfers from this account to the live greyhound racing purse supplement fund may be made in accordance with K.S.A. 74-8767(b), and amendments thereto.

Racing investigative expense fund (553-00-2570-2400) No limit
 Horse fair racing benefit fund (553-00-2296-3000) No limit
 Tribal gaming fund (553-00-2320-3700) No limit

Provided, That expenditures from the tribal gaming fund for official hospitality shall not exceed \$1,000.

Expanded lottery regulation fund (553-00-2535) No limit

Provided, That expenditures from the expanded lottery regulation fund for official hospitality shall not exceed \$1,500.

Live horse racing purse supplement fund (553-00-2546-2800) No limit

Live greyhound racing purse
 supplement fund (553-00-2557-2900) No limit

Greyhound promotion and
 development fund (553-00-2561-3100) No limit

Gaming background investigation fund (553-00-2682-2680) No limit

Gaming machine examination fund (553-00-2998-2990) No limit

Education and training fund (553-00-2459-2450) No limit

Provided, That expenditures may be made from the education and training fund for operating expenditures, including official hospitality, incurred for hosting or providing training, in-service workshops and conferences: *Provided further*, That the Kansas racing and gaming commission is hereby authorized to fix, charge and collect fees for hosting or providing training, in-service workshops and conferences: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenditures incurred for hosting or providing such training, in-service workshops and conferences: *And provided further*, That all fees received for hosting or providing such training, in-service workshops and conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the education and training fund.

Illegal gambling enforcement fund (553-00-2734-2690) No limit

Provided, That expenditures may be made from the illegal gambling enforcement fund for direct or indirect operating expenditures incurred for investigatory seizure and forfeiture activities, including, but not limited to:
 (1) Conducting investigations of illegal gambling operations or activities;

(2) participating in illegal gaming in order to collect or purchase evidence as part of an undercover investigation into illegal gambling operations; and (3) acquiring information or making contacts leading to illegal gaming activities: *Provided, however,* That all moneys that are expended for any such evidence purchase, information acquisition or similar investigatory purpose or activity from whatever funding source and that are recovered shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the illegal gambling enforcement fund: *Provided further,* That any moneys received or awarded to the Kansas racing and gaming commission for such enforcement activities shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the illegal gambling enforcement fund.

(b) On July 1, 2020, the director of accounts and reports shall transfer \$450,000 from the state general fund to the tribal gaming fund (553-00-2320-3700) of the Kansas racing and gaming commission.

(c) During the fiscal year ending June 30, 2021, 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 2021 for any arbitration or litigation in connection with the administration and enforcement of tribal-state gaming compacts or the provisions of the tribal gaming oversight act, from (2) the aggregate of the amounts transferred to the tribal gaming fund (553-00-2320-3700) of the Kansas racing and gaming commission during fiscal year 2021 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, 2021, all payments for services provided by the Kansas bureau of investigation shall be paid by the Kansas racing and gaming commission in accordance with K.S.A. 75-5516(b), and amendments thereto, pursuant to bills that are presented in a timely manner by the Kansas bureau of investigation for services rendered.

(e) In addition to the other purposes for which expenditures may be made from the moneys appropriated in the tribal gaming fund (553-00-2320-3700) for fiscal year 2021 for the Kansas racing and gaming commission by this or other appropriation act of the 2020 regular session of the legislature, expenditures, which are hereby authorized, may be made from the tribal gaming fund for fiscal year 2021 for the state gaming agency regulatory oversight of class III gaming, including, but not limited to, the reg-

ulatory oversight and law enforcement activities of monitoring compliance with tribal-state gaming compacts and conducting investigations of violations of tribal-state gaming compacts, investigations of criminal violations of the laws of this state at tribal gaming facilities, criminal violations of the tribal gaming oversight act, background investigations of applicants and vendors and investigations of other criminal activities related to tribal gaming.

(f) Notwithstanding the provisions of K.S.A. 74-8831, and amendments thereto, or any other statute, the director of accounts and reports shall not make the transfer from the Kansas greyhound breeding development fund (553-00-2601-2500) of the Kansas racing and gaming commission to the greyhound tourism fund of the Kansas department of wildlife, parks and tourism that is directed to be made on or before June 30, 2021, by K.S.A. 74-8831(b)(1), and amendments thereto, and shall transfer on or before June 30, 2021, the amount equal to 15% of all moneys credited to the Kansas greyhound breeding development fund during the fiscal year ending June 30, 2021, from the Kansas greyhound breeding development fund to the greyhound promotion and development fund (553-00-2561-3100) of the Kansas racing and gaming commission.

(g) During the fiscal year ending June 30, 2021, notwithstanding the provisions of any other statute, the Kansas racing and gaming commission is hereby authorized to fix, charge and collect additional fees to recover all or part of the direct and indirect costs or operating expenses incurred or expected to be incurred by the Kansas racing and gaming commission for the regulation of racing activities that are not otherwise recovered from a parimutuel facility licensee under authority of any other statute: *Provided*, That such fees shall be in addition to all taxes and other fees otherwise authorized by law: *Provided further*, That such costs or operating expenses shall include all or part of any auditing, drug testing, accounting, security and law enforcement, licensing of any office or other facility for use by a parimutuel facility licensee or projects to update and upgrade information technology software or facilities of the commission and shall specifically include any general operating expenses that are associated with regulatory activities attributable to the entity upon which any such fee is imposed and all expenses related to reopening any race track or other racing facility: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state racing fund (553-00-5131-5000).

Sec. 61.

DEPARTMENT OF COMMERCE

(a) Any unencumbered balance in excess of \$100 as of June 30, 2020, in the KBA grant commitments account of the state general fund is hereby reappropriated for fiscal year 2021.

(b) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2021, the following:

Main street program (300-00-1900-1175).....\$825,000

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2020, in the main street program account is hereby reappropriated for fiscal year 2021.

Older Kansans employment program (300-00-1900-1140).....\$503,164

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2020, in the older Kansans employment program account is hereby reappropriated for fiscal year 2021.

Rural opportunity zones program (300-00-1900-1150).....\$1,008,583

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2020, in the rural opportunity zones program account is hereby reappropriated for fiscal year 2021.

Senior community service

employment program (300-00-1900-1160).....\$7,941

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2020, in the senior community service employment program account is hereby reappropriated for fiscal year 2021.

Strong military bases program (300-00-1900-1170).....\$195,880

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2020, in the strong military bases program account is hereby reappropriated for fiscal year 2021.

Governor's council of economic advisors (300-00-1900-1185).....\$193,795

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2020, in the governor's council of economic advisors account is hereby reappropriated for fiscal year 2021.

Creative arts industries commission (300-00-1900-1188).....\$502,084

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2020, in the creative arts industries commission account is hereby reappropriated for fiscal year 2021.

Operating grant (including

official hospitality) (300-00-1900-1110).....\$8,383,532

Provided, That any unencumbered balance in the operating grant (including official hospitality) account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided further*, That expenditures may be made from the operating grant (including official hospitality) account for certified development companies that have been

determined to be qualified for grants by the secretary of commerce, except that expenditures for such grants shall not be made for grants to more than 10 certified development companies that have been determined to be qualified for grants by the secretary of commerce.

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

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2020, in the public broadcasting grants account is hereby reappropriated for fiscal year 2021.

Build up Kansas (300-00-1900-1230)\$125,000

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2020, in the build up Kansas account is hereby reappropriated for fiscal year 2021.

Community development (300-00-1900)\$644,061

International trade (300-00-1900)\$203,771

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Job creation program fund (300-00-2467-2467)No limit

Kan-grow engineering fund – KU (300-00-2494-2494)\$3,500,000

Kan-grow engineering fund – KSU (300-00-2494-2495)\$3,500,000

Kan-grow engineering fund – WSU (300-00-2494-2496)\$3,500,000

Kansas creative arts industries commission special gifts fund (300-00-7004-7004)No limit

Governor's council of economic advisors private

operations fund (300-00-2761-2701)No limit

Publication and other sales fund (300-00-2048)No limit

Conversion of equipment and

materials fund (300-00-2411-2220)No limit

Conference registration and disbursement fund (300-00-2049)....No limit

Reimbursement and recovery fund (300-00-2275).....No limit

Community development block grant –

federal fund (300-00-3669).....No limit

National main street center fund (300-00-7325-7000).....No limit

IMPACT program services fund (300-00-2176)No limit

IMPACT program repayment fund (300-00-7388)No limit

Kansas partnership fund (300-00-7525-7020).....No limit

General fees fund (300-00-2310).....No limit

Provided, That expenditures may be made from the general fees fund for loans pursuant to loan agreements, which are hereby authorized to be

entered into by the secretary of commerce in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary therefor under programs of the department.

Athletic fee fund (300-00-2599-2500).....	No limit
WIOA adult – federal fund (300-00-3270).....	No limit
WIOA youth activities – federal fund (300-00-3039)	No limit
WIOA dislocated workers – federal fund (300-00-3428)	No limit
Trade adjustment assistance – federal fund (300-00-3273).....	No limit
Disabled veterans outreach program – federal fund (300-00-3274-3242).....	No limit
Local veterans employment representative program – federal fund (300-00-3274-3240).....	No limit
Wagner Peyser employment services – federal fund (300-00-3275).....	No limit
Senior community service employment program – federal fund (300-00-3100-3510).....	No limit
Indirect cost – federal fund (300-00-2340-2300).....	No limit
Temporary labor certification foreign workers – federal fund (300-00-3448).....	No limit
Work opportunity tax credit – federal fund (300-00-3447-3447).....	No limit
American job link alliance – federal fund (300-00-3100-3516).....	No limit
American job link alliance job corps – federal fund (300-00-3100-3512).....	No limit
Child care/development block grant – federal fund (300-00-3028-3028).....	No limit
Enterprise facilitation fund (300-00-2378-2710)	No limit
Unemployment insurance – federal fund (300-00-3335)	No limit
State small business credit initiative – federal fund (300-00-3567).....	No limit
Creative arts industries commission gifts, grants and bequests – federal fund (300-00-3210-3218).....	No limit
Kansas creative arts industries commission checkoff fund (300-00-2031-2031).....	No limit
Workforce data quality initiative – federal fund (300-00-3237-3237).....	No limit
AJLA special revenue fund (300-00-2190-2190)	No limit
Workforce innovation – federal fund (300-00-3581)	No limit
Reemployment connections initiative – federal fund (300-00-3585).....	No limit
SBA STEP grant – federal fund (300-00-3573-3573).....	No limit
Apprenticeship USA state – federal fund (300-00-3949).....	No limit

Kansas health profession opportunity project – federal fund (300-00-3951).....	No limit
Second chance grant – federal fund (300-00-3895).....	No limit
H-1B technical skills training grant – federal fund (300-00-3400).....	No limit
State broadband data development grant – federal fund (300-00-3782-3700).....	No limit
Transition assistance program grant – federal fund (300-00-3451-3451).....	No limit

(d) The secretary of commerce is hereby authorized to fix, charge and collect fees during the fiscal year ending June 30, 2021, 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 2021, in accordance with the provisions of this or other appropriation act of the 2020 regular session of the legislature, for operating expenses incurred in providing such services, conferences, publications and items, advertising, programs and activities and for operating expenses incurred in providing similar economic development activities and services provided under economic development programs and activities of the department of commerce.

(e) In addition to the other purposes for which expenditures may be made by the department of commerce from moneys appropriated in any special revenue fund or funds for fiscal year 2021 for the department of commerce as authorized by this or other appropriation act of the 2020 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 2021 for official hospitality.

(f) During the fiscal year ending June 30, 2021, 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, 2021, from the state economic development initiatives fund for the department of commerce to another item of appropriation for fiscal year 2021 from the state economic development initiatives fund for the department of commerce. The secretary of commerce shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(g) Notwithstanding the provisions of K.S.A. 79-4804, and amendments thereto, or any other statute, on July 1, 2020, the director of accounts and reports shall transfer \$16,241,441 from the state economic development initiatives fund (300-00-1900-1100) to the state general fund.

(h) In addition to the other purposes for which expenditures may be made by the above agency during the fiscal year ending June 30, 2021, if 2020 House Bill No. 2529 or any other legislation that extends the expiration date of the star bonds financing act, K.S.A. 12-17,161 et seq., and amendments thereto, is not passed by the legislature during the 2020 regular session and enacted into law, then on July 1, 2020, notwithstanding the provisions of K.S.A. 2019 Supp. 12-17,179(b), and amendments thereto, in addition to the other purposes for which expenditures may be made from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2021 for the above agency by this or any other appropriation act of the 2020 regular session of the legislature, expenditures shall be made by the above agency for the purposes of extending the star bonds financing act until June 30, 2021.

Sec. 62.

KANSAS HOUSING RESOURCES CORPORATION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State housing trust fund (175-00-7370-7000)No limit
Provided, That all expenditures from the state housing trust fund shall be made by the Kansas housing resources corporation for the purposes of administering and supporting housing programs of the Kansas housing resources corporation.

Sec. 63.

DEPARTMENT OF LABOR

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2020, by section 145(d) of chapter 68 of the 2019 Session Laws of Kansas on the workmen’s compensation fee fund (296-00-2124-2228) of the department of labor is hereby increased from \$680,000 to \$750,000.

Sec. 64.

DEPARTMENT OF LABOR

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

Operating expenditures (296-00-1000-0503)\$1,191,921
Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *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, 2021, expenditures may be made from this account for the costs incurred for court reporting under K.S.A. 72-2218 et seq. and 75-4321 et seq., and amendments thereto: *And provided further*, That expenditures from this account for official hospitality by the secretary of labor shall not exceed \$2,000.

Amusement ride safety (296-00-1000-0513)\$257,985
Provided, That any unencumbered balance in the amusement ride safety account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Workmen’s compensation fee fund (296-00-2124-2220)\$13,071,342
Occupational health and safety –
federal fund (296-00-3339-3210)..... No limit
Employment security interest
assessment fund (296-00-2771-2700) No limit
Special employment security fund (296-00-2120-2080)..... No limit
Employment security administration
fund (296-00-3335-3100) No limit
Wage claims assignment fee fund (296-00-2204-2240) No limit
Department of labor special projects fund (296-00-2041-2105) ... No limit
Federal indirect cost offset fund (296-00-2302-2280)..... No limit

Provided, That, notwithstanding the provisions of K.S.A. 44-716a, and amendments thereto, or any statute to the contrary, during fiscal year 2021, the secretary of labor, with the approval of the director of the budget, may transfer from the special employment security fund of the Kansas department of labor to the department of labor federal indirect cost offset fund the portion of such amount that is determined necessary to be in compliance with the employment security law: *Provided further*, That, upon approval of any such transfer by the director of the budget, notification will be provided to the Kansas legislative research department.

Employment security fund (296-00-7056-7200).....	No limit
Labor force statistics federal fund (296-00-3742-3742)	No limit
Compensation and working conditions federal fund (296-00-3743-3743).....	No limit
Employment services Wagner-Peyser funded activities federal fund (296-00-3275-3275)	No limit
Dispute resolution fund (296-00-2587-2270)	No limit

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

Indirect cost fund (296-00-2781-2781)	No limit
Workforce data quality initiative – federal fund (296-00-3237-3237).....	No limit
Employment security fund clearing account (296-00-7055-7100).....	No limit
Employment security fund benefit account (296-00-7054-7000)	No limit
Employment security fund – special suspense account (296-00-7057-7300)	No limit
Special wage payment clearing trust fund (296-00-7362-7500)	No limit
Economic adjustment assistance – federal fund (296-00-3415-3415).....	No limit
Social security administration disability – federal fund (296-00-3309-3309).....	No limit
Amusement ride safety fund (296-00-2224-2250)	No limit
KDOL off-budget fund (296-00-6112-6100)	No limit

Renovation bond fund (296-00-8432-8411) No limit
SNAP employment and training pilot –
federal fund (296-00-3321-3350)..... No limit
Anti-human trafficking – federal fund..... No limit

Sec. 65.

KANSAS COMMISSION ON
VETERANS AFFAIRS OFFICE

(a) On the effective date of this act, any unencumbered balance in each of the following accounts of the state institutions building fund is hereby lapsed: KSH Halsey hall covered entrance project (694-00-8100-8280); KSH Lincoln and Grant hall ADA access upgrades (694-00-8100-8282); KSH Pershing barracks access renovation (694-00-8100-8284); KVH Bleckley hall window replacement (694-00-8100-8286); KVH Triplett hall flooring replacement (694-00-8100-8287); and waste disposal (694-00-8100-8289).

Sec. 66.

KANSAS COMMISSION ON
VETERANS AFFAIRS OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

Operating expenditures – administration (694-00-1000-0103)\$573,481
Provided, That any unencumbered balance in the operating expenditures – administration account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Operating expenditures –
veteran services (694-00-1000-0203).....\$1,612,633
Provided, That any unencumbered balance in the operating expenditures – veteran services account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$1,500.

Operations – state veterans cemeteries (694-00-1000-0703)\$611,447
Provided, That any unencumbered balance in the operations – state veterans cemeteries account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided further*, That expenditures from this account for official hospitality shall not exceed \$1,200.

Operating expenditures – Kansas
soldiers’ home (694-00-1000-0403)\$1,864,563
Provided, That any unencumbered balance in the operating expenditures – Kansas soldiers’ home account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Operating expenditures – Kansas
veterans' home (694-00-1000-0503).....\$542,843

Provided, That any unencumbered balance in the operating expenditures – Kansas veterans' home account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Veterans claim assistance program –
service grants (694-00-1000-0903)\$700,000

Provided, That any unencumbered balance in the veterans claim assistance program – service grants account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *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, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Soldiers' home fee fund (694-00-2241-2100).....	No limit
Soldiers' home benefit fund (694-00-7903-5400)	No limit
Soldiers' home work therapy fund (694-00-7951-5600)	No limit
Soldiers' home medicare fund (694-00-3168-3100)	No limit
Soldiers' home medicaid fund (694-00-2464-2464).....	No limit
Veterans' home medicare fund (694-00-3893-3893)	No limit
Veterans' home medicaid fund (694-00-2469-2469).....	No limit
Veterans' home fee fund (694-00-2236-2200).....	No limit
Veterans' home canteen fund (694-00-7809-5300).....	No limit
Veterans' home benefit fund (694-00-7904-5500).....	No limit
Soldiers' home outpatient clinic fund (694-00-2258-2300).....	No limit
State veterans cemeteries fee fund (694-00-2332-2600)	No limit
State veterans cemeteries donations and contributions fund (694-00-7308-5200)	No limit
Outpatient clinic patient federal reimbursement fund – federal (694-00-3205-3300).....	No limit
VA burial reimbursement fund – federal (694-00-3212-3310).....	No limit
Federal domiciliary per diem fund (694-00-3220)	No limit
Federal long term care per diem fund (694-00-3232).....	No limit

Commission on veterans affairs	
federal fund (694-00-3241-3340).....	No limit
Kansas veterans memorials fund (694-00-7332-5210).....	No limit
Vietnam war era veterans' recognition	
award fund (694-00-7017-7000).....	No limit
Kansas hometown heroes fund (694-00-7003-7001)	No limit
Persian gulf war veterans health	
initiatives fund (694-00-2304-2500)	No limit
Construction state home facilities fund (694-00-3018-3000).....	No limit
State cemetery grants fund (694-00-3048-3200)	No limit
Kansas soldier home construction	
grant fund (694-00-3075-3400).....	No limit
Winfield veterans home acquisition	
construction fund (694-00-8806-8200).....	No limit
Veterans benefit lottery game fund (694-00-2303)	No limit

Provided, That expenditures from the veterans benefit lottery game fund shall be in an amount equal to 50% for operating expenditures and capital improvements of the above agency, or for the use and benefit of the Kansas veterans' home, the Kansas soldiers' home and the state veterans cemetery system; and 50% for the veterans enhanced service delivery program.

(c) (1) During the fiscal year ending June 30, 2021, notwithstanding the provisions of K.S.A. 73-1231, 73-1233, 75-3728g, 76-1906 or 76-1953, and amendments thereto, or any other statute, the director of the Kansas commission on veterans affairs office, with the approval of the director of the budget, may transfer moneys that are credited to a special revenue fund of the Kansas commission on veterans affairs office to another special revenue fund of the Kansas commission on veterans affairs office. The director of the Kansas commission on veterans affairs office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

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

(d) During the fiscal year ending June 30, 2021, 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 appropria-

tion for the fiscal year ending June 30, 2021, 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 2021 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, 2021, 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, 2021, from the state general fund for the Kansas commission on veterans affairs office to the Vietnam war era veterans' recognition award fund (694-00-7017-7000). The director of the Kansas commission on veterans affairs office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(f) On July 1, 2020, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,260,000 from the lottery operating fund (450-00-5123-5100) of the Kansas lottery to the veterans benefit lottery game fund (694-00-2303-2303) of the Kansas commission on veterans affairs office.

Sec. 67.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF PUBLIC HEALTH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2020, the following:

Operating expenditures (including official
hospitality) – health (264-00-1000-0270)\$374,263

Sec. 68.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF PUBLIC HEALTH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

Operating expenditures (including official
hospitality) (264-00-1000-0202).....\$5,244,144

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Operating expenditures (including official hospitality) – health (264-00-1000-0270)\$3,394,066

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) – health account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

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

Provided, That any unencumbered balance in the vaccine purchases account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Aid to local units (264-00-1000-0350)\$5,705,709

Provided, That any unencumbered balance in the aid to local units account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided further*, That, except as provided in subsection (k), all expenditures from this account for state financial assistance to local health departments shall be in accordance with the formula prescribed by K.S.A. 65-241 through 65-246, and amendments thereto.

Aid to local units – primary health projects (264-00-1000-0460)\$12,570,690

Provided, That any unencumbered balance in the aid to local units – primary health projects account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided further*, That prescription support expenditures shall be made from the aid to local units – primary health projects account for: (1) Purchasing drug inventory under section 340B of the federal public health service act for community health center grantees and federally qualified health center look-alikes who qualify; (2) increasing access to prescription drugs by subsidizing a portion of the costs for the benefit of patients at section 340B participating clinics on a sliding fee scale; and (3) expanding access to prescription medication assistance programs by making expenditures to support operating costs of assistance programs: *And provided further*, That funded clinics shall be not-for-profit or publicly funded primary care clinics or dental clinics, including federally qualified community health centers and federally qualified community health center look-alikes, as defined by 42 U.S.C. § 330, that provide comprehensive primary health care or dental services, offer sliding fee discounts based upon household income and serve any person regardless of ability to pay and have a unique patient panel that, at a minimum, represents the income-based disparities of the community: *And provided further*, That policies determining patient eligibility due to income or insurance status may be determined by each community but must be clearly documented and posted: *And provided further*, That of the moneys appropriated in the aid to local units – primary health projects account, not less than \$10,420,690 shall be distributed for

community-based primary care grants and services provided by the community care network of Kansas: *Provided, however*, That, if 2020 Senate Bill No. 363 or other legislation that appropriates additional moneys to the above account for the purpose of funding primary care clinics or dental clinics is passed by the legislature during the 2020 regular session and enacted into law, or if legislation that expressly consents to expand eligibility for the receipt of medical assistance benefits under title XIX of the federal social security act, commonly known as medicaid, is passed by the legislature during the 2020 regular session and enacted into law, then, of the amount appropriated by this section from the state general fund in the above account, the sum of \$2,000,000 is hereby lapsed.

Infant and toddler program (264-00-1000-0570).....\$4,000,000
Aid to local units – women’s wellness (264-00-1000-0610)\$94,296

Provided, That any unencumbered balance in the aid to local units – women’s wellness account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *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.

Brain injury registry (264-00-1000-0660).....\$75,000
Lyme disease prevention and research (264-00-1000-0670).....\$140,000
Immunization programs (264-00-1000-1400).....\$397,418

Provided, That any unencumbered balance in the immunization programs account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Breast cancer screening program (264-00-1000-1300).....\$219,336
Provided, That any unencumbered balance in the breast cancer screening program account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Pregnancy maintenance initiative (264-00-1000-1100)\$338,846
Provided, That any unencumbered balance in the pregnancy maintenance initiative account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Cerebral palsy posture seating (264-00-1000-1500)\$303,537
Provided, That any unencumbered balance in the cerebral palsy posture seating account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided further*, That expenditures may be made by the above agency from the cerebral palsy posture seating account for posture seating for adults.

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

Provided, That any unencumbered balance in the PKU treatment account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

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

Provided, That any unencumbered balance in the teen pregnancy prevention activities account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

State trauma fund (264-00-1000-1720)\$150,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, 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:

Breast and cervical cancer program and detection –
federal fund (264-00-3150-3350).....No limit

Health and environment training
fee fund – health (264-00-2183-2160).....No limit

Provided, That expenditures may be made from the health and environment training fee fund – health for acquisition and distribution of division of public health program literature and films and for participation in or conducting training seminars for training employees of the division of public health of the department of health and environment, for training recipients of state aid from the division of public health of the department of health and environment and for training representatives of industries affected by rules and regulations of the department of health and environment relating to the division of public health: *Provided further*, That the secretary of health and environment is hereby authorized to fix, charge and collect fees in order to recover costs incurred for such acquisition and distribution of literature and films and for the operation of such seminars: *And provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the health and environment training fee fund – health: *And provided further*, That, in addition to the other purposes for which expenditures may be made by the department of health and environment for the division of public health from moneys appropriated from the health and environment training fee fund – health for fiscal year 2021, expenditures may be made by the department of health and environment from the health and environment training fee fund – health for fiscal year 2021 for agency operations for the division of public health.

Health facilities review fund (264-00-2505-2250)No limit

Insurance statistical plan fund (264-00-2243-2840)	No limit
Health and environment publication fee fund – health (264-00-2541-2190).....	No limit
<i>Provided</i> , That expenditures from the health and environment publica- tion fee fund – health shall be made only for the purpose of paying the expenses of publishing documents as required by K.S.A. 75-5662, and amendments thereto.	
District coroners fund (264-00-2653-2320)	No limit
Sponsored project overhead fund – health (264-00-2912-2710).....	No limit
Tuberculosis elimination and laboratory – federal fund (264-00-17-3559-3559)	No limit
Maternity centers and child care facilities licensing fee fund (264-00-2731-2731)	No limit
Child care and development block grant – federal fund (264-00-3028-3450).....	No limit
Federal supplemental funding for tobacco prevention and control – federal fund (264-00-3574-3574).....	No limit
Coordinated chronic disease prevention and health promotion program – federal fund (264-00-3575-3575).....	No limit
Office of rural health – federal fund (264-00-3031-3640)	No limit
Emergency medical services for children – federal fund (264-00-3292-3292).....	No limit
Primary care offices – federal fund (264-00-3293-3293)	No limit
Injury intervention – federal fund (264-00-3294-3294)	No limit
Oral health workforce activities – federal fund (264-00-3297-3297).....	No limit
Rural hospital flex program – federal fund (264-00-3298-3298).....	No limit
Hospital bioterrorism preparedness – federal fund (264-00-3398-3398).....	No limit
Kansas coalition against sexual and domestic violence – federal fund (264-00-17-3907-3907)	No limit
ARRA collaborative component I – federal fund (264-00-3890-3891).....	No limit
ARRA collaborative component III – federal fund (264-00-17-3890-3892)	No limit
ARRA ambulatory surgical center ASC/HAI medicare – federal fund (264-00-3486-3486).....	No limit
Medicare – federal fund (264-00-3064-3062)	No limit
<i>Provided</i> , That transfers of moneys from the medicare – federal fund to the state fire marshal may be made during fiscal year 2021 pursuant to a	

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

Migrant health program – federal fund (264-00-3069-3070).....	No limit
Tuberculosis prevention – federal fund (264-00-3071-4610).....	No limit
Strengthen public health immunization infrastructure – federal fund (264-00-3568-3568).....	No limit
Healthy homes and lead poisoning prevention – federal fund (264-00-3572-3572).....	No limit
Children’s mercy hospital lead program – federal fund (264-00-3152-3154).....	No limit
Women, infants and children health program – federal fund (264-00-3077-3103).....	No limit
Immunization and vaccines for children grants – federal fund (264-00-3747-3741).....	No limit
Home visiting grant – federal fund (264-00-3503-3503).....	No limit
Preventive health block grant – federal fund (264-00-3614-3200).....	No limit
Maternal and child health block grant – federal fund (264-00-3616-3210).....	No limit
National center for health statistics – federal fund (264-00-3617-3220).....	No limit
Title X family planning services program – federal fund (264-00-3622-3270).....	No limit
Comprehensive STD prevention systems – federal fund (264-00-3070-3080).....	No limit
Make a difference information network – federal fund (264-00-3234-3234).....	No limit
Ryan White title II – federal fund (264-00-3328-3310)	No limit
Bicycle helmet distribution – federal fund (264-00-3815-3815).....	No limit
Bicycle helmet revolving fund (264-00-2575-2630).....	No limit
SSA fee fund (264-00-2269-2030)	No limit
Childhood lead poisoning prevention program – federal fund (264-00-3296-3296).....	No limit
State implementation projects for prevention of secondary conditions – federal fund (264-00-3087-4405)	No limit
Title IV-E – federal fund (264-00-3326-3900)	No limit
HIV prevention projects – federal fund (264-00-3740-3521)	No limit
HIV/AIDS surveillance – federal fund (264-00-3399-3399)	No limit
Infants & toddlers Prt C – federal fund (264-00-3516-3171).....	No limit
Universal newborn hearing screening – federal fund (264-00-3459-3459).....	No limit

State loan repayment program –
 federal fund (264-00-3760-3755)..... No limit
 Opt-out testing initiative – federal fund (264-00-3801-3801) No limit
 Adult lead surveillance data –
 federal fund (264-00-3496-3496)..... No limit
 Medical reserve corps contract –
 federal fund (264-00-3502-3502)..... No limit
 Trauma fund (264-00-2513-2230)..... No limit

Provided, That expenditures may be made by the department of health and environment for fiscal year 2021 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 (264-00-3329-3319) No limit
 Refugee assistance – federal fund (264-00-3378-3346)..... No limit
 Personal responsibility education program –
 federal fund (264-00-3494-3494)..... No limit
 Kansas vital records for quality improvement –
 federal fund (264-00-3098-3098)..... No limit
 Kansas early detection works breast & cervical
 cancer screening services – federal fund (264-00-3099-3099) No limit
 Kansas public health approaches for
 ensuring quitline capacity – federal fund (264-00-3097-3097) No limit
 Diagnostic x-ray program – federal fund (264-00-3511-3160)..... No limit
 HRSA small hospital improvement grant program –
 federal fund (264-00-3371-3371) No limit
 State indoor radon grant – federal fund (264-00-3884-3930) No limit
 Gifts, grants and donations fund – health (264-00-7311-7090)..... No limit
 Special bequest fund – health (264-00-7366-7050)..... No limit
 Civil registration and health statistics
 fee fund (264-00-2291-2295) No limit
 Power generating facility fee fund (264-00-2131-2130) No limit
 Nuclear safety emergency preparedness special
 revenue fund (264-00-2415-2280) No limit

Provided, That all moneys received by the department of health and environment – division of public health from the nuclear safety emergency management fee fund (034-00-2081-2200) of the adjutant general shall be credited to the nuclear safety emergency preparedness special revenue fund of the department of health and environment – division of public health: *Provided further*, That expenditures from the nuclear safety emergency preparedness special revenue fund for official hospitality shall not exceed \$2,500.

Radiation control operations fee fund (264-00-2531-2530) No limit
Provided, That expenditures from the radiation control operations fee fund for official hospitality shall not exceed \$2,000.

Lead-based paint hazard fee fund (264-00-2289-2140) No limit
 Strengthening public health infrastructure –

federal fund (264-00-3547-3547)..... No limit

Improving minority health – federal fund (264-00-3548-3548) No limit

Abstinence education – federal fund (264-00-3549-3549) No limit

Affordable care act – federal fund (264-00-3546-3546) No limit

Carbon monoxide detector/fire injury prevention –

federal fund (264-00-3508-3508)..... No limit

Health information exchange –

federal fund (264-00-3493-3493)..... No limit

Kansas newborn screening fund (264-00-2027-2027) No limit

Actions to prevent and control diabetes,

heart disease, and obesity – federal fund (264-00-3749-3742)..... No limit

Healthy start initiative – federal fund (264-00-3751-3751)..... No limit

Immunization capacity building assistance –

federal fund (264-00-3744-3744)..... No limit

Hospital preparedness and response program for Ebola –

federal fund (264-00-3033-3033)..... No limit

CDC multipurpose grant federal fund (264-00-3243-3243) No limit

Kansas newborn screening information system

maintenance and enhancement

federal fund (264-00-3612-3612)..... No limit

Lifting young families toward excellence

federal fund (264-00-3627-3627)..... No limit

Cancer registry federal fund (264-00-3008-3040) No limit

Hospital preparedness ebola –

federal fund (264-00-3093-3093)..... No limit

Kansas survivor care quality initiative –

federal fund (264-00-3101-3610)..... No limit

Zika birth defects surveillance & referral –

federal fund (264-00-3102-3620)..... No limit

IDEA infant toddler-part C-ARRA –

federal fund (264-00-3282-3282)..... No limit

SAMHSA project launch intv. –

federal fund (264-00-3284-3284)..... No limit

Immunization grant – federal fund (264-00-3372-3150)..... No limit

Small hospital improvement program –

federal fund (264-00-3392-3392)..... No limit

Cardiovascular health program –

federal fund (264-00-3401-3407)..... No limit

Kansas senior farmers market nutrition program –	
federal fund (264-00-3406-3406).....	No limit
Lead poisoning preventive health –	
federal fund (264-00-3626-4132).....	No limit
ARRA – WIC grants to states –	
federal fund (264-00-3750-3750).....	No limit
Census of trauma occp fatal. –	
federal fund (264-00-3797-3670).....	No limit
Homeland security grant-KHP –	
federal fund (264-00-3199-3199).....	No limit
Refugee health – federal fund (264-00-3393-3393)	No limit
ARRA – migrant – federal fund (264-00-3396-3396)	No limit
ARRA – transfer from SRS – federal fund (264-00-3471-3471) ...	No limit
Public health crisis response –	
federal fund (264-00-3602-3602).....	No limit
Diabetes & heart disease & stroke prevention programs –	
federal fund (264-00-3603-3603).....	No limit
Innovative state & local public health	
strategies to prevent & manage	
diabetes and heart disease and stroke –	
federal fund (264-00-3604-3604).....	No limit
Kansas actions to improve oral health outcomes –	
federal fund (264-00-3921-3921).....	No limit
ARRA – survey, licensure and epidemiology –	
federal fund (264-00-3746-3746).....	No limit
Campus sexual assault prevention grant –	
federal fund (264-00-3035-3035).....	No limit
Alzheimer’s association inclusion –	
federal fund (264-00-3607-3607).....	No limit
ESSA preschool development grants birth through	
five – federal fund (264-00-3608-3608).....	No limit
Preventing maternal deaths –	
federal fund (264-00-3896-3896).....	No limit
Right-to-know fee fund (264-00-2325-2325)	No limit
Child care criminal background and	
fingerprint fund (264-00-2313-2313)	No limit

(c) On July 1, 2020, and on other occasions during fiscal year 2021, when necessary as determined by the secretary of health and environment, the director of accounts and reports shall transfer amounts specified by the secretary of health and environment that constitute reimbursements, credits and other amounts received by the department of health and environment for activities related to federal programs from specified special revenue funds of the department of health and environment – division of

public health or of the department of health and environment – division of environment to the sponsored project overhead fund – health (264-00-2912-2715) of the department of health and environment – division of public health.

(d) During the fiscal year ending June 30, 2021, the director of accounts and reports shall transfer an amount or amounts specified by the secretary of health and environment from any one or more special revenue funds of the department of health and environment – division of public health that have available moneys to the sponsored project overhead fund – health (264-00-2912-2710) of the department of health and environment – division of public health for expenditures, as the case may be, for administrative expenses.

(e) During the fiscal year ending June 30, 2021, the amounts transferred by the director of accounts and reports from each of the special revenue funds of the department of health and environment – division of public health to the sponsored project overhead fund – health (264-00-2912-2710) of the department of health and environment – division of public health pursuant to this section may include amounts not to exceed 25% of the expenditures from such special revenue fund or funds, excepting expenditures for contractual services.

(f) During the fiscal year ending June 30, 2021, 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 2021 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 2021 from the state general fund for the department of health and environment – division of public health or the department of health and environment – division of environment. The secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(g) In addition to the other purposes for which expenditures may be made by the department of health and environment – division of public health from moneys appropriated from the district coroners fund for fiscal year 2021, as authorized by this or other appropriation act of the 2020 regular session of the legislature, and notwithstanding the provisions of K.S.A. 22a-245, and amendments thereto, or any other statute, expenditures may be made by the department of health and environment – division of public health from such moneys appropriated from the district coroners fund (264-00-2653-2320) of the department of health and environment – division of public health for fiscal year 2021 pursuant to K.S.A. 22a-242, and amendments thereto.

(h) On July 1, 2020, the director of accounts and reports shall transfer \$200,000 from the health care stabilization fund (270-00-7404-2100) of the health care stabilization fund board of governors to the health facilities review fund (264-00-2505-2250) of the department of health and environment – division of public health for the purpose of financing a review of records of licensed medical care facilities and an analysis of quality of health care services provided to assist in correcting substandard services and to reduce the incidence of liability resulting from the rendering of health care services and implementing the risk management provisions of K.S.A. 65-4922 et seq., and amendments thereto.

(i) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2021, the following:

Healthy start (264-00-2000-2105)\$250,000

Provided, That any unencumbered balance in the healthy start account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Infants and toddlers program (264-00-2000-2107).....\$5,800,000

Provided, That any unencumbered balance in the infants and toddlers program account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Smoking prevention (264-00-2000-2109).....\$1,001,960

Provided, That any unencumbered balance in the smoking prevention account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Newborn hearing aid loaner program (264-00-2000-2113).....\$50,773

Provided, That any unencumbered balance in the newborn hearing aid loaner program account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

SIDS network grant (264-00-2000-2115).....\$96,374

Provided, That any unencumbered balance in the SIDS network grant account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

(j) In addition to the other purposes for which expenditures may be made by the department of health and environment – division of public health during fiscal year 2021 from moneys appropriated from the state general fund or any special revenue fund or funds by this or any other appropriation act of the 2020 regular session of the legislature, expenditures shall be made from such moneys to contract for the services of one or more persons to survey and certify dialysis treatment facilities located in the state of Kansas: *Provided*, That, if the above agency has not surveyed a newly constructed dialysis treatment facility within one year

after the operator of the facility notifies the above agency that the facility is operational, then the above agency may charge the cost of any survey performed on the facility to the operator of such facility: *Provided further*, That any expenditure of moneys and any survey conducted pursuant to this subsection shall comply with requirements imposed by federal law.

(k) Notwithstanding the provisions of K.S.A. 65-242, and amendments thereto, or any other statute to the contrary, during the fiscal year ending June 30, 2021, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2021 by this or any other appropriation act of the 2020 regular session of the legislature, expenditures shall be made by the above agency from such moneys to distribute to each local health department, upon application therefor in accordance with K.S.A. 65-242, and amendments thereto, an amount not less than \$12,000: *Provided*, That any remaining moneys appropriated for such purpose, if any, after making distributions in accordance with this subsection shall be distributed in accordance with K.S.A. 65-242, and amendments thereto: *Provided, however*, That, if sufficient funds are not available to make a minimum distribution of \$12,000, then the provisions of K.S.A. 65-242, and amendments thereto, shall control.

Sec. 69.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF HEALTH CARE FINANCE

(a) On the effective date of this act, of the \$691,755,078 appropriated for the above agency for the fiscal year ending June 30, 2020, by section 81(a) of chapter 68 of the 2019 Session Laws of Kansas from the state general fund in the other medical assistance account (264-00-1000-3026), the sum of \$37,041,169 is hereby lapsed.

Sec. 70.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF HEALTH CARE FINANCE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

Health policy operating expenditures (264-00-1000-0010).....\$22,185,505
Provided, That any unencumbered balance in the health policy operating expenditures account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *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: *Provided, however*, That, if 2020 Senate Bill No. 252, or any other legislation in which the legislature expressly consents to expand el-

igibility for the receipt of medical assistance benefits under title XIX of the social security act, commonly known as medicaid, is not passed by the legislature during the 2020 regular session of the legislature and enacted into law, then, of the moneys appropriated by this section from the state general fund in the health policy operating expenditures account, the sum of \$6,500,000 is hereby lapsed: *And provided, however*, That, if such \$6,500,000 is lapsed, then the director of accounts and reports shall transfer \$6,500,000 from the state general fund to the coronavirus prevention fund of the state finance council.

Children's health insurance program (264-00-1000-0060)\$22,388,662
Provided, That any unencumbered balance in the children's health insurance program in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Other medical assistance (264-00-1000-3026)\$729,950,000
Provided, That any unencumbered balance in the other medical assistance account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *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 2021: *Provided, however*, That, if 2020 Senate Bill No. 252, or any other legislation in which the legislature expressly consents to expand eligibility for the receipt of medical assistance benefits under title XIX of the social security act, commonly known as medicaid, is not passed by the legislature during the 2020 regular session of the legislature and enacted into law, then, of the moneys appropriated by this section from the state general fund in the other medical assistance account, the sum of \$11,000,000 is hereby lapsed: *And provided, however*, That, if such \$11,000,000 is lapsed, then the director of accounts and reports shall transfer \$11,000,000 from the state general fund to the coronavirus prevention fund of the state finance council.

Wichita center for graduate
 medical education (264-00-1000-3027)\$2,950,000

Provided, That any unencumbered balance in the Wichita center for graduate medical education account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Graduated medical education (264-00-1000-3028)\$1,300,000

Provided, That any unencumbered balance in the graduated medical education account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, 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 (264-00-2556-2550)\$525,682
Cafeteria benefits fund (264-00-7720-9002) No limit

Provided, That expenditures from the cafeteria benefits fund for the fiscal year ending June 30, 2021, for salaries and wages and other operating expenditures shall not exceed \$2,570,698.

State workers compensation
self-insurance fund (264-00-6170-6170) No limit

Provided, That expenditures from the state workers compensation self-insurance fund for the fiscal year ending June 30, 2021, for salaries and wages and other operating expenditures shall not exceed \$4,745,908.

Dependent care assistance program fund (264-00-7740-7799) No limit

Provided, That expenditures from the dependent care assistance program fund for the fiscal year ending June 30, 2021, for salaries and wages and other operating expenditures shall not exceed \$629,413.

Non-state employer group benefit fund (264-00-7707-7710)\$146,244
Division of health care finance special
revenue fund (264-00-2360-2350) No limit

Provided, That expenditures from the division of health care finance special revenue fund for the fiscal year ending June 30, 2021, for official hospitality shall not exceed \$1,000.

Health committee insurance fund (264-00-2569-2500) No limit
Health care database fee fund (264-00-2578-2570) No limit
Association assistance plan fund (264-00-2391-2391) No limit
Medical programs fee fund (264-00-2395-0110)\$100,362,668
Medical assistance fee fund (264-00-2185-2185) No limit
Health benefits administration clearing fund –
remit admin service org (264-00-7746-7746) No limit

Provided, That expenditures from the health benefits administration clearing fund – remit admin service org for the fiscal year ending June 30, 2021, for salaries and wages and other operating expenditures shall not exceed \$11,005,000.

Health insurance premium reserve fund (264-00-7350-7350) No limit

Other state fees fund (264-00-2440-0100)	No limit
Health care access improvement fund (264-00-2443-2215)	No limit
Children's health insurance program federal fund (264-00-3424-0540)	No limit
State planning – health care – uninsured fund (264-00-3483-3483)	No limit
HIV care formula grant federal fund (264-00-3328-3311)	No limit
Medical assistance program federal fund (264-00-3414-0440)	No limit
Quality based community assessment fund (264-00-2760-2760)	No limit
KEES interagency transfer fund (264-00-17-6001-6001)	No limit
Energy assistance block grant (264-00-3305-3305)	No limit
Temporary assistance for needy families (264-00-3323-3530)	No limit
Title IV-E – adoption assistance (264-00-3357-3357)	No limit

(c) During the fiscal year ending June 30, 2021, 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, 2021, 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, 2021, 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 2021 by this or any other appropriation act of the 2020 regular session of the legislature, expenditures shall be made by the above agency from such moneys to implement and require any managed care organization providing state medicaid services under the Kansas medical assistance program to implement a policy to provide at least a 60-day admission for individuals requiring inpatient treatment in a psychiatric residential treatment facility, as determined by a managed care organization providing state medicaid services under the Kansas medical assistance program, without imposing any prior authorization requirements to receive such admission or treatment.

(e) During the fiscal year ending June 30, 2021, 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 2021 by this or any other appropriation act of the 2020 regular session of the legislature, expenditures shall be made by the above agency from such moneys to report to the Robert G. (Bob) Bethell joint committee on home and community based services and KanCare oversight the details of a contract or contract amendment with Maximus or any other eligibility processing contractor during fiscal year 2021.

(f) During the fiscal year ending June 30, 2021, 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 2021 by this or any other appropriation act of the 2020 regular session of the legislature, expenditures shall be made by the above agency from such moneys to provide a quarterly report to the Robert G. (Bob) Bethell joint committee on home and community based services and KanCare oversight at each committee meeting during fiscal year 2021 on the progress by the agency on the eligibility backlog processing.

(g) During the fiscal year ending June 30, 2021, 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 2021 by this or any other appropriation act of the 2020 regular session of the legislature, expenditures shall be made by the above agency from such moneys to set the monthly protected income level for purposes of determining the person's client obligation at an amount of \$1,177 per month in fiscal year 2021 for any person in Kansas receiving home and community-based services administered under section 1915(c) of the federal social security act and any person in Kansas receiving services from a program of all-inclusive care for the elderly administered by the Kansas department for aging and disability services.

(h) During the fiscal year ending June 30, 2021, 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 2021 by this or any other appropriation act of the 2020 regular session of the legislature, expenditures shall be made by the above agency from such moneys to provide a quarterly report to the Robert G. (Bob) Bethell joint committee on home and community based services and KanCare oversight at each committee meeting during fiscal year 2021, detailing the following: (1) The total number of members waiting for a psychiatric residential treatment facility (PRTF) placement;

(2) the average, minimum, and maximum number of days MCO members have been waiting for the PRTF placement; (3) the average, minimum, and maximum information regarding the length of stay for MCO members in PRTF placements; and (4) the number and reasons for denials of PRTF placement in fiscal year 2021: *Provided*, That such quarterly report shall be provided to the house of representatives committee on appropriations and the senate committee on ways and means.

(i) During the fiscal year ending June 30, 2021, 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 2021 by this or any other appropriation act of the 2020 regular session of the legislature, expenditures shall be made by the above agency from such moneys to implement analytical and publicly available reporting that is compliant with the privacy rule of the administrative simplification subtitle of the health insurance portability and accountability act of 1996 (Pub. L. No. 104-191), and any federal regulations adopted thereunder, to measure outcomes and effectiveness of the health homes program known as onecare Kansas and to assist providers with the provisions of the health homes program.

(j) During the fiscal year ending June 30, 2021, 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 2021 by this or any other appropriation act of the 2020 regular session of the legislature, expenditures shall be made by the above agency from such moneys to facilitate a detailed review of the costs and reimbursement rates for behavioral health services in the state of Kansas, including mental health and substance use disorder treatment, during fiscal year 2021: *Provided*, That the above agency shall submit a report of such review, including review of fiscal years 2020 and 2021, to the house of representatives committee on social services budget and the social services subcommittee of the senate committee on ways and means during January 2021.

(k) During the fiscal year ending June 30, 2021, 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 2021 by this or any other appropriation act of the 2020 regular session of the legislature, expenditures shall be made by the above agency from such moneys to submit to the United States centers for medicare and medicaid services a waiver request to allow for medicaid reimbursement for inpatient psychiatric acute care.

(l) During the fiscal year ending June 30, 2021, notwithstanding the provisions of K.S.A. 65-6208, and amendments thereto, or any other statute to the contrary, 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 2021 as authorized by this or any other appropriation act of the 2020 regular session of the legislature, expenditures shall be made by such agency from such moneys during fiscal year 2021 to submit to the United States centers for medicare and medicaid services an approval request to increase the hospital provider assessment rate to 3%, to include hospital outpatient operating revenue in the hospital provider assessment and to base such assessment on each hospital's fiscal year 2016: *Provided*, That the above agency may modify or continue such a request made pursuant to section 80(l) of chapter 68 of the 2019 Session Laws of Kansas to satisfy the requirement to make such request under this subsection: *Provided further*, That the department of health and environment shall cause notice of such approval by the United States centers for medicare and medicaid services to be published in the Kansas register: *And provided further*, That the changes to the hospital provider assessment described in this subsection shall take effect on and after January 1 or July 1 immediately following such publication: *And provided further*, That, after such date, no additional moneys appropriated from the state general fund shall be expended to support rate enhancements under the hospital provider assessment: *Provided, however*, That the provisions of this subsection shall be null and void and shall have no force and effect if 2020 Senate Bill No. 225, or any other legislation that increases the hospital provider assessment rate to 3% and includes inpatient and outpatient operating revenue in the hospital provider assessment, is passed by the legislature during the 2020 regular session and enacted into law.

(m) During the fiscal year ending June 30, 2021, notwithstanding the provisions of any other statute, 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 2021 by this or any other appropriation act of the 2020 regular session of the legislature, expenditures shall be made by the above agency from such moneys to pay hospitals and physicians at the medicaid rate established in fiscal year 2020: *Provided*, That such rate shall not be adjusted prior to January 1 or July 1 following the publication in the Kansas register of the hospital provider assessment rate adjustments described in section 80(l) of chapter 68 of the 2019 Session Laws of Kansas, subsection (l) or, if passed by the legislature during the 2020 regular session and enacted into

law, 2020 Senate Bill No. 225 or any other legislation that increases the hospital provider assessment to 3% and includes inpatient and outpatient operating revenue in the hospital provider assessment.

(n) During the fiscal year ending June 30, 2021, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2021, as authorized by this or other appropriation act of the 2020 regular session of the legislature, expenditures shall be made by the above agency from such moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2021, to suspend, and not terminate medicaid coverage of inmates in the custody of the department of corrections during the period of such inmate's incarceration for the purposes of reinstating coverage for such inmate during any period of time during fiscal year 2021 that such inmate is eligible for coverage.

Sec. 71.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF ENVIRONMENT

(a) On the effective date of this act, of the \$1,093,131 appropriated for the above agency for the fiscal year ending June 30, 2020, by section 132(c) of chapter 68 of the 2019 Session Laws of Kansas from the state water plan fund in the contamination remediation account (264-00-1800-1802), the sum of \$4,850 is hereby lapsed.

(b) On the effective date of this act, of the \$307,059 appropriated for the above agency for the fiscal year ending June 30, 2020, by section 132(c) of chapter 68 of the 2019 Session Laws of Kansas from the state water plan fund in the nonpoint source program account (264-00-1800-1804), the sum of \$3,851 is hereby lapsed.

(c) On the effective date of this act, of the \$280,738 appropriated for the above agency for the fiscal year ending June 30, 2020, by section 132(c) of chapter 68 of the 2019 Session Laws of Kansas from the state water plan fund in the TMDL initiatives and use account (264-00-1800-1805), the sum of \$2,709 is hereby lapsed.

(d) During the fiscal year ending June 30, 2020, notwithstanding the provisions of K.S.A. 65-3005, 65-3006, 65-3007, 65-3008, 65-3022, 65-3024 or 65-3028, and amendments thereto, or any other statute, the above agency shall not expend any moneys appropriated for fiscal year 2020 from the state general fund or from any special revenue fund or funds for such agency by chapter 68 of the 2019 Session Laws of Kansas, this or other appropriation act of the 2020 regular session of the legislature to: (1) Amend or modify any rule and regulation adopted pursuant to the Kansas air quality act or K.S.A. 65-3022, and amendments thereto, if such amendment or modification would increase any fee imposed

pursuant the rules and regulations adopted on or before July 1, 2020, pursuant to such act or such section; or (2) adopt, create or impose any new fee through rules and regulations adopted pursuant to the Kansas air quality act or K.S.A. 65-3022, and amendments thereto, if such fee was not imposed pursuant to the rules and regulations adopted on or before July 1, 2020, pursuant to such act or such section: *Provided*, That all rules and regulations of the secretary of health and environment in effect on July 1, 2020, that impose fees pursuant to the Kansas air quality act or K.S.A. 65-3022, and amendments thereto, shall be the only fees imposed by the secretary pursuant to such act and such section: *Provided further*, That any fees imposed by the secretary that do not comply with this subsection shall be declared null and void: *Provided, however*, That the above agency shall collaborate and work with affected stakeholders to develop a fee schedule for the purpose of proposing such fee schedule in legislation during the legislative session beginning January 11, 2021.

Sec. 72.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF ENVIRONMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

Operating expenditures (including official
hospitality) (264-00-1000-0300).....\$4,365,133

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Mined-land conservation and reclamation
fee fund (264-00-2233-2220)No limit
Solid waste management fund (264-00-2271-2075)No limit

Provided, That expenditures may be made from the solid waste management fund during the fiscal year ending June 30, 2021, for official hospitality: *Provided further*, That such expenditures for official hospitality shall not exceed \$2,500.

Public water supply fee fund (264-00-2284-2085).....No limit
Voluntary cleanup fund (264-00-2288-2120)No limit
Storage tank fee fund (264-00-2293-2090)No limit
Air quality fee fund (264-00-2020-2830).....No limit

Hazardous waste collection fund (264-00-2099-2010) No limit
 Health and environment training fee fund –
 environment (264-00-2175-2170) No limit

Provided, That expenditures may be made from the health and environment training fee fund – environment for acquisition and distribution of division of environment program literature and films and for participation in or conducting training seminars for training employees of the division of environment of the department of health and environment, for training recipients of state aid from the division of environment of the department of health and environment and for training representatives of industries affected by rules and regulations of the department of health and environment relating to the division of environment: *Provided further*, That the secretary of health and environment is hereby authorized to fix, charge and collect fees in order to recover costs incurred for such acquisition and distribution of literature and films and for the operation of such seminars: *And provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the health and environment training fee fund – environment: *And provided further*, That, in addition to the other purposes for which expenditures may be made by the department of health and environment for the division of environment from moneys appropriated from the health and environment training fee fund – environment for fiscal year 2021, expenditures may be made by the department of health and environment from the health and environment training fee fund – environment for fiscal year 2021 for agency operations for the division of environment.

Driving under the
 influence fund (264-00-2101-2020) No limit
 Waste tire management fund (264-00-2635-2820) No limit
 Health and environment publication fee fund –
 environment (264-00-2544-2195) No limit

Provided, That expenditures from the health and environment publication fee fund – environment shall be made only for the purpose of paying the expenses of publishing documents as required by K.S.A. 75-5662, and amendments thereto.

Local air quality control authority regulation
 services fund (264-00-2657-2330) No limit
 Environmental response fund (264-00-2662-2400) No limit
 Sponsored project overhead fund –
 environment (264-00-2911-2720) No limit
 Chemical control fee fund (264-00-2212-2360) No limit

QuantiFERON TB laboratory fund (264-00-2458-2460).....	No limit
Resource conservation and recovery act –	
federal fund (264-00-3586-3190).....	No limit
Water supply – federal fund (264-00-3295-3130).....	No limit
Air quality section 103 – federal fund (264-00-3248-3246).....	No limit
EPA – core support – federal fund (264-00-3040-3000)	No limit
Network exchange grant – federal fund (264-00-3267-3267)	No limit
Kansas clean diesel grant – federal fund (264-00-3249-3250)	No limit
Air quality program – federal fund (264-00-3072-3090)	No limit
Sec. 106 monitoring initiative –	
federal fund (264-00-3619-3240).....	No limit
Air quality section 105 – federal fund (264-00-3249-3249).....	No limit
Leaking underground storage tank trust –	
federal fund (264-00-3812-3700).....	No limit
Surface mining control and reclamation act –	
federal fund (264-00-3820-3760).....	No limit
Abandoned mined-land – federal fund (264-00-3821-3770).....	No limit
Department of defense and state cooperative	
agreement – federal fund (264-00-3067-3031)	No limit
EPA non-point source – federal fund (264-00-3889-3940)	No limit
Pollution prevention program –	
federal fund (264-00-3908-3990).....	No limit
EPA water monitoring – federal fund (264-00-3086-4200).....	No limit
Gifts, grants and donations	
fund – environment (264-00-7314-7095)	No limit
Special bequest fund – environment (264-00-7367-7040)	No limit
Aboveground petroleum storage tank release	
trust fund (264-00-7398-7070).....	No limit
Underground petroleum storage tank release	
trust fund (264-00-7399-7060).....	No limit
Drycleaning facility release trust fund (264-00-7407-7250).....	No limit
Public water supply loan fund (264-00-7539-7800).....	No limit
Public water supply loan operations fund (264-00-3295-3295).....	No limit
Kansas water pollution control	
revolving fund (264-00-7530-7400)	No limit
<i>Provided</i> , That the proceeds from revenue bonds issued by the Kansas	
development finance authority to provide matching grant payments under	
the federal clean water act of 1987 (P.L. 92-500) shall be credited to	
the Kansas water pollution control revolving fund: <i>Provided further</i> , That	
expenditures from this fund shall be made to provide for the payment of	
such matching grants.	
Kansas water pollution control	
operations fund (264-00-7960-8300)	No limit

Cost of issuance fund for Kansas water pollution control revolving fund revenue bonds (264-00-7531-7600).....	No limit
Surcharge fund for Kansas water pollution control revolving fund revenue bonds (264-00-7539-7805).....	No limit
Surcharge operations fund for Kansas water pollution control revolving fund revenue bonds (264-00-7531-7620).....	No limit
Subsurface hydrocarbon storage fund (264-00-2228-2380)	No limit
Natural resources damages trust fund (264-00-7265-7265)	No limit
Hazardous waste management fund (264-00-2519-2290).....	No limit
Brownfields revolving loan program – federal fund (264-00-3278-3278).....	No limit
Mined-land reclamation fund (264-00-2685-2560)	No limit
Operator outreach training program – federal fund (264-00-3259-3259).....	No limit
Underground storage tank – federal fund (264-00-3732-3510)	No limit
EPA underground injection control – federal fund (264-00-3295-3288).....	No limit
Laboratory medicaid cost recovery fund – environment (264-00-2092-2060).....	No limit
EPA state response program – federal fund (264-00-3370-3915).....	No limit
Environmental use control fund (264-00-2292-2310)	No limit
Environmental response remedial activity specific sites – federal fund (264-00-3040-3003)	No limit
Emergency environmental response – nonspecific sites federal fund (264-00-3067-3030)	No limit
Medicare program – environment – federal fund (264-00-3096-3050).....	No limit
EPA pollution prevention – federal fund (264-00-3619-3240)	No limit
Inspections Kansas infrastructure projects – federal fund (264-00-3910-3950).....	No limit
Salt solution mining well plugging fund (264-00-2247-2390)	No limit
Water program management fund (264-00-2798-2798).....	No limit
UST redevelopment fund (264-00-7397-7080).....	No limit

Provided, That, in addition to the other purposes authorized by K.S.A. 65-34,132, and amendments thereto, notwithstanding the provisions of K.S.A. 65-34,139(a)(3), and amendments thereto, expenditures shall be made from the above fund for fiscal year 2021 for the purposes of reimbursing eligible owners of underground storage tanks, if, pursuant to K.S.A. 65-34,139, and amendments thereto, the owner replaces all com-

ponents of a single-wall storage tank system with a secondary containment system that complies with K.S.A. 65-34,138, and amendments thereto, after August 8, 2005.

Office of laboratory services

operating fund (264-00-2161-2161)	No limit
Risk management fund (264-00-7402-7402).....	No limit
Intoxilyzer replacement – federal fund (264-00-3092-3092)	No limit
Environmental stewardship fund (264-00-17-7396-7096)	No limit
EPA multi-purpose grant –	
federal fund (264-00-3103-3630).....	No limit
Volkswagen environmental fund (264-00-7269-7269)	No limit
USDA conservation partnership –	
federal fund (264-00-3022-3022).....	No limit
Environmental response – federal fund (264-00-3066-3010)	No limit
Other federal grants – federal fund (264-00-3095-5450)	No limit
Alcohol impaired driving countermeasures incentive grants –	
federal fund (264-00-3247-3247).....	No limit
Air quality program – federal fund (264-00-3253-3253)	No limit
Water related grants – federal fund (264-00-3254-3260)	No limit
EPA nonpoint source implementation –	
federal fund (264-00-3915-3915).....	No limit
Water protection state grants –	
federal fund (264-00-3264-3264).....	No limit
Multi-media capacity building –	
federal fund (264-00-3277-3277).....	No limit
Health watershed initiative – federal fund (264-00-3558-3558) ...	No limit
Small employer cafeteria plan	
development program (264-00-2386-2382)	No limit
Environmental response RMDL act –	
federal fund (264-00-3005-3010).....	No limit
Ticket to work grant – federal fund (264-00-3417-4367)	No limit
Demo to maintenance-indep. employer –	
federal fund (264-00-3419-3419).....	No limit
EPA underground injection control –	
federal fund (264-00-3618-3230).....	No limit
104G outreach training program –	
federal fund (264-00-3722-3500).....	No limit
Drinking water lead testing in school and	
child care programs – federal fund.....	No limit
Brownfields revolving loan	
program fund (264-00-7526-7103)	No limit
Certification of environmental	
liability fund (264-00-7527-7230)	No limit

P/C safety net clinic loan
 guarantee fund (264-00-7551-7595).....No limit
 KWPC surcharge services fees (264-00-7961-8400).....No limit
 KPWS revolving fund (264-00-7968-8500).....No limit
 KPWS surcharge service fees (264-00-7969-8600).....No limit
 Asbestos remediation fundNo limit

Provided, That, notwithstanding the provisions of K.S.A. 65-5309, and amendments thereto, or any other statute, all fees or other moneys collected by the above agency during fiscal year 2021 related to asbestos remediation, as certified by the secretary of health and environment, shall be credited to the asbestos remediation fund.

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2021, for the state water plan project or projects specified as follows:

Contamination remediation (264-00-1800-1802)\$1,088,301

Provided, That any unencumbered balance in the contamination remediation account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

TMDL initiatives and use
 attainability analysis (264-00-1800-1805)\$280,738

Provided, That any unencumbered balance in the TMDL initiatives and use attainability analysis account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Watershed restoration and
 protection plan (264-00-1800-1808)\$730,884

Provided, That any unencumbered balance in the watershed restoration and protection plan account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Nonpoint source program (264-00-1800-1804)\$303,208

Provided, That any unencumbered balance in the nonpoint source program account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Milford and Marion reservoirs harmful algae
 bloom pilot (264-00-1800-1810)\$450,000

Provided, That any unencumbered balance in the Milford and Marion reservoirs harmful algae bloom pilot account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Drinking water protection (264-00-1800-1806)\$350,000

(d) During the fiscal year ending June 30, 2021, 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 2021 from the state water plan fund for the department of health and environment – division of environment to another item of appropriation for fiscal year 2021 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, 2021, notwithstanding the provisions of K.S.A. 65-3024, and amendments thereto, the director of accounts and reports shall not make the transfers of amounts of interest earnings from the state general fund to the air quality fee fund (264-00-2020-2830) of the department of health and environment, which are directed to be made on or before the 10th day of each month by K.S.A. 65-3024, and amendments thereto.

(f) On July 1, 2020, and on other occasions during fiscal year 2021 when necessary, the director of accounts and reports shall transfer amounts specified by the secretary of health and environment that constitute reimbursements, credits and other amounts received by the department of health and environment for activities related to federal programs, from specified special revenue fund or funds of the department of health and environment – division of public health or of the department of health and environment – division of environment, to the sponsored project overhead fund – environment (264-00-2911-2720) of the department of health and environment – division of environment.

(g) During the fiscal year ending June 30, 2021, the director of accounts and reports shall transfer an amount or amounts specified by the secretary of health and environment from any one or more special revenue fund or funds of the department of health and environment – division of environment that have available moneys to the sponsored project overhead fund – environment (264-00-2911-2720) of the department of health and environment – division of environment or to the sponsored project overhead fund – health (264-00-2912-2710) of the department of health and environment – division of public health, as the case may be, for expenditures for administrative expenses.

(h) During the fiscal year ending June 30, 2021, 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 2021 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 2021 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, 2021, the amounts transferred by the director of accounts and reports from each of the special revenue funds of the department of health and environment – division of environment to the sponsored project overhead fund – environment (264-00-2911-2720) of the department of health and environment – division of environment pursuant to this section may include amounts equal to not more than 25% of the expenditures from such special revenue fund, excepting expenditures for contractual services.

(j) During the fiscal year ending June 30, 2021, notwithstanding the provisions of K.S.A. 65-3005, 65-3006, 65-3007, 65-3008, 65-3022, 65-3024 or 65-3028, and amendments thereto, or any other statute, the above agency shall not expend any moneys appropriated for fiscal year 2021 from the state general fund or from any special revenue fund or funds for such agency by this or other appropriation act of the 2020 regular session of the legislature to: (1) Amend or modify any rule and regulation adopted pursuant to the Kansas air quality act or K.S.A. 65-3022, and amendments thereto, if such amendment or modification would increase any fee imposed pursuant the rules and regulations adopted on or before July 1, 2020, pursuant to such act or such section; or (2) adopt, create or impose any new fee through rules and regulations adopted pursuant to the Kansas air quality act or K.S.A. 65-3022, and amendments thereto, if such fee was not imposed pursuant to the rules and regulations adopted on or before July 1, 2020, pursuant to such act or such section: *Provided*, That all rules and regulations of the secretary of health and environment in effect on July 1, 2020, that impose fees pursuant to the Kansas air quality act or K.S.A. 65-3022, and amendments thereto, shall be the only fees imposed by the secretary pursuant to such act and such section: *Provided further*, That any fees imposed by the secretary that do not comply with this subsection shall be declared null and void: *Provided, however*, That the above agency shall collaborate and work with affected stakeholders to develop a fee schedule for the purpose of proposing such fee schedule in legislation during the legislative session beginning January 11, 2021.

Sec. 73.

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, 2020, the following:

KanCare caseloads (629-00-1000-0610).....\$21,692,610

(b) On the effective date of this act, of the \$309,211,233 appropriated for the above agency for the fiscal year ending June 30, 2020, by section 85(a) of chapter 68 of the 2019 Session Laws of Kansas from the state general fund in the KanCare non-caseloads account (039-00-1000-0612), the sum of \$10,677,095 is hereby lapsed.

Sec. 74.

KANSAS DEPARTMENT FOR AGING AND DISABILITY SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

RSI crisis center base services (039-00-1000-0110)\$3,576,100
Comcare crisis center base services (039-00-1000-0120).....\$1,300,000
Valeo crisis center base services (039-00-1000-0130).....\$500,000
Salina crisis center base services (039-00-1000-0140).....\$85,000
Douglas county crisis center base services.....\$750,000
Administration official hospitality (039-00-1000-0204)\$1,748

Provided, That any unencumbered balance in the administration official hospitality account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Administration – assessments (039-00-1000-0210).....\$459,471

Provided, That any unencumbered balance in the administration – assessments account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Senior care act (039-00-1000-0260)\$5,515,000

Provided, That any unencumbered balance in the senior care act account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *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 2020 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 2020: *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 2021 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 2020: *And provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services that are deter-

mined to be the most economical services available with regard to state general fund expenditures.

Program grants – nutrition –
state match (039-00-1000-0280)\$4,045,725

Provided, That any unencumbered balance in the program grants – nutrition – state match account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *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 2020 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 2020: *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 2021 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 2020: *And provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services that are determined to be the most economical services available with regard to state general fund expenditures.

LTC – medicaid assistance – NF (039-00-1000-0520)\$8,290,926

Provided, That any unencumbered balance in the LTC – medicaid assistance – NF account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Nursing facilities regulation (039-00-1000-0710)\$1,175,584

Provided, That any unencumbered balance in the nursing facilities regulation account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Nursing facilities regulation – title XIX (039-00-1000-0712)\$1,555,344

Provided, That any unencumbered balance in the nursing facilities regulation – title XIX account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

State operations (039-00-1000-0801)\$19,097,727

Provided, That any unencumbered balance in the state operations account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided further*, That expenditures may be made from this account for the purchase of professional liability insurance for physicians and dentists at any institution, as defined by K.S.A. 76-12a01, and amendments thereto.

Alcohol and drug abuse services grants (039-00-1000-1010)\$2,695,622
Provided, That any unencumbered balance in the alcohol and drug abuse services grants account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Mental health and intellectual disabilities aid
and assistance (039-00-1000-4001).....\$13,474,925
Provided, That any unencumbered balance in the mental health and intellectual disabilities aid and assistance account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Community mental health centers supplemental
funding (039-00-1000-3001)\$30,995,993
Provided, That any unencumbered balance in the community mental health centers supplemental funding account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Community aid (039-00-1000-3004)\$20,906,993
Provided, That any unencumbered balance in the community aid account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

KanCare caseloads (039-00-1000-0610).....\$410,661,520
Provided, That any unencumbered balance in the KanCare caseloads account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Non-KanCare caseloads (039-00-1000-0611)\$35,500,000
Provided, That any unencumbered balance in the non-KanCare caseloads account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided further*, That all people receiving or applying for services that are funded, either partially or entirely, from the non-KanCare caseloads account shall be placed in appropriate services that are determined to be the most economical services available with regard to state general fund expenditures.

KanCare non-caseloads (039-00-1000-0612)\$315,698,398
Provided, That any unencumbered balance in the KanCare non-caseloads account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided further*, That expenditures shall be made from the KanCare non-caseloads account of the above agency for the Kansas department for aging and disability services and the department of health and environment to make applications and modifications, no later than July 1, 2020, to the current traumatic brain injury home and community-based services medicaid waiver program in accordance with the provisions of section 117 of chapter 109 of the 2018 Session Laws of

Kansas and also to restore the unduplicated waiver slot count to 723 and lower such waiver's entry age to birth and add acquired brain injuries to such waiver while setting the financial eligibility requirements for children under 18 to be the same as the Kansas serious emotional disturbance waiver: *And provided further*, That the above agency shall make expenditures from the KanCare non-caseloads account during fiscal year 2021 in an amount not less than \$2,557,443 to increase provider reimbursement rates for the specialized medical care services code (T1000) under the home and community-based services technology assisted waiver to \$37 per hour for in-home registered nurse and licensed practical nurse nursing services under such waiver.

Kansas neurological institute – operating
expenditures (363-00-1000-0303).....\$11,297,103

Provided, That any unencumbered balance in the Kansas neurological institute – operating expenditures account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided, however*, That expenditures from the Kansas neurological institute – operating expenditures account for official hospitality by the superintendent shall not exceed \$150: *Provided further*, That expenditures shall be made from this account to assist residents of the institution to take personally used items that are constructed for use by such residents and which are hereby authorized to be transferred to such residents from the institution to communities when such residents leave the institution to reside in the communities.

Larned state hospital – operating
expenditures (410-00-1000-0103).....\$41,487,497

Provided, That any unencumbered balance in the Larned state hospital – operating expenditures account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *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 (410-00-1000-0200).....\$22,858,937

Provided, That any unencumbered balance in the Larned state hospital – sexual predator treatment program account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Osawatomie state hospital – operating expenditures (494-00-1000-0100).....	\$29,208,011
<i>Provided</i> , That any unencumbered balance in the Osawatomie state hospital – operating expenditures account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: <i>Provided, however</i> , That expenditures from the Osawatomie state hospital – operating expenditures account for official hospitality by the superintendent shall not exceed \$150.	
Osawatomie state hospital – certified care expenditures (494-00-1000-0101).....	\$7,657,846
<i>Provided</i> , That any unencumbered balance in the Osawatomie state hospital – certified care expenditures account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.	
Osawatomie state hospital – SPTP MiCo.....	\$1,195,924
Parsons state hospital and training center – operating expenditures (507-00-1000-0100).....	\$12,479,312
<i>Provided</i> , That any unencumbered balance in the Parsons state hospital and training center – operating expenditures account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: <i>Provided, however</i> , That expenditures from the Parsons state hospital and training center – operating expenditures account for official hospitality by the superintendent shall not exceed \$150: <i>And provided further</i> , 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: <i>And provided further</i> , That such educational services contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto: <i>And provided further</i> , That expenditures shall be made from this account to assist residents of the institution to take personally used items that are constructed for use by such residents and which are hereby authorized to be transferred to such residents from the institution to communities when such residents leave the institution to reside in the communities.	
Parsons state hospital and training center – sexual predator treatment program (507-00-1000-0200).....	\$2,037,289
<i>Provided</i> , That any unencumbered balance in the Parsons state hospital and training center – sexual predator treatment program account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.	
Larned state hospital – SPTP new crimes reimbursement (410-00-1000-0110)	\$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, 2020, is hereby reappropriated for fiscal year 2021.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Title XIX fund (039-00-2595-4130) No limit

Provided, That all receipts resulting from payments under title XIX of the federal social security act to any of the institutions under mental health and intellectual disabilities may be credited to the title XIX fund:

Provided further, That moneys in the title XIX fund may be used for expenditures for contractual services to provide for collecting additional payments under title XVIII and title XIX of the federal social security act and for expenditures for premiums and surcharges required to be paid for physicians' malpractice insurance.

Kansas neurological institute title XIX
reimbursements fund (363-00-2060-2200) No limit

Larned state hospital title XIX
reimbursements fund (410-00-2074-2200) No limit

Osawatomie state hospital title XIX
reimbursements fund (494-00-2080-4300) No limit

Osawatomie state hospital certified care title XIX
reimbursements fund (494-00-2080-4301) No limit

Parsons state hospital title XIX
reimbursements fund (507-00-2083-2300) No limit

Kansas neurological institute fee fund (363-00-2059-2000) \$1,324,436

Kansas neurological institute – foster grandparents program –
federal fund (363-00-3115-3200) No limit

Kansas neurological institute – FGP gifts, grants,
donations fund (363-00-7125-7400) No limit

Kansas neurological institute – patient
benefit fund (363-00-7910-7100) No limit

Kansas neurological institute – work therapy patient
benefit fund (363-00-7940-7200) No limit

Larned state hospital fee fund (410-00-2073-2100) \$4,746,563

Larned state hospital – work therapy patient
benefit fund (410-00-7938-7200) No limit

Larned state hospital – canteen fund (410-00-7806-7000) No limit

Larned state hospital – patient
benefit fund (410-00-7912-7100) No limit

Osawatomie state hospital –
canteen fund (494-00-7807-5600) No limit

Osawatomie state hospital – patient benefit fund (494-00-7914-5700).....	No limit
Osawatomie state hospital – work therapy patient benefit fund (494-00-7939-5800).....	No limit
Osawatomie state hospital – motor pool revolving fund (494-00-6164-5200)	No limit
Osawatomie state hospital – cottage revenue and expenditures fund (494-00-2159-2159).....	No limit
Osawatomie state hospital – training fee revolving fund (494-00-2602-2000)	No limit
<i>Provided</i> , 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: <i>Provided further</i> , That the superintendent of Osawatomie state hospital is hereby authorized to fix, charge and collect fees for training activities at Osawatomie state hospital: <i>And provided further</i> , 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 (494-00-2079-4200)	\$1,324,899
<i>Provided</i> , 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: <i>Provided further</i> , 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: <i>And provided further</i> , That any expenditures from the video teleconferencing fee account shall be in addition to any expenditure limitation imposed on the Osawatomie state hospital fee fund.	
Osawatomie state hospital certified care fund (494-00-2079-4201)	\$2,731,096
Parsons state hospital and training center – canteen fund (507-00-7808-5500)	No limit
Parsons state hospital and training center – patient benefit fund (507-00-7916-5600).....	No limit
Parsons state hospital and training center – work therapy patient benefit fund (507-00-7941-5700).....	No limit
Parsons state hospital and training center fee fund (507-00-2082-2200)	\$1,150,000

Provided, That all moneys received as fees for the use of video teleconferencing equipment at Parsons state hospital and training center shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the video teleconferencing fee account of the Parsons state hospital and training center fee fund: *Provided further*, That all moneys credited to the video teleconferencing fee account shall be used solely for the servicing, maintenance and replacement of video teleconferencing equipment at Parsons state hospital and training center: *And provided further*, That any expenditures from the video teleconferencing fee account shall be in addition to any expenditure limitation imposed on the Parsons state hospital and training center fee fund.

Special program for aging IIIB – federal fund (039-00-3287-3281).....	No limit
Special program for aging IIIC – federal fund (039-00-3425-3423).....	No limit
Special program for aging IIID – federal fund (039-00-3286-3285).....	No limit
National family caregiver support program IIIE – federal fund (039-00-3289-3201).....	No limit
Special program for aging IV & II – federal fund (039-00-3288-3297).....	No limit
Special program for aging VII-2 – federal fund (039-00-3358-3072).....	No limit
Special program for aging VII-3 – federal fund (039-00-3402-3000).....	No limit
Survey & certification – federal fund (039-00-3064-3064).....	No limit

Provided, That transfers of moneys from the survey & certification – federal fund to the state fire marshal may be made during fiscal year 2021 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.

Center for medicare/medicaid service – federal fund (039-00-3408-3300).....	No limit
Money follows the person grant – federal fund (039-00-3054-4000).....	No limit
Medicaid assistance program – federal fund (039-00-1000-0500).....	No limit
Social service block grant fund (039-00-3307-3371).....	\$4,590,000

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 2020 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 2020: *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 2021 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 2020: *And provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this fund shall be placed in appropriate services that are determined to be the most economical services available.

Nutrition service incentive program	
fund – federal (039-00-3552-3552).....	No limit
National bioterrorism hospital preparedness program –	
federal fund (039-00-3398-4386).....	No limit
Senior citizen nutrition check-off fund (039-00-2660-2610).....	No limit
Quality care services fund (039-00-2999-2902)	No limit

Provided, That the secretary for aging and disability services, acting as the agent of the secretary of health and environment, is hereby authorized to collect the quality care assessment under K.S.A. 75-7435, and amendments thereto, and notwithstanding the provisions of K.S.A. 75-7435, and amendments thereto, all moneys received for such quality care assessments shall be deposited in the state treasury to the credit of the quality care services fund: *Provided further*, That all moneys in the quality care services fund shall be used to finance initiatives to maintain or improve the quantity and quality of skilled nursing care in skilled nursing care facilities in Kansas in accordance with K.S.A. 75-7435, and amendments thereto.

State licensure fee fund (039-00-2373-2370).....	No limit
General fees fund (039-00-2524-2500)	No limit

Provided, That the secretary for aging and disability services is hereby authorized to collect: (1) Fees from the sale of surplus property; (2) fees charged for searching, copying and transmitting copies of public records; (3) fees paid by employees for personal long distance calls, postage, faxed messages, copies and other authorized uses of state property; and (4) other miscellaneous fees: *Provided further*, That such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further*, That expenditures shall be made from this fund to meet the obligations of the Kansas department for aging and disability services or to benefit and meet the mission of the Kansas department for aging and disability services.

Gifts and donations fund (039-00-7309-7000) No limit
Provided, That the secretary for aging and disability services is hereby authorized to receive gifts and donations of money for services to senior citizens or purposes related thereto: *Provided further*, That such gifts and donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the gifts and donations fund.

Medical resources and collection fund (039-00-2363-2100) No limit
Provided, That all moneys received or collected by the secretary for aging and disability services due to medicaid overpayments shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the medical resources and collection fund: *Provided further*, That expenditures from such fund shall be made for medicaid program-related expenses and used to reduce state general fund outlays for the medicaid program: *And provided further*, That all moneys received or collected by the secretary for aging and disability services due to civil monetary penalty assessments against adult care homes shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the medical resources and collection fund: *And provided further*, That expenditures from such fund shall be made to protect the health or property of adult care home residents as required by federal law.

SHICK fund – grants – federal (039-00-3913-3800) No limit
 Long-term care loan and grant fund (039-00-5110-5100) No limit
 Health facilities review fund (039-00-2308-2400) No limit
 Medicare enrollment assistance program
 fund – federal (039-00-3468-3450) No limit
 Medical assistance program –
 federal fund (039-00-3414-0442) No limit
 DADS social welfare fund (039-00-2141-2195) No limit
 Other state fees fund – community
 alcohol treatment (039-00-2661-0000) No limit
 Substance abuse/mental health services –
 partnership for success – federal fund (039-00-3284-1327) No limit
 Substance abuse/mental health supported employment –
 federal fund (039-00-3284-1329) No limit
 Community mental health block grant
 federal fund (039-00-3310-0460) No limit
 Prevention/treatment substance abuse
 federal fund (039-00-3301-0310) No limit
 Problem gambling and addictions
 grant fund (039-00-2371-2371) \$7,108,000

Alternatives to psych. resid. treatment facilities for children	
federal fund (039-00-3384-4495).....	No limit
Substance abuse performance outcome grant	
federal fund (039-00-3881-3881).....	No limit
ADAS data collection grant federal fund (039-00-3887-3887).....	No limit
Money follows the person rebalancing demonstration	
federal fund (039-00-3054-4041).....	No limit
Temporary assistance for needy families –	
fed funds (039-00-3323-3323)	No limit
Coop agreement to benefit homeless –	
federal fund (039-00-3284-1321).....	No limit
Assistance in transition from homelessness	
federal fund (039-00-3347-4316).....	No limit
Developmental disabilities basic support	
federal fund (039-00-3380-3380).....	No limit
Olmstead fellowship program (039-00-3885-3885)	No limit
Medicare fund – SHICK (039-00-3408-3400)	No limit
Medicare fund – oasis (039-00-3408-3350).....	No limit
<i>Provided</i> , 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 (039-00-2160-2160).....	\$9,750,000
<i>Provided</i> , That on July 1, 2020, October 1, 2020, January 1, 2021, and April 1, 2021, 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.	
Indirect cost fund (039-00-2193-2193)	No limit
Kansas national background check program –	
federal fund (039-00-3032-3132).....	No limit
Systems of care grant – federal fund (039-00-3595-3595)	No limit
Community mental health center	
improvement fund (039-00-2336-2336)	No limit
Community crisis stabilization	
centers fund (039-00-2337-2337)	No limit
Clubhouse model program fund (039-00-2338-2338)	No limit
Opioid abuse treatment & prevention	
federal fund (039-00-3023-3024).....	No limit

Health occupations credentialing	
fee fund (039-00-2315-2315)	No limit
TBI partnership program fund (039-00-3376-3376)	No limit
Non-government grant fund (039-00-2740-2740)	No limit
Safe and supportive schools fund (039-00-2788-2788).....	No limit
Nutrition services incentives federal	
fund (039-00-3291-3305)	No limit
Assist transition from homelessness	
federal fund (039-00-3347-4316).....	No limit
Mental health research grant federal fund (039-00-3377-4321)...	No limit
Senior farmer market nutrition program	
federal fund (039-00-3406-3205).....	No limit
Children's health insurance federal fund (039-00-3424-3420).....	No limit
Home delivery nutrition services	
federal fund (039-00-3469-3309).....	No limit
Congregate nutrition	
federal fund (039-00-3470-3311).....	No limit
Communities putting prevention to work	
federal fund (039-00-3488-3488).....	No limit
Mental health client level reporting	
federal fund (039-00-3882-3882).....	No limit
Transformation transfer initiatives	
federal fund (039-00-3888-3888).....	No limit
KDFA refunding revenue bond 2013B fund (039-00-7111)	No limit
Trust fund (039-00-7299)	No limit
Larned state security hospital	
KDFA 02N-1 fund (039-00-8703)	No limit
SRS state of Kansas KDFA 04A-1	
project fund (039-00-8704).....	No limit
State of Kansas projects	
KDFA 2010E-F fund (039-00-8705).....	No limit
Parking deduction clearing fund (039-00-9233-9200).....	No limit
Medical assistance recovery clearing fund (039-00-9300).....	No limit
Credit card clearing fund (039-00-9400).....	No limit

(c) On July 1, 2020, and on other occasions during fiscal year 2021, when necessary as determined by the secretary for aging and disability services, the director of accounts and reports shall transfer amounts specified by the secretary for aging and disability services, which amounts constitute reimbursements, credits and other amounts received by the Kansas department for aging and disability services for activities related to federal programs from specified special revenue funds of the Kansas department for aging and disability services to the indirect cost fund of the Kansas department for aging and disability services.

(d) On July 1, 2020, the superintendent of Osawatomie state hospital, upon the approval of the director of accounts and reports, shall transfer an amount specified by the superintendent from the Osawatomie state hospital – canteen fund (494-00-7807-5600) to the Osawatomie state hospital – patient benefit fund (494-00-7914-5700).

(e) On July 1, 2020, the superintendent of Parsons state hospital, upon approval from the director of accounts and reports, shall transfer an amount specified by the superintendent from the Parsons state hospital and training center – canteen fund (507-00-7808-5500) to the Parsons state hospital and training center – patient benefit fund (507-00-7916-5600).

(f) On July 1, 2020, the superintendent of Larned state hospital, upon approval of the director of accounts and reports, shall transfer an amount specified by the superintendent from the Larned state hospital – canteen fund (410-00-7806-7000) to the Larned state hospital – patient benefit fund (410-00-7912-7100).

(g) During the fiscal year ending June 30, 2021, no moneys paid by the Kansas department for aging and disability services from the mental health and intellectual disabilities aid and assistance account (039-00-1000-4001) of the state general fund shall be expended by the entity receiving such moneys to pay membership dues and fees to any entity that does not provide the Kansas department for aging and disability services, the legislative division of post audit, or another state agency, access to its financial records upon request for such access.

(h) During the fiscal year ending June 30, 2021, 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 2021 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 2021 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, 2021, 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 2021 from the state institutions building fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability ser-

vices to another item of appropriation for fiscal year 2021 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 2021 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 2021 for the department of health and environment – division of public health, as authorized by this or other appropriation act of the 2020 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 2021 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 2021: *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 2021 for the Kansas department for aging and disability services, as authorized by this or other appropriation act of the 2020 regular session of the legislature, expenditures shall be made by the secretary for aging and disability services for fiscal year 2021 to provide for the performance of such powers, duties, functions and responsibilities and to conduct such investigations: *Provided further*, That, the words and phrases used in this subsection shall have the meanings respectively ascribed thereto by K.S.A. 39-1401, and amendments thereto.

(k) On October 1, 2020, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$550,000 from the problem gambling and addictions grant fund (039-00-2371-2371) of the Kansas department for aging and disability services to the domestic violence grant fund (252-00-2014-2014) of the governor's department.

(l) On October 1, 2020, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$150,000 from the problem gambling and addictions grant fund (039-00-2371-2371) of the Kansas department for aging and disability services to the child advocacy center grants fund (252-00-2024-2024) of the governor's department.

(m) On October 1, 2020, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 79-4805, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$500,000 from the problem gambling and addictions grant fund (039-00-2371-2371) of the Kansas department for aging and disability services to the community corrections special revenue fund (521-00-2447-2447) of the department of corrections.

(n) During the fiscal year ending June 30, 2021, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2021 by the above agency by this or any other appropriation act of the 2020 regular session of the legislature, expenditures shall be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2021 to prepare and submit reports concerning medicaid home and community based services waivers on or before July 1, 2020, October 1, 2020, January 1, 2021, and April 1, 2021, to the director of legislative research and the director of the budget: *Provided*, That the above agency shall submit a separate report for each home and community based services waiver: *Provided further*, That such reports shall include the actual and projected expenditures for such waiver, actual and projected numbers of individuals provided services under such waiver and average cost per individual served: *And provided further*, That such reports shall include summarized encounter data by waiver population or comparable data to allow for review of such data at the program level.

(o) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2021, the following:

Children's mental health waiver (039-00-2000-2403).....\$3,800,000

Provided, That any unencumbered balance in the children's mental health waiver account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

(p) During the fiscal year ending June 30, 2021, 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 2021 from the title XIX fund (039-00-2595-4130) of the Kansas department for aging and disability services to any institution or facility under the general supervision and management of the secretary for aging and disability services. The secretary for aging and disability services shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(q) Notwithstanding the provisions of K.S.A. 75-5958, and amendments thereto, or any other statute, and subject to appropriations, the secretary for aging and disability services may provide rate increases for nursing facilities for fiscal year 2021.

(r) During the fiscal year ending June 30, 2021, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2021 by this or any other appropriation act of the 2020 regular session of the legislature, expenditures shall be made by such agency from such moneys to operate, or contract for the operation of, eight acute inpatient psychiatric care beds for children in the city of Hays, Kansas, or the surrounding area: *Provided, however,* That expenditures for such purposes during fiscal year 2021 shall not exceed \$4,000,000.

Sec. 75.

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, 2020, the following:

Youth services aid and assistance (629-00-1000-7020)\$1,262,176

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2020, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

TEFAP trade mitigation program fund (629-00-3409-2315)No limit

ESSA preschool develop grant

federal fund (629-00-3608-0525).....No limit

(c) During the fiscal year ending June 30, 2020, notwithstanding the provisions of K.S.A. 39-709, and amendments thereto, or any other statute, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2020 by section 87 of chapter 68 of the 2019 Session Laws of Kansas, this or any other appropriation act of the 2020 regular session of the legislature, expenditures shall be made by the above agency from such moneys to apply for a waiver from the United States department of agriculture for

the time-limited assistance provisions for able-bodied adults between 18 and 49 years of age without dependents in the household under the food assistance program if the secretary can establish that there are insufficient jobs for the employment for such individuals using criteria that is not less restrictive than the criteria established under 7 C.F.R. § 273.24.

(d) During the fiscal year ending June 30, 2020, notwithstanding the provisions of K.S.A. 39-709, and amendments thereto, or any other statute, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2020 by section 87 of chapter 68 of the 2019 Session Laws of Kansas, this or any other appropriation act of the 2020 regular session of the legislature, expenditures shall be made by the above agency from such moneys to allow any single parent of a child who is between three months and one year of age to fulfill work participation requirements under the cash assistance program by engaging in in-home parenting skills training.

Sec. 76.

KANSAS DEPARTMENT
FOR CHILDREN AND FAMILIES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

State operations (including
official hospitality) (629-00-1000-0013).....\$116,260,716

Provided, That any unencumbered balance in the state operations (including official hospitality) account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Youth services aid and assistance (629-00-1000-7020)\$218,083,623

Provided, That any unencumbered balance in the youth services aid and assistance account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Vocational rehabilitation aid
and assistance (629-00-1000-5010).....\$4,702,746

Provided, That any unencumbered balance in the vocational rehabilitation aid and assistance account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *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 (629-00-1000-2010).....\$10,476,147

Provided, That any unencumbered balance in the cash assistance account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Social welfare fund (629-00-2195-0110) No limit

Other state fees fund (629-00-2220) No limit

Child welfare services state grants

federal fund (629-00-3306-0341)..... No limit

Social services block grant – federal fund (629-00-3307-0370)..... No limit

Temporary assistance to needy families

federal fund (629-00-3323-0530)..... No limit

Title IV-B promoting safe/stable families

federal fund (629-00-3302) No limit

Title IV-E foster care federal fund (629-00-3337-0419)..... No limit

Medical assistance program federal fund (629-00-3414) No limit

Rehabilitation services – vocational rehabilitation

federal fund (629-00-3315)..... No limit

SRS enterprise fund (629-00-5105)..... No limit

Child support enforcement federal fund (629-00-3316) No limit

Low-income home energy assistance

federal fund (629-00-3305-0350)..... No limit

Children's health insurance program

federal fund (629-00-3424-0541)..... No limit

SNAP employment and training exchange

federal fund (629-00-3452-3452)..... No limit

Commodity supp food program

federal fund (629-00-3308-3215)..... No limit

Social security – disability insurance

federal fund (629-00-3309-0390)..... No limit

Supplemental nutrition assistance program

federal fund (629-00-3311)..... No limit

Emergency food assistance program

federal fund (629-00-3313-2310)..... No limit

Child care and development mandatory and matching

federal fund (629-00-3318-0523)..... No limit

Chafee education and training vouchers program

federal fund (629-00-3338-0425)..... No limit

Adoption incentive payments

federal fund (629-00-3343-0426)..... No limit

Adoption assistance federal fund (629-00-3357-0418)	No limit
Chafee foster care independence program federal fund (629-00-3365-0417).....	No limit
Refugee and entrant assistance federal fund (629-00-3378)	No limit
Headstart federal fund (629-00-3379-6323)	No limit
Developmental disabilities basic support federal fund (629-00-3380-4360).....	No limit
Children's justice grants to states federal fund (629-00-3381-7320).....	No limit
Child abuse and neglect state grants federal fund (629-00-3382-7210).....	No limit
Independent living state grants federal fund (629-00-3387)	No limit
Independent living services for older blind federal fund (629-00-3388-5313).....	No limit
Supported employment for individuals with severe disabilities federal fund (629-00-3389).....	No limit
Child care discretionary federal fund (629-00-3028-0522)	No limit
SNAP employment and training pilot federal fund (629-00-3321-3321)	No limit
SNAP technology project for success federal fund (629-00-3327-3327).....	No limit
Project maintenance reserve fund (629-00-2214-0150)	No limit
Receipt suspense clearing fund (629-00-9212-0910).....	No limit
Client assistance payment clearing fund (629-00-9214-0930)	No limit
Child support collections clearing fund (629-00-9218-0970).....	No limit
EBT settlement fund (629-00-9219-0980).....	No limit
CAP settlement fund (629-00-9219-0990).....	No limit
Credit card clearing fund (629-00-9405-9400)	No limit
TEFAP trade mitigation program (629-00-3409-2315).....	No limit
ESSA preschool develop grant federal fund (629-00-3608-0525).....	No limit

(c) During the fiscal year ending June 30, 2021, 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, 2021, from the state general fund for the Kansas department for children and families to another item of appropriation for fiscal year 2021 from the state general fund for the Kansas department for children and families. The secretary for children and families shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(d) During the fiscal year ending June 30, 2021, 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 mon-

eys received under a federal grant that are credited to a federal fund of the Kansas department for children and families to another federal fund of the Kansas department for children and families. The secretary for children and families shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2021, the following:

Child care (629-00-2000-2406).....\$5,033,679

Provided, That any unencumbered balance in the child care account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Family preservation (629-00-2000-2413).....\$3,241,062

Provided, That any unencumbered balance in the family preservation account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

(f) 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 temporary assistance to needy families federal fund (629-00-3323-0530) for fiscal year 2021 by this or any other appropriation act of the 2020 regular session of the legislature, expenditures shall be made by the Kansas department for children and families from such moneys appropriated for fiscal year 2021 in an amount not to exceed \$3,000,000 for the purpose of funding early childhood home visitation programs provided by any organization that promotes child wellbeing and prevents the abuse and neglect of children through intensive home visits: *Provided, however*, That any such program shall: (1) Be offered to families whose income is less than 200% of the federal poverty level; (2) comply with requirements of the temporary assistance to needy families block grant; and (3) meet any other programmatic requirements of the federal guidelines for the temporary assistance to needy families program.

(g) 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 temporary assistance to needy families federal fund (629-00-3323-0530) for fiscal year 2021 by this or any other appropriation act of the 2020 regular session of the legislature, expenditures shall be made by the Kansas department for children and families from such moneys appropriated for fiscal year 2021 in an amount not to exceed \$2,600,000 for the purpose of funding the alliance of boys and girls clubs smartmoves and kidzlit programs and out of school programming: *Provided, however*, That no moneys shall be distributed by the Kansas department for children and families to the alliance of boys and girls clubs if the

alliance of boys and girls clubs does not provide the Kansas department for children and families, the legislative division of post audit or another state agency access to its financial records upon request for such access.

(h) 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 temporary assistance to needy families federal fund (629-00-3323-0530) for fiscal year 2021 by this or any other appropriation act of the 2020 regular session of the legislature, expenditures shall be made by the Kansas department for children and families from such moneys appropriated for fiscal year 2021 for the purpose of packaging, storing and distributing excess foods from school lunches for the purposes of sending such excess food home with students in school districts that have completed an application process as established by the secretary of the above agency: *Provided, however,* That any such program shall: (1) Be offered to families whose income is less than 200% of the federal poverty level; (2) comply with requirements of the temporary assistance to needy families block grant; (3) meet any other programmatic requirements of the federal guidelines for the temporary assistance to needy families program; and (4) certify to the secretary for children and families that food packaged and distributed through such program meets the health and safety requirements set forth by the national school lunch program.

(i) During the fiscal year ending June 30, 2021, notwithstanding the provisions of K.S.A. 39-709, and amendments thereto, or any other statute, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2021 by this or any other appropriation act of the 2020 regular session of the legislature, expenditures shall be made by the above agency from such moneys to apply for a waiver from the United States department of agriculture for the time-limited assistance provisions for able-bodied adults between 18 and 49 years of age without dependents in the household under the food assistance program if the secretary can establish that there are insufficient jobs for the employment for such individuals using criteria that is not less restrictive than the criteria established under 7 C.F.R. § 273.24.

(j) During the fiscal year ending June 30, 2021, notwithstanding the provisions of K.S.A. 39-709, and amendments thereto, or any other statute, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2021 by this or any other appropriation act of the 2020 regular session of the legislature, expenditures shall be made by the above agency from

such moneys to allow any single parent of a child who is between three months and one year of age to fulfill work participation requirements under the cash assistance program by engaging in in-home parenting skills training.

Sec. 77.

KANSAS GUARDIANSHIP PROGRAM

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

Kansas guardianship program (261-00-1000-0300)\$1,314,717
Provided, That any unencumbered balance in the Kansas guardianship program account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Sec. 78.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2020, the following:

Education commission of the states\$67,700

(b) On the effective date of this act, of the \$1,597,147 appropriated for the fiscal year ending June 30, 2020, by section 1(a) of chapter 19 of the 2019 Session Laws of Kansas from the state general fund in the KPERS – employer contributions – non-USDs account (652-00-1000-0100), the sum of \$950,493 is hereby lapsed.

(c) On the effective date of this act, of the \$10,261,604 appropriated for the fiscal year ending June 30, 2020, by section 1(a) of chapter 19 of the 2019 Session Laws of Kansas from the state general fund in the KPERS – employer contributions – USDs account (652-00-1000-0110), the sum of \$1,762,628 is hereby lapsed.

(d) On the effective date of this act, any unencumbered balance in the MHIT pilot program – online database account (652-00-1000-0160) of the state general fund is hereby lapsed.

(e) On the effective date of this act, of the \$2,225,115,906 appropriated for the fiscal year ending June 30, 2020, by section 90(a) of chapter 68 of the 2019 Session Laws of Kansas from the state general fund in the state foundation account (652-00-1000-820), the sum of \$35,626,052 is hereby lapsed.

(f) During the fiscal year ending June 30, 2020, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2020, as authorized by section 90 of chapter 68 of the 2019 Session Laws of Kansas, this or other appropriation act of the 2020 regular session of the legislature, expenditures shall be made by the above agency from such moneys appropriated from the state

general fund or any special revenue fund or funds for fiscal year 2020, for the state board of education to require that any school district that receives a waiver from the requirements of K.S.A. 72-3115, and amendments thereto, relating to the duration of the school term for school year 2019-2020 pursuant to K.S.A. 72-3117, and amendments thereto, develop and implement a continuous learning plan so the school district continues to provide instruction to each student enrolled in such school district during the period of time described in the waiver: *Provided further*, That on or before April 15, 2020, each such school district shall submit its continuous learning plan to the state board of education: *And provided further*, That on or before January 15, 2021, the state board of education shall prepare and submit a report on the implementation of such continuous learning plans across the state to the standing committees on education in the house of representatives and the senate.

Sec. 79.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

Operating expenditures (including official hospitality) (652-00-1000-0053).....	\$14,087,648
<i>Provided</i> , That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.	
Special education services aid (652-00-1000-0700).....	\$505,380,818
<i>Provided</i> , That any unencumbered balance in the special education services aid account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: <i>Provided further</i> , That expenditures shall not be made from the special education services aid account for the provision of instruction for any homebound or hospitalized child, unless the categorization of such child as exceptional is conjoined with the categorization of the child within one or more of the other categories of exceptionality: <i>And provided further</i> , That expenditures shall be made from this account for grants to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-3425, and amendments thereto: <i>And provided further</i> , That expenditures shall be made from the amount remaining in this account, after deduction of the expenditures specified in the foregoing provisos, for payments to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-3422, and amendments thereto.	
KPERS layering payment (651-00-1000-0120).....	\$6,400,000
KPERS layering payment #2 (651-00-1000-0121).....	\$19,400,000
Mentor teacher (652-00-1000-0440)	\$1,300,000

Professional development (652-00-1000-0860)	\$1,700,000
Information technology education opportunities (652-00-1000-0600)	\$500,000
Discretionary grants (652-00-1000-0400)	\$322,457

Provided, That the above agency shall make expenditures from the discretionary grants account during the fiscal year 2021, in the amount not less than \$125,000 for after school programs for middle school students in the sixth, seventh and eighth grades: *Provided further*, That the after school programs may also include fifth and ninth grade students, if they attend a junior high: *And provided further*, That such discretionary grants shall be awarded to after school programs that operate for a minimum of two hours a day, every day that school is in session, and a minimum of six hours a day for a minimum of five weeks during the summer: *And provided further*, That the discretionary grants awarded to after school programs shall require a \$1 for \$1 local match: *And provided further*, That the aggregate amount of discretionary grants awarded to any one after school program shall not exceed \$25,000.

School food assistance (652-00-1000-0320)	\$2,510,486
School safety hotline (652-00-1000-0230)	\$10,000
Career and technical education transportation (652-00-1000-0190)	\$1,042,882
Education super highway (652-00-1000-0180)	\$120,000

Provided, That any unencumbered balance in the education super highway account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Juvenile transitional crisis center pilot project (652-00-1000-0210)	\$300,000
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Provided, That expenditures from the juvenile transitional crisis center pilot project account shall be used by the above agency during fiscal year 2021 to develop a regional crisis center pilot project at the Beloit special education cooperative, founded on research and evidence-based practices designed to meet the unique social and emotional needs of students identified as at-risk or with disabilities: *Provided further*, That such project shall provide individualized programming to attain such student's high school diploma and job skills while working through the social skills program: *And provided further*, That the commissioner of education shall provide an update on the implementation of the pilot project developed by this proviso to the legislature on or before the first day of the 2021 regular legislative session.

ACT and workkeys assessments program (652-00-1000-0140)	\$2,800,000
Mental health intervention team pilot (651-00-1000-0150) ...	\$12,673,886

Educable deaf-blind and severely handicapped children's programs aid (652-00-1000-0630)\$110,000

School district juvenile detention facilities and Flint Hills job corps center grants (652-00-1000-0290)\$5,060,528

Provided, That any unencumbered balance in the school district juvenile detention facilities and Flint Hills job corps center grants account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided further*, That expenditures shall be made from the school district juvenile detention facilities and Flint Hills job corps center grants account for grants to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-1173, and amendments thereto.

Governor's teaching excellence scholarships and awards (652-00-1000-0770)\$360,693

Provided, That any unencumbered balance in the governor's teaching excellence scholarships and awards account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided further*, That all expenditures from the governor's teaching excellence scholarships and awards account for teaching excellence scholarships shall be made in accordance with K.S.A. 72-2166, and amendments thereto: *And provided further*, That each such grant shall be required to be matched on a \$1 for \$1 basis from nonstate sources: *And provided further*, That award of each such grant shall be conditioned upon the recipient entering into an agreement requiring the grant to be repaid if the recipient fails to complete the course of training under the national board for professional teaching standards certification program: *And provided further*, That all moneys received by the department of education for repayment of grants for governor's teaching excellence scholarships shall be deposited in the state treasury and credited to the governor's teaching excellence scholarships program repayment fund (652-00-7221-7200).

Education commission of the states\$67,700

Provided, That any unencumbered balance in the education commission of the states account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

School safety and security grants (652-00-1000-0235)\$5,000,000

Provided, That all moneys in the school safety and security grants account expended for fiscal year 2021 shall be matched by the receiving school district on a \$1-for-\$1 basis from other moneys of the district: *Provided further*, That expenditures shall be made by the above agency from such account for fiscal year 2021 for disbursements of grant moneys approved by the state board of education for the acquisition and installation of security cameras and any other systems, equipment and services necessary

for security monitoring of facilities operated by a school district, and for securing doors, windows and any entrances to such facilities.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law and transfers to other state agencies shall not exceed the following:

School district capital

improvements fund (652-00-2880-2880) No limit

Provided, That expenditures from the school district capital improvements fund shall be made only for the payment of general obligation bonds approved by voters under the authority of K.S.A. 72-5457, and amendments thereto.

School district capital outlay state aid fund..... No limit

Conversion of materials and

equipment fund (652-00-2420-2020) No limit

State safety fund (652-00-2538-2030) No limit

Provided, That notwithstanding the provisions of K.S.A. 8-272, and amendments thereto, or any other statute, funds shall be distributed during fiscal year 2021 as soon as moneys are available.

School bus safety fund (652-00-2532-2300)..... No limit

Motorcycle safety fund (652-00-2633-2050) No limit

Federal indirect cost reimbursement

fund (652-00-2312-2200) No limit

Teacher and administrator fee fund (652-00-2723-2060)..... No limit

Food assistance – federal fund (652-00-3230-3020)..... No limit

Food assistance – school breakfast program –

federal fund (652-00-3529-3490)..... No limit

Food assistance – national school lunch program –

federal fund (652-00-3530-3500)..... No limit

Food assistance – child and adult care food program –

federal fund (652-00-3531-3510)..... No limit

Community-based child abuse prevention –

federal fund (652-00-3319-7400)..... No limit

Family and children investment fund (652-00-7375) No limit

Elementary and secondary school aid –

federal fund (652-00-3233-3040)..... No limit

Educationally deprived children – state operations –

federal fund (652-00-3131-3130)..... No limit

Elementary and secondary school –

educationally deprived children –

LEA's fund (652-00-3532-3520)..... No limit

Education of handicapped children fund – federal (652-00-3234-3050)	No limit
Education of handicapped children fund – state operations – federal fund (652-00-3534-3540).....	No limit
Education of handicapped children fund – preschool – federal fund (652-00-3535-3550).....	No limit
Education of handicapped children fund – preschool state operations – federal (652-00-3536-3560).....	No limit
Elementary and secondary school aid – federal fund – migrant education fund (652-00-3537-3570)	No limit
Elementary and secondary school aid – federal fund – migrant education – state operations (652-00-3538-3580).....	No limit
Vocational education title I – federal fund (652-00-3539-3590).....	No limit
Vocational education title I – federal fund – state operations (652-00-3540-3600).....	No limit
Educational research grants and projects fund (652-00-3592-3070)	No limit
Inservice education workshop fee fund (652-00-2230-2010).....	No limit
<i>Provided</i> , That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospital-ity, incurred for inservice workshops and conferences: <i>Provided further</i> , That the state board of education is hereby authorized to fix, charge and collect fees for inservice workshops and conferences: <i>And provided fur-ther</i> , That such fees shall be fixed in order to recover all or part of such op-erating expenditures incurred for inservice workshops and conferences: <i>And provided further</i> , 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.	
Private donations, gifts, grants and bequests fund (652-00-7307-5000).....	No limit
Reimbursement for services fund (652-00-3056-3200).....	No limit
Communities in schools program fund (652-00-2221-2400).....	No limit
Governor’s teaching excellence scholarships program repayment fund (652-00-7221-7200)	No limit
<i>Provided</i> , That all expenditures from the governor’s teaching excel-lence scholarships program repayment fund shall be made in accor-dance with K.S.A. 72-2166, and amendments thereto: <i>Provided further</i> , That each such grant shall be required to be matched on a \$1 for \$1 basis from nonstate sources: <i>And provided further</i> , That award of each such grant shall be conditioned upon the recipient entering into an agreement requiring the grant to be repaid if the recipient fails to com-	

plete the course of training under the national board for professional teaching standards certification program: *And provided further*, That all moneys received by the department of education for repayment of grants made under the governor's teaching excellence scholarships program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the governor's teaching excellence scholarships program repayment fund.

State grants for improving teacher quality –
 federal fund (652-00-3526-3860)..... No limit
 State grants for improving teacher quality – federal fund –
 state operations (652-00-3527-3870)..... No limit
 21st century community learning centers –
 federal fund (652-00-3519-3890)..... No limit
 State assessments – federal fund (652-00-3520-3800)..... No limit
 Rural and low-income schools program –
 federal fund (652-00-3521-3810)..... No limit
 TANF children's programs – federal fund (652-00-3323-0531).... No limit
 ESSA – student support academic enrichment –
 federal fund (652-00-3113-3113)..... No limit
 Language assistance state grants –
 federal fund (652-00-3522-3820)..... No limit
 Service clearing fund (652-00-2869-2800)..... No limit
 Local school district contribution program
 checkoff fund (652-00-7005-7005)..... No limit
 Educational technology coordinator fund (652-00-2157-2157) No limit
Provided, That expenditures shall be made by the above agency for the fiscal year ending June 30, 2021, from the educational technology coordinator fund of the department of education to provide data on the number of school districts served and cost savings for those districts in fiscal year 2021 in order to assess the cost effectiveness of the position of educational technology coordinator.

(c) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2021, the following:

Parent education program (652-00-2000-2510).....\$8,437,635

Provided, That any unencumbered balance in the parent education program account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided further*, That expenditures from the parent education program account for each such grant shall be matched by the school district in an amount that is equal to not less than 50% of the grant.

Children's cabinet accountability fund (652-00-2000-2402)\$375,000

Provided, That any unencumbered balance in the children’s cabinet accountability fund account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

CIF grants (652-00-2000-2408).....\$18,129,848

Provided, That any unencumbered balance in the CIF grants account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Quality initiative infants and toddlers (652-00-2000-2420).....\$500,000

Provided, That any unencumbered balance in the quality initiative infants and toddlers account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Early childhood block grant
autism diagnosis (652-00-2000-2422)\$50,000

Provided, That any unencumbered balance in the early childhood block grant autism diagnosis account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Communities aligned in early development
and education (652-00-2000-2550).....\$1,000,000

Pre-K pilot (652-00-2000-2535)\$4,200,000

(d) On July 1, 2020, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 8-1,148 or 38-1808, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$50,000 from the family and children trust account of the family and children investment fund (652-00-7375-7900) of the department of education to the communities in schools program fund (652-00-2221-2400) of the department of education.

(e) On March 30, 2021, and June 30, 2021, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 8-267 or 8-272, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$550,000 from the state safety fund (652-00-2538-2030) to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the state safety fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the state safety fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services that are performed on behalf of the department of education by other state agencies that receive appropriations from the state general fund to provide such services.

(f) On July 1, 2020, and quarterly thereafter, the director of accounts and reports shall transfer \$68,750 from the state highway fund of the de-

partment of transportation to the school bus safety fund (652-00-2532-2300) of the department of education.

(g) On July 1, 2020, the director of accounts and reports shall transfer an amount certified by the commissioner of education from the motorcycle safety fund (652-00-2633-2050) of the department of education to the motorcycle safety fund (561-00-2366-2360) of the state board of regents: *Provided*, That the amount to be transferred shall be determined by the commissioner of education based on the amounts required to be paid pursuant to K.S.A. 8-272(b)(2), and amendments thereto.

(h) On July 1, 2020, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$85,000 from the USAC E-rate program federal fund (561-00-3920-3920) of the state board of regents to the education technology coordinator fund (652-00-2157-2157) of the department of education.

(i) There is appropriated for the above agency from the Kansas endowment for youth fund for the fiscal year ending June 30, 2021, the following:

Children's cabinet administration (652-00-7000-7001)\$260,535

Provided, That any unencumbered balance in the children's cabinet administration account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

(j) During the fiscal year ending June 30, 2021, the commissioner of education, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2021 from the state general fund for the department of education to another item of appropriation for fiscal year 2021 from the state general fund for the department of education. The commissioner of education shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(k) During the fiscal year ending June 30, 2021, in addition to the purposes for which expenditures may be made from the state foundation aid account (652-00-1000-0820) of the state general fund for the department of education for fiscal year 2021 by section 91(a) of chapter 68 of the 2019 Session Laws of Kansas, this or other appropriation act of the 2020 regular session of the legislature, expenditures shall be made from the state foundation aid account of the state general fund for the department of education to distribute the high-density at-risk student weighting to qualifying school districts: *Provided*, That the high-density at-risk student weighting of a school district shall be the greater of the amounts calculated for such school district pursuant to the following two paragraphs: (1) (A) for a school district with an enrollment of at least 35% at-risk students but less than 50% at-risk students: (i) Subtract 35% from the percentage of at-risk students included in the enrollment of the school district; (ii)

multiply such difference by 0.7; and (iii) multiply such product by the number of at-risk students included in the enrollment of the school district; or (B) for a school district with an enrollment of 50% or more at-risk students, multiply the number of at-risk students included in the enrollment of the school district by 0.105; or (2) (A) for any school in a school district with an enrollment of at least 35%, but less than 50% at-risk students: (i) Subtract 35% from the percentage of at-risk students included in the enrollment of such school; (ii) multiply such difference by 0.7; and (iii) multiply such product by the number of at-risk students included in the enrollment of such school; or (B) for any school in a school district with an enrollment of 50% or more at-risk students, multiply the number of at-risk students included in the enrollment of such school by 0.105; and (C) add the amounts determined pursuant to this paragraph for each such school in the school district: *Provided further*, That any school district that qualifies to receive the high-density at-risk student weighting shall spend any moneys attributable to such school district's high-density at-risk student weighting on the at-risk best practices developed by the state board pursuant to K.S.A. 72-5153(d), and amendments thereto: *And provided further*, That if a school district that qualifies for the high-density at-risk student weighting does not spend such moneys on such best practices, the state board shall notify the school district that it shall either spend such moneys on such best practices or shall show improvement within five years of notification: *And provided further*, That improvement shall include, but not be limited to, the following: The percentage of students at grade level on state math and English language arts assessments; the percentage of students that are college and career ready on state math and English language arts assessments; the average composite ACT score; or the four-year graduation rate: *And provided further*, That if a school district does not spend such moneys on such best practices and does not show improvement within five years, the school district shall not qualify to receive the high-density at-risk student weighting in the succeeding school year.

(l) During the fiscal year ending June 30, 2021, the amount appropriated from the expanded lottery act revenues fund in the KPERS – school employer contribution account (652-00-1700-1700) for the department of education by section 90(h) of chapter 68 of the 2019 Session Laws of Kansas shall be for the purpose of reducing the unfunded actuarial liability of the Kansas public employees retirement system attributable to the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto, in accordance with K.S.A. 74-8768, and amendments thereto.

(m) On July 1, 2020, of the \$38,417,749 appropriated for the fiscal year ending June 30, 2021, by section 91(a) of chapter 68 of the 2019

Session Laws of Kansas from the state general fund in the KPERS – employer contributions – non-USDs account (652-00-1000-0100), the sum of \$976,965 is hereby lapsed.

(n) On July 1, 2020, of the \$514,524,907 appropriated for the fiscal year ending June 30, 2021, by section 91(a) of chapter 68 of the 2019 Session Laws of Kansas from the state general fund in the KPERS – employer contributions – USDs account (652-00-1000-0110), the sum of \$5,002,745 is hereby lapsed.

(o) On July 1, 2020, of the \$2,305,700,929 appropriated for the fiscal year ending June 30, 2021, by section 91(a) of chapter 68 of the 2019 Session Laws of Kansas from the state general fund in the state foundation aid account (652-00-1000-0820), the sum of \$32,524,169 is hereby lapsed.

(p) On July 1, 2020, of the \$519,300,000 appropriated for the fiscal year ending June 30, 2021, by section 91(a) of chapter 68 of the 2019 Session Laws of Kansas from the state general fund in the supplemental general state aid account (652-00-1000-0840), the sum of \$5,900,000 is hereby lapsed.

Sec. 80.

DEPARTMENT OF EDUCATION

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

State foundation aid (652-00-1000-0820).....\$2,440,966,522

Provided, That any unencumbered balance in the state foundation aid account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022; *Provided further*, That expenditures shall be made by the above agency from the state foundation aid account to distribute the high-density at-risk student weighting to qualifying school districts; *And provided further*, That the high-density at-risk student weighting of a school district shall be the greater of the amounts calculated for such school district pursuant to the following two paragraphs: (1) (A) For a school district with an enrollment of at least 35% at-risk students but less than 50% at-risk students: (i) Subtract 35% from the percentage of at-risk students included in the enrollment of the school district; (ii) multiply such difference by 0.7; and (iii) multiply such product by the number of at-risk students included in the enrollment of the school district; or (B) for a school district with an enrollment of 50% or more at-risk students, multiply the number of at-risk students included in the enrollment of the school district by 0.105; or (2) (A) for any school in a school district with an enrollment of at least 35%, but less than 50% at-risk students: (i) Subtract 35% from the percentage of at-risk students included in the enrollment of such school; (ii) multiply such difference by 0.7; and (iii) multiply such product by the number of at-risk students included in the enrollment of such school; or (B) for any school in a school district with an enrollment of 50% or more at-risk stu-

dents, multiply the number of at-risk students included in the enrollment of such school by 0.105; and (C) add the amounts determined pursuant to this paragraph for each such school in the school district: *And provided further*, That any school district that qualifies to receive the high-density at-risk student weighting shall spend any moneys attributable to such school district's high-density at-risk student weighting on the at-risk best practices developed by the state board pursuant to K.S.A. 72-5153(d), and amendments thereto: *And provided further*, That if a school district that qualifies for the high-density at-risk student weighting does not spend such moneys on such best practices, the state board shall notify the school district that it shall either spend such moneys on such best practices or shall show improvement within five years of notification: *And provided further*, That improvement shall include, but not be limited to, the following: The percentage of students at grade level on state math and English language arts assessments; the percentage of students that are college and career ready on state math and English language arts assessments; the average composite ACT score; or the four-year graduation rate: *And provided further*, That if a school district does not spend such moneys on such best practices and does not show improvement within five years, the school district shall not qualify to receive the high-density at-risk student weighting in the succeeding school year.

Supplemental state aid (652-00-1000-0840)\$521,200,000
Provided, That any unencumbered balance in the supplemental state aid account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Sec. 81.

STATE LIBRARY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

Operating expenditures (434-00-1000-0300)\$1,295,118
Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided, however*, That expenditures from the operating expenditures account for official hospitality shall not exceed \$755.

Grants to libraries and library systems – grants
in aid (434-00-1000-0410)\$1,067,914
Provided, That any unencumbered balance in the grants to libraries and library systems – grants in aid account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Grants to libraries and library systems – interlibrary
loan development (434-00-1000-0420)\$1,135,467

Provided, That any unencumbered balance in the grants to libraries and library systems – interlibrary loan development account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Grants to libraries and library systems – talking
book services (434-00-1000-0430)\$430,402

Provided, That any unencumbered balance in the grants to libraries and library systems – talking book services account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State library fund (434-00-2076-2500) No limit
Federal library services and technology
act – fund (434-00-3257-3000) No limit
Grants and gifts fund (434-00-7304-7000)..... No limit
Statewide database contribution (434-00-7304-7003)..... No limit

Sec. 82.

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, 2021, the following:

Operating expenditures (604-00-1000-0303)\$5,655,281

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided, however*, That expenditures from the operating expenditures for official hospitality shall not exceed \$2,000.

Arts for the handicapped (604-00-1000-0502)\$133,847

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, 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 (604-00-2093-2000) No limit
Local services reimbursement fund (604-00-2088-2500)..... No limit

Provided, That the Kansas state school for the blind is hereby authorized to assess and collect a fee of 20% of the total cost of services provided to local school districts: *Provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local services reimbursement fund.

Student activity fees fund (604-00-2146-2100).....	No limit
Special bequest fund (604-00-7333-5001)	No limit
Gift fund (604-00-7329-5100).....	No limit
Nine month payroll clearing fund (604-00-7714-5200).....	No limit
Education improvement – federal fund (604-00-3898-3750).....	No limit
Preparation and mentoring of teachers of the blind and visually impaired – federal fund (604-00-3184-3180) ...	No limit
Special education state grants – federal fund (604-00-3234-3234).....	No limit
Federal school lunch – federal fund (604-00-3530-3528)	No limit
School breakfast program – federal fund (604-00-3529-3529)	No limit
Deaf-blind project – federal fund (604-00-3583-3583)	No limit
Safe schools – federal fund (604-00-3569-3569).....	No limit
Child and adult care food program – federal fund (604-00-3531-3531).....	No limit
Summer food service program – federal fund (604-00-3591-3591).....	No limit

Sec. 83.

KANSAS STATE SCHOOL FOR THE DEAF

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

Operating expenditures (610-00-1000-0303)\$9,519,915
Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided, however*, That expenditures from the operating expenditures account for official hospitality 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, 2021, 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 (610-00-2094-2000) No limit
Local services reimbursement fund (610-00-2091-2200)..... No limit
Provided, That the Kansas state school for the deaf is hereby authorized to assess and collect a fee of 20% of the total cost of services provided to local school districts: *Provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local services reimbursement fund.

Student activity fees fund (610-00-2147-2100)..... No limit

Special bequest fund (610-00-7321-5500)	No limit
Special workshop fund (610-00-7504-5800)	No limit
Gift fund (610-00-7330-5600).....	No limit
Nine month payroll clearing fund (610-00-7715-5700).....	No limit
Special education state grants –	
federal fund (610-00-3234-3234).....	No limit
School breakfast program – federal fund (610-00-3529-3529)	No limit
School lunch program federal fund (610-00-3530-3528)	No limit
Special education preschool grants –	
federal fund (610-00-3535-3535).....	No limit
Universal newborn screening –	
federal fund (610-00-3459-3459).....	No limit
Summer food service program –	
federal fund (610-00-3591-3591).....	No limit
Early hearing detection and intervention –	
federal fund (610-00-3612-3612).....	No limit

Sec. 84.

STATE HISTORICAL SOCIETY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

Operating expenditures (288-00-1000-0083).....\$4,233,171

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Humanities Kansas (288-00-1000-0600)\$50,501

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Vehicle repair and replacement fund (288-00-6116-6000)No limit

General fees fund (288-00-2047-2300)No limit

Archeology fee fund (288-00-2638-2350)No limit

Provided, That expenditures may be made from the archeology fee fund for operating expenses for providing archeological services by contract: *Provided further*, That the state historical society is hereby authorized to fix, charge and collect fees for the sale of such services: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing archeological services by contract: *And provided further*, That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of

K.S.A. 75-4215, and amendments thereto, and shall be credited to the archeology fee fund.

Conversion of materials and

equipment fund (288-00-2436-2700) No limit

Soil/water conservation fund (288-00-3083-3110)..... No limit

Microfilm fees fund (288-00-2246-2370) No limit

Provided, That expenditures may be made from the microfilm fees fund for operating expenses for providing imaging services: *Provided further*, That the state historical society is hereby authorized to fix, charge and collect fees for the sale of such services: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing imaging services: *And provided further*, That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the microfilm fees fund.

Records center fee fund (288-00-2132-2100) No limit

Provided, That expenditures may be made from the records center fee fund for operating expenses for state records and for the trusted digital repository for electronic government records.

Historic properties fee fund (288-00-2164-2310) No limit

Historic preservation grants in aid fund (288-00-3089-3700) No limit

Historic preservation overhead fees fund (288-00-2916-2380)..... No limit

National historic preservation act

fund – local (288-00-3089-3000)..... No limit

Private gifts, grants and bequests fund (288-00-7302-7000) No limit

Museum and historic sites visitor

donation fund (288-00-2142-2250)..... No limit

Insurance collection replacement/

reimbursement fund (288-00-2182-2320)..... No limit

Heritage trust fund (288-00-7379-7600) No limit

Provided, That expenditures from the heritage trust fund for state operations shall not exceed \$81,843.

Land survey fee fund (288-00-2234-2330)..... No limit

Provided, That, notwithstanding the provisions of K.S.A. 58-2011, and amendments thereto, expenditures may be made by the above agency from the land survey fee fund for the fiscal year 2021 for operating expenditures that are not related to administering the land survey program.

National trails fund (288-00-3553-3353) No limit

State historical society facilities fund (288-00-2192-2420) No limit

Historic properties fund (288-00-2144-2400) No limit

Law enforcement memorial fund (288-00-7344-7300) No limit

Highway planning/ construction fund (288-00-3333-3333).....No limit
 Save America's treasures fund (288-00-3923-4000).....No limit
 Archeology federal fund (288-00-3083-3110).....No limit
 Property sale proceeds fund (288-00-2414-2500).....No limit

Provided, That proceeds from the sale of property pursuant to K.S.A. 75-2701, and amendments thereto, shall be deposited in the state treasury and credited to the property sale proceeds fund.

(c) Notwithstanding the provisions of K.S.A. 75-2721, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2021, in addition to the other purposes for which expenditures may be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2021, as authorized by this or other appropriation act of the 2020 regular session of the legislature, expenditures shall be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2021 to fix admission fees at constitution hall in Lecompton, Kansas, at \$3 per adult single admission, \$1 per student single admission, \$2 per student for guided tours and \$3 per adult for guided tours: *Provided, however*, That such admission fees may be increased by the above agency during fiscal year 2021 if all moneys from such admission fees are invested in constitution hall and the total amount of such admission fees exceeds the amount of the Lecompton historical society's constitution hall promotional expenses as determined by the average of such promotional expenses for the preceding three calendar years: *Provided further*, That the state historical society may request annual financial statements from the Lecompton historical society for the purpose of calculating such three-year average of promotional expenses.

(d) On July 1, 2020, the Kansas humanities council account (288-00-1000-0600) of the state general fund of the state historical society is hereby redesignated as the Humanities Kansas account (288-00-1000-0600) of the state general fund of the state historical society.

(e) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2021, the following:

Humanities Kansas – crossroads conversations (288-00-1900)\$20,000

Sec. 85.

FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

Operating expenditures (including
 official hospitality) (246-00-1000-0013).....\$34,696,517

Provided, That any unencumbered balance in the operating expenditures

(including official hospitality) account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Master's-level nursing capacity (246-00-1000-0100).....\$136,148
Kansas wetlands education center at
Cheyenne bottoms (246-00-1000-0200).....\$257,224

Provided, That any unencumbered balance in the Kansas wetlands education center at Cheyenne bottoms account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Kansas academy of math and science (246-00-1000-0300)\$737,152

Provided, That any unencumbered balance in the Kansas academy of math and science account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund (246-00-5185-5050)No limit

Provided, That expenditures may be made from the parking fees fund for a capital improvement project for parking lot improvements.

General fees fund (246-00-2035-2000)No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund (246-00-2510-2040).....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Special events; technology equipment; Gross coliseum services; capital improvements; performing arts center services; farm income; choral music clinic; yearbook; off-campus tours; memorial union activities; student activity (unallocated); tiger media; conferences, clinics and workshops – noncredit; summer laboratory school; little theater; library services; student affairs; speech and debate; student government; counseling center services; interest on local funds; student identification cards; nurse education programs; athletics; placement fees; virtual college classes; speech and hearing; child care services for dependent students; computer services; interactive television contributions; midwestern student exchange; departmental receipts for all sales, refunds and other collections not specifically enumerated above: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees:

Provided further, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That all amounts of tuition received from students participating in the midwestern student exchange program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the midwestern student exchange account of the restricted fees fund: *And provided further*, That expenditures may be made from the restricted fees fund for official hospitality.

Education opportunity act –
federal fund (246-00-3394-3500)..... No limit
Service clearing fund (246-00-6000) No limit

Provided, That the service clearing fund shall be used for the following service activities: Computer services, storeroom for official supplies including office supplies, paper products, janitorial supplies, printing and duplicating, car pool, postage, copy center, and telecommunications and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Commencement fees fund (246-00-2511-2050)..... No limit
Health fees fund (246-00-5101-5000)..... No limit

Provided, That expenditures from the health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

Student union fees fund (246-00-5102-5010)..... No limit

Provided, That expenditures may be made from the student union fees fund for official hospitality.

Kansas career work study program fund (246-00-2548-2060) No limit
Economic opportunity act – federal fund (246-00-3034-3000)..... No limit
Faculty of distinction matching fund (246-00-2471-2400)..... No limit
Nine month payroll clearing account fund (246-00-7709-7060) ... No limit
Federal Perkins student loan fund (246-00-7501-7050)..... No limit
Housing system revenue fund (246-00-5103-5020)..... No limit

Provided, That expenditures may be made from the housing system revenue fund for official hospitality.

Institutional overhead fund (246-00-2900-2070)..... No limit

Oil and gas royalties fund (246-00-2036-2010)	No limit
Housing system suspense fund (246-00-5707-5090)	No limit
Sponsored research overhead fund (246-00-2914-2080)	No limit
Kansas distinguished scholarship fund (246-00-7204-7000)	No limit
Temporary deposit fund (246-00-9013-9400)	No limit
Federal receipts suspense fund (246-00-9105-9410)	No limit
Suspense fund (246-00-9134-9420)	No limit
Mandatory retirement annuity clearing fund (246-00-9136-9430)	No limit
Voluntary tax shelter annuity clearing fund (246-00-9163-9440)	No limit
Agency payroll deduction clearing fund (246-00-9197-9450)	No limit
Pre-tax parking clearing fund (246-00-9220-9200)	No limit
University payroll fund (246-00-9800)	No limit
University federal fund (246-00-3141-3140)	No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *Provided further*, That expenditures may be made by the above agency from this fund to procure a policy of accident, personal liability and excess automobile liability insurance insuring volunteers participating in the senior companion program against loss in accordance with specifications of federal grant guidelines as provided in K.S.A. 75-4101, and amendments thereto.

(c) On July 1, 2020, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Fort Hays state university of not to exceed \$125,000 from the general fees fund (246-00-2035-2000) to the federal Perkins student loan fund (246-00-7501-7050).

Sec. 86.

KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2020, the following:

Operating expenditures (including official hospitality) (367-00-1000-0003)	\$101,280
Kansas state university polytechnic campus (including official hospitality) (367-00-1000-0150)	\$190,390

(b) 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, 2020, as authorized by chapter 68 of the 2019 Session Laws of Kansas, this or other appropriation act of the 2020 regular session of the legislature, expendi-

tures may be made by the above agency from any special revenue fund or funds during fiscal year 2020 for the following capital improvement project or projects:

Ice hall renovations	No limit
Agronomy education center remodel.....	No limit
Willard hall renovations	No limit
Polytechnic airport preservation project	No limit
Campus infrastructure HVAC	No limit
Research initiative – debt service	No limit

Sec. 87.

KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

Operating expenditures (including
official hospitality) (367-00-1000-0003).....\$98,988,889

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Midwest institute for comparative stem
cell biology (367-00-1000-0170)\$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, 2020, is hereby reappropriated for fiscal year 2021.

Global food systems (367-00-1000-0190).....\$5,000,000

Provided, That unencumbered balance in the global food systems account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided further*, That all moneys in the global food systems account expended for fiscal year 2021 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 2021.

Kansas state university polytechnic campus (including
official hospitality) (367-00-1000-0150).....\$6,973,963

Provided, That any unencumbered balance in the Kansas state university polytechnic campus (including official hospitality) account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, all

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

Parking fees fund (367-00-5181) No limit

Provided, That expenditures may be made from the parking fees fund for capital improvement projects for parking improvements.

Faculty of distinction matching fund (367-00-2472-2500) No limit

General fees fund (367-00-2062-2000) No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Interest on endowment fund (367-00-7100-7200) No limit

Restricted fees fund (367-00-2520-2080) No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Technology equipment; flight services; communications and marketing; computer services; copy centers; standardized test fees; placement center; recreational services; polytechnic campus; motor pool; music; professorships; student activities fees; biology sales and services; chemistry; field camps; physics storeroom; sponsored research, sponsored instruction, sponsored public service, equipment and facility grants; contract-post office; library collections; sponsored construction or improvement projects; attorney, educational and personal development, human capital services; student financial assistance; application for undergraduate programs; speech and hearing; gifts; human development and family research and training; college of education – publications and services; guaranteed student loan application processing; auditorium receipts; catalog sales; inter-agency consulting; sales and services of educational programs; transcript fees; facility use fees; college of health and human sciences storeroom; college of health and human sciences sales; application for post baccalaureate programs; art exhibit fees; college of education – Kansas careers; foreign student application fee; student union repair and replacement reserve; departmental receipts for all sales, refunds and other collections; institutional support fee; miscellaneous renovations – construction; speech receipts; art museum; exchange program; flight training lab fees; administrative reimbursements; parking fees; printing; short courses and conferences; student government association receipts; late registration fee; engineering equipment fee; architecture equipment fee; biotechnology facility; English language program; international programs; Bramlage coliseum; planning and analysis; telecommunications; comparative medicine; Marlatt memorial park; departmental student organization receipts; other specifically designated receipts not available for general operations of the university: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as

a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures from the restricted fees fund may be made for the purchase of insurance for operation and testing of completed project aircraft and for operation of aircraft used in professional pilot training, including coverage for public liability, physical damage, medical payments and voluntary settlement coverages: *And provided further*, That expenditures may be made from this fund for official hospitality.

Kansas career work study program fund (367-00-2540-2090) No limit
 Service clearing fund (367-00-6003-7000) No limit

Provided, That the service clearing fund shall be used for the following service activities: Supplies stores; telecommunications services; photographic services; K-State printing services; postage; facilities services; facilities carpool; public safety services; facility planning services; facilities storeroom; computing services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Sponsored research overhead fund (367-00-2901-2160) No limit
Provided, That expenditures may be made from the sponsored research overhead fund for official hospitality.

Housing system suspense fund (367-00-5708-4830) No limit
 Housing system operations fund (367-00-5163) No limit
Provided, That expenditures may be made from the housing system operations fund for official hospitality.

State emergency fund – building repair (367-00-2451-2451) No limit
 Housing system repair, equipment and improvement fund (367-00-5641-4740) No limit
 Coliseum system repair, equipment and improvement fund (367-00-5642-4750) No limit
 Mandatory retirement annuity clearing fund (367-00-9137-9310) No limit
 Student health fees fund (367-00-5109-4410) No limit

Provided, That expenditures from the student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

Scholarship funds fund (367-00-7201-7210)	No limit
Perkins student loan fund (367-00-7506-7260)	No limit
Federal award advance payment – U.S. department of education awards fund (367-00-3855-3350)	No limit
State agricultural university fund (367-00-7400-7250)	No limit
Salina – student union fees fund (367-00-5114-4420)	No limit
Salina – housing system revenue fund (367-00-5117-4430)	No limit
Salina – housing system suspense fund (367-00-5724-4890)	No limit
Kansas comprehensive grant fund (367-00-7223-7300)	No limit
Temporary deposit fund (367-00-9020-9300)	No limit
Business procurement card clearing fund (367-00-9102-9400)	No limit
Suspense fund (367-00-9146-9320)	No limit
Voluntary tax shelter annuity clearing fund (367-00-9164-9330)	No limit
Agency payroll deduction clearing fund (367-00-9186-9360)	No limit
Pre-tax parking clearing fund (367-00-9221-9200)	No limit
Salina student life center revenue fund (367-00-5111-5120)	No limit
Child care facility revenue fund (367-00-5125-5101)	No limit
University federal fund (367-00-3142)	No limit
Animal health research fund (367-00-2053-2053)	No limit
National bio agro-defense facility fund (367-00-2058-2058)	No limit
<i>Provided</i> , That all expenditures from the national bio agro-defense facility fund shall be approved by the president of Kansas state university.	
Kan-grow engineering fund – KSU (367-00-2154-2154)	No limit
Payroll clearing fund (367-00-9801-9000)	No limit
Fed ext emp clearing fund – employee deduct (367-00-9182-9340)	No limit
Fed ext emp clearing fund – employer deduct (367-00-9183-9350)	No limit
Temp dep fund external source (367-00-9065-9305)	No limit
Nine month payroll clearing fund (367-00-7710-7270)	No limit
Interest bearing grants fund (367-00-2630-2630)	No limit
<i>Provided</i> , That, on or before the 10 th day of each month commencing during fiscal year 2021, the director of accounts and reports shall transfer from the state general fund to the interest bearing grants fund interest earnings based on: (1) The average daily balance in the interest bearing grants fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.	
Student union renovation expansion revenue fund (367-00-5191-4650)	No limit

(c) On July 1, 2020, 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 (367-00-2062-2000) to the Perkins student loan fund (367-00-7506-7260).

Sec. 88.

**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, 2020, the following:

Cooperative extension service (including
official hospitality) (369-00-1000-1020).....\$405,408

(b) On the effective date of this act, of the \$30,945,559 appropriated for the above agency for the fiscal year ending June 30, 2020, by section 132(a) of chapter 68 of the 2019 Session Laws of Kansas from the state general fund in the agricultural experiment stations (including official hospitality) account (369-00-1000-1030), the sum of \$405,408 is hereby lapsed.

Sec. 89.

**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, 2021, the following:

Cooperative extension service (including
official hospitality) (369-00-1000-1020).....\$19,149,964

Provided, That any unencumbered balance in the cooperative extension service (including official hospitality) account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Agricultural experiment stations (including
official hospitality) (369-00-1000-1030).....\$30,637,117

Provided, That any unencumbered balance in the agricultural experiment stations (including official hospitality) account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Wildfire suppression/state forest service (369-00-1000-1040)\$650,000

Provided, That any unencumbered balance in the wildfire suppression/state forest service account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Restricted fees fund (369-00-2697-1100).....No limit
Provided, That restricted fees shall be limited to receipts for the following accounts: Plant pathology; Kansas artificial breeding service unit; technology equipment; professorships; agricultural experiment station, director's office; agronomy – Ashland farm; KSU agricultural research center – Hays; KSU southeast agricultural research center; KSU southwest research extension center; agronomy – general; agronomy – experimental field crop sales; entomology sales; grain science and industry – Kansas state university; food and nutrition research; extension services and publication; sponsored construction or improvement projects; gifts; comparative medicine; sales and services of educational programs; animal sciences and industry livestock and product sales; horticulture greenhouse and farm products sales; Konza prairie operations; departmental receipts for all sales, refunds and other collections; institutional support fee; KSU northwest research extension center operations; sponsored research, public service, equipment and facility grants; statistical laboratory; equipment/pesticide storage building; miscellaneous renovation – construction; other specifically designated receipts not available for general operations of the university: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from the Kansas agricultural mediation service account of the restricted fees fund during fiscal year 2021: *And provided further*, That expenditures may be made from this fund for official hospitality.

Fertilizer research fund (369-00-2263-1150).....No limit
Sponsored research overhead fund (369-00-2921-1200).....No limit
Provided, That expenditures may be made from the sponsored research overhead fund for official hospitality.

Federal awards – advance payment fund (369-00-3872-1360)No limit
Smith-Lever special program grant – federal fund (369-00-3047-1330).....No limit
Faculty of distinction matching fund (369-00-2479-1190)No limit
Agricultural land use-value fund (369-00-2364-1180)No limit
University federal fund (369-00-3144)No limit

(c) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2021, the following:

Agricultural experiment stations (369-00-1900-1900)\$307,939
 Sec. 90.

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, 2020, the following:

Operating expenditures (368-00-1000-5003)\$36,233

(b) On the effective date of this act, of the \$5,036,233 appropriated for the above agency for the fiscal year ending June 30, 2020, by section 132(a) of chapter 68 of the 2019 Session Laws of Kansas from the state general fund in the operating enhancement account (368-00-1000-5023), the sum of \$36,233 is hereby lapsed.

(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, 2020, as authorized by chapter 68 of the 2019 Session Laws of Kansas, this or other appropriation act of the 2020 regular session of the legislature, expenditures may be made by the above agency from any special revenue fund or funds during fiscal year 2020 for the following capital improvement project or projects:

Capital lease..... No limit
 Sec. 91.

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, 2021, the following:

Operating expenditures (including official hospitality) (368-00-1000-5003).....\$10,189,790

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Operating enhancement (368-00-1000-5023).....\$5,000,000

Provided, That any unencumbered balance in the operating enhancement account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided further*, That all expenditures from the operating enhancement account shall be expended in accordance with the plan submitted by the board of regents for improving the rankings of the Kansas state university veterinary medical center and shall be approved by the president of Kansas state university.

Veterinary training program for
rural Kansas (368-00-1000-5013)\$400,000

Provided, That any unencumbered balance in the veterinary training program for rural Kansas account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund (368-00-2129-5500) No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Vet health center revenue fund (including
official hospitality) (368-00-5160-5300)..... No limit
Faculty of distinction matching fund (368-00-2478-5220) No limit
Restricted fees fund (368-00-2590-5530)..... No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Sponsored research, instruction, public service, equipment and facility grants; sponsored construction or improvement projects; technology equipment; pathology fees; laboratory test fees; miscellaneous renovations or construction; dean of veterinary medicine receipts; gifts; application for postbaccalaureate programs; professorship; embryo transfer unit; swine serology; rapid focal fluorescent inhibition test; comparative medicine; storerooms; departmental receipts for all sales, refunds and other collections; departmental student organization receipts; other specifically designated receipts not available for general operation of the Kansas state university veterinary medical center: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund for official hospitality.

Health professions student loan fund (368-00-7521-5710) No limit
University federal fund (368-00-3143-5140)..... No limit

(c) On July 1, 2020, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the

president of Kansas state university of not to exceed a total of \$15,000 from the general fees fund (368-00-2129-5500) to the health professions student loan fund (368-00-7521-5710).

Sec. 92.

EMPORIA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

Operating expenditures (including official hospitality) (379-00-1000-0083).....\$33,433,103

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Reading recovery program (379-00-1000-0100).....\$212,552

Provided, That expenditures may be made from the reading recovery program account for official hospitality.

Nat'l board cert/future teacher academy (379-00-1000-0200).....\$129,050

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, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund (379-00-5186)No limit

Provided, That expenditures may be made from the parking fees fund for a capital improvement project for parking lot improvements.

General fees fund (379-00-2069-2010)No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Interest on state normal school fund (379-00-7101-7000)No limit

Restricted fees fund (379-00-2526-2040).....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Computer services, student activity; technology equipment; student union; sponsored research; computer services; extension classes; gifts and grants (for teaching, research and capital improvements); capital improvements; business school contributions; state department of education (vocational); library services; library collections; interest on local funds; receipts from conferences, clinics, and workshops held on campus for which no college credit is given; physical plant reimbursements from auxiliary enterprises; midwestern student exchange; departmental

receipts – for all sales, refunds and other collections or receipts not specifically enumerated above: *Provided, however,* That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further,* That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further,* That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further,* That all amounts of tuition received from students participating in the midwestern student exchange program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the midwestern student exchange account of the restricted fees fund: *And provided further,* That expenditures may be made from the restricted fees fund for official hospitality.

- Service clearing fund (379-00-6004) No limit
- Provided,* That the service clearing fund shall be used for the following service activities: Telecommunications services; state car operation; ESU press including duplicating and reproducing; postage; physical plant storeroom including motor fuel inventory; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.
- Commencement fees fund (379-00-2527-2050) No limit
- Kansas career work study program fund (379-00-2549-2060) No limit
- Student health fees fund (379-00-5115-5010) No limit
- Provided,* That expenditures from the student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.
- Faculty of distinction matching fund (379-00-2473-2400) No limit
- Bureau of educational measurements fund (379-00-5118-5020) No limit
- National direct student loan fund (379-00-7507-7040) No limit
- Economic opportunity act – work study – federal fund (379-00-3128-3000) No limit
- Educational opportunity grants – federal fund (379-00-3129-3010) No limit

Basic opportunity grant program – federal fund (379-00-3130-3020).....	No limit
Research and institutional overhead fund (379-00-2902-2070)	No limit
Kansas comprehensive grant fund (379-00-7224-7060).....	No limit
Housing system suspense fund (379-00-5701-5130)	No limit
Housing system operations fund (379-00-5169-5050).....	No limit
Kansas distinguished scholarship fund (379-00-2762-2700)	No limit
University federal fund (379-00-3145)	No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

Twin towers project revenue fund (379-00-5120-5030)	No limit
Nine month payroll clearing fund (379-00-7712-7050).....	No limit
Temporary deposit fund (379-00-9022-9510)	No limit
Federal receipts suspense fund (379-00-9085-9520).....	No limit
Suspense fund (379-00-9021)	No limit
Mandatory retirement annuity clearing fund (379-00-9138-9530)	No limit
Voluntary tax shelter annuity clearing fund (379-00-9165-9540)	No limit
Agency payroll deduction clearing fund (379-00-9196-9550)	No limit
Pre-tax parking clearing fund (379-00-9222-9200).....	No limit
University payroll fund (379-00-9802)	No limit
Leveraging educational assistance partnership federal fund (379-00-3224-3200).....	No limit
National direct student loan fund (379-00-7507-7040)	No limit
Student union refurbishing fund (379-00-5161-5040)	No limit
Housing system repairs, equipment and improvement fund (379-00-5650-5120)	No limit

Sec. 93.

PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2020, the following:

Operating expenditures (385-00-1000-0063).....\$22,025

(b) On the effective date of this act, of the \$1,019,003 appropriated for the above agency for the fiscal year ending June 30, 2020, by section 132(a) of chapter 68 of the 2019 Session Laws of Kansas from the state general fund in the school of construction account (385-00-1000-0200), the sum of \$17,906 is hereby lapsed.

(c) On the effective date of this act, of the \$1,220,004 appropriated for the above agency for the fiscal year ending June 30, 2020, by section 132(a) of chapter 68 of the 2019 Session Laws of Kansas from the state general fund in the polymer science program account (385-00-1000-0300), the sum of \$4,119 is hereby lapsed.

(d) On the effective date of this act, the total amount of \$125,000, authorized by section 104(c) of chapter 68 of the 2019 Session Laws of Kansas to be transferred by the director of accounts and reports from the general fees fund (385-00-2070-2010) to the following specified funds and accounts of funds: Perkins student loan fund (385-00-7509-7020); nursing student loan fund (385-00-7508-7010); and nurse faculty loan program federal fund (385-00-3596-3596), is hereby increased to \$145,000.

Sec. 94.

PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

Operating expenditures (including official hospitality) (385-00-1000-0063).....\$35,898,847

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

School of construction (385-00-1000-0200).....\$751,493

Provided, That any unencumbered balance in the school of construction account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Polymer science program (385-00-1000-0300).....\$1,009,386

Provided, That any unencumbered balance in the polymer science program account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund (385-00-5187-5060).....No limit

Provided, That expenditures may be made from the parking fees fund for capital improvement projects for parking lot improvements.

General fees fund (385-00-2070-2010).....No limit

Provided, That all moneys received for tuition received from students participating in the gorilla advantage program or the midwestern student exchange program shall be deposited in the state treasury to the credit of

the general fees fund: *Provided further*, That expenditures may be made from the general fees fund to match federal grant moneys: *And provided further*, That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund (385-00-2529-2040).....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Computer services; capital improvements; instructional technology fee; technology equipment; student activity fee accounts; commencement fees; ROTC activities; continuing education receipts; vocational auto parts and service fees; receipts from camps, conferences and meetings held on campus; library service collections and fines; grants from other state agencies; *Midwest Quarterly*; chamber music series; contract – post office; gifts and grants; intensive English program; business and technology institute; public sector radio station activities; economic opportunity – state match; Kansas career work study; regents supplemental grants; departmental receipts, and other specifically designated receipts not available for general operations of the university: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That surplus restricted fees moneys generated by the music department may be transferred to the Pittsburg state university foundation, inc., for the express purpose of awarding music scholarships: *And provided further*, That expenditures may be made from this fund for official hospitality.

Service clearing fund (385-00-6005)No limit

Provided, That the service clearing fund shall be used for the following service activities: Duplicating and printing services; instructional media division; office stationery and supplies; motor carpool; postage services; photo services; telephone services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Hospital and student health fees fund (385-00-5126-5010).....No limit

Provided, That expenditures from the hospital and student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center: *Provided further*, That expenditures may be made from this fund for capital improvement projects for hospital and student health center improvements.

Suspense fund (385-00-9024-9510).....	No limit
Faculty of distinction matching fund (385-00-2474-2400).....	No limit
Perkins student loan fund (385-00-7509-7020)	No limit
Sponsored research overhead fund (385-00-2903-2903).....	No limit
College work study federal fund (385-00-3498-3030)	No limit
Nursing student loan fund (385-00-7508-7010).....	No limit
Housing system suspense fund (385-00-5703-5170)	No limit
Housing system operations fund (385-00-5165-5050).....	No limit
Housing system repairs, equipment and improvement fund (385-00-5646-5160)	No limit
Kansas comprehensive grant fund (385-00-7227-7200)	No limit
Kansas career work study program fund (385-00-2552-2060)	No limit
Nine month payroll clearing fund (385-00-7713-7030).....	No limit
Payroll clearing fund (385-00-9023-9500).....	No limit
Temporary deposit fund (385-00-9025-9520)	No limit
Federal receipts suspense fund (385-00-9104-9530).....	No limit
BPC clearing fund (385-00-9109-9570)	No limit
Mandatory retirement annuity clearing fund (385-00-9139-9540)	No limit
Voluntary tax shelter annuity clearing fund (385-00-9166-9550)	No limit
Agency payroll deduction clearing fund (385-00-9195-9560)	No limit
Pre-tax parking clearing fund (385-00-9223-9200).....	No limit
University payroll fund (385-00-9803)	No limit
University federal fund (385-00-3146)	No limit

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.

Overman student center renovation fund (385-00-2820-2820).....	No limit
Student health center revenue fund (385-00-2828-2851).....	No limit
Horace Mann building renovation fund (385-00-2833)	No limit
Revenue 2014A fund (385-00-5106-5105).....	No limit
Nurse faculty loan program federal fund (385-00-3596-3596)	No limit

(c) During the fiscal year ending June 30, 2021, the director of accounts and reports shall transfer amounts specified by the president of Pittsburg state university of not to exceed a total of \$145,000 for all such amounts, from the general fees fund (385-00-2070-2010) to the following specified funds and accounts of funds: Perkins student loan fund (385-00-7509-7020); nursing student loan fund (385-00-7508-7010); and nurse faculty loan program federal fund (385-00-3596-3596).

Sec. 95.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2020, the following:

Geological survey (682-00-1000-0170).....\$280,550
Umbilical cord matrix project (682-00-1000-0370)\$1,843

(b) On the effective date of this act, of the \$134,939,821 appropriated for the above agency for the fiscal year ending June 30, 2020, by section 132(a) of chapter 68 of the 2019 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) account (682-00-1000-0023), the sum of \$282,393 is hereby lapsed.

(c) On the effective date of this act, of the \$2,494,307 appropriated for the above agency for the fiscal year ending June 30, 2020, by section 155(a) of chapter 68 of the 2019 Session Laws of Kansas from the state general fund in the school of pharmacy debt service account (682-00-1000-0400), the sum of \$916,342 is hereby lapsed.

(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 during the fiscal year ending June 30, 2020, as authorized by chapter 68 of the 2019 Session Laws of Kansas, this or other appropriation act of the 2020 regular session of the legislature, expenditures may be made by the above agency from any special revenue fund or funds during fiscal year 2020 for the following capital improvement project or projects:

CIC integrated science building renovations.....No limit
CIC stauffer remodel.....No limit
CIC daisy hill piping project.....No limit
Sponsored research projects.....No limit

Sec. 96.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

Operating expenditures (including
official hospitality) (682-00-1000-0023).....\$135,068,390

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Geological survey (682-00-1000-0170).....\$6,263,606

Provided, That any unencumbered balance in the geological survey account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *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 2021, expenditures shall be made by the above agency from the geological survey account of the state general fund for fiscal year 2021 for seismic surveys in an amount not less than \$100,000.

Umbilical cord matrix project (682-00-1000-0370)\$135,899

Provided, That any unencumbered balance in the umbilical cord matrix project account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking facilities revenue fund (682-00-5175-5070).....No limit

Provided, That expenditures may be made from the parking facilities revenue fund for capital improvement projects for parking improvements.

Faculty of distinction matching fund (682-00-2475-2500).....No limit

General fees fund (682-00-2107-2000)No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys.

Interest fund (682-00-7103-7000)No limit

Sponsored research overhead fund (682-00-2905-2160).....No limit

Law enforcement training center fund (682-00-2133-2020).....No limit

Provided, That expenditures may be made from the law enforcement training center fund to cover the costs of tuition for students enrolled in the law enforcement training program in addition to the costs of salaries and wages and other operating expenditures for the program: *Provided further*, That expenditures may be made from the law enforcement training center fund for the acquisition of tracts of land.

Law enforcement training center fees fund (682-00-2763-2700).....No limit

Provided, That all moneys received for tuition from students enrolling in the basic law enforcement training program for undergraduate or gradu-

ate credit shall be deposited in the state treasury and credited to the law enforcement training center fees fund.

Restricted fees fund (682-00-2545) No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Institute for policy and social research; technology equipment; capital improvements; concert course; speech, language and hearing clinic; perceptual motor clinic; application for admission fees; named professorships; summer institutes and workshops; dramatics; economic opportunity act; executive management; continuing education programs; geology field trips; gifts and grants; extension services; counseling center; investment income from bequests; reimbursable salaries; music and art camp; child development lab preschools; orientation center; educational placement; press publications; Rice estate educational project; sponsored research; student activities; sale of surplus books and art objects; building use charges; Kansas applied remote sensing program; executive master's degree in business administration; applied English center; cartographic services; economic education; study abroad programs; computer services; recreational activities; animal care activities; geological survey; midwestern student exchange; department commercial receipts for all sales, refunds, and all other collections or receipts not specifically enumerated above: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That moneys received for student fees in any account of the restricted fees fund may be transferred to one or more other accounts of the restricted fees fund.

Service clearing fund (682-00-6006) No limit

Provided, That the service clearing fund shall be used for the following service activities: Residence hall food stores; university motor pool; military uniforms; telecommunications service; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Health service fund (682-00-5136-5030) No limit

Kansas career work study program fund (682-00-2534-2050) No limit

Student union fund (682-00-5137-5040) No limit

Federal Perkins loan fund (682-00-7512-7040) No limit

Health professions student loan fund (682-00-7513-7050)	No limit
Housing system suspense fund (682-00-5704-5150)	No limit
Housing system operations fund (682-00-5142-5050)	No limit
Housing system repairs, equipment and improvement fund (682-00-5621-5110)	No limit
Educational opportunity act – federal fund (682-00-3842-3020)	No limit
Loans for disadvantaged students fund (682-00-7510-7100)	No limit
Prepaid tuition fees clearing fund (682-00-7765)	No limit
Kansas comprehensive grant fund (682-00-7226-7110)	No limit
Fire service training fund (682-00-2123-2170)	No limit
University federal fund (682-00-3147)	No limit
Johnson county education research triangle fund (682-00-2393-2390)	No limit
Temporary deposit fund (682-00-9061-9020)	No limit
Suspense fund (682-00-9060-9010)	No limit
BPC clearing fund (682-00-9119-9050)	No limit
Mandatory retirement annuity clearing fund (682-00-9142-9030)	No limit
Voluntary tax shelter annuity clearing fund (682-00-9167-9040)	No limit
Agency payroll deduction clearing fund (682-00-9193-9060)	No limit
Pre-tax parking clearing fund (682-00-9224-9200)	No limit
University payroll fund (682-00-9806)	No limit
GTA/GRA emp health insurance clearing fund (682-00-9063-9070)	No limit
Standard water data repository fund (682-00-2463-2463)	No limit
Multicultural reser center construction fund (682-00-2890-2890)	No limit
Kan-grow engineering fund – KU (682-00-2153-2153)	No limit
Child care facility revenue bond fund (682-00-2372)	No limit
Student recreation fitness center KDFA fund (682-00-2864-2860)	No limit
Student union renovation revenue fund (682-00-5171-5060)	No limit
Parking facility KDFA 1993G revenue fund (682-00-5175-5070)	No limit
Student health facility maintenance, repair and equipment fee fund (682-00-5640-5120)	No limit

(c) On July 1, 2020, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer amounts specified by the chancellor of the university of Kansas of not to exceed a total of \$325,000 for all such amounts, from the general fees fund (682-00-2107-2000) to the following specified funds and accounts of funds: Federal Perkins loan

fund (682-00-7512-7040); educational opportunity act – federal fund (682-00-3842-3020); university federal fund (682-00-3147-3140); health professions student loan fund (682-00-7513-7050); loans for disadvantaged students fund (682-00-7510-7100).

(d) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2021, for the water plan project or projects specified, the following:

Geological survey (682-00-1800-1810).....\$26,841

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2020, in the geological survey account is hereby reappropriated for fiscal year 2021.

Sec. 97.

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, 2021, the following:

Operating expenditures (including official hospitality) (683-00-1000-0503).....\$105,117,642

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided further*, That expenditures from this account may be used to reimburse medical residents in residency programs located in Kansas City at the university of Kansas medical center for the purchase of health insurance for residents' dependents.

Medical scholarships and loans (683-00-1000-0600)\$4,488,171

Provided, That any unencumbered balance in the medical scholarships and loans account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Midwest stem cell therapy center (683-00-1000-0800).....\$749,822

Provided, That any unencumbered balance in the midwest stem cell therapy center account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Rural health bridging (683-00-1000-1010).....\$140,000

Cancer center research (683-00-1000-0700)\$9,959,597

Provided, That any unencumbered balance in the cancer center research account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided further*, That the first \$5,000,000 of expenditures from the cancer center research account for fiscal year 2021 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 pro-*

vided 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 2021: *And provided further*, That if 2020 Senate Bill No. 255 or any other legislation that appropriates \$5,000,001 or more to the university of Kansas medical center for the purposes of cancer research is passed by the legislature during the 2020 regular session and enacted into law, then on July 1, 2020, of the amount appropriated for the above agency for the fiscal year ending June 30, 2021, by this section from the state general fund in the cancer center research account, the sum of \$4,959,597 is hereby lapsed.

Medical scholarships and
loans psychiatry (683-00-1000-0610).....\$970,000

Provided, That any unencumbered balance in the medical scholarships and loans psychiatry account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Rural health bridging psychiatry (683-00-1000-1015).....\$30,000

Provided, That any unencumbered balance in the rural health bridging psychiatry account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund (683-00-2108-2500)No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys.

Midwest stem cell therapy center fund (683-00-2072-2072)\$0

Faculty of distinction matching fund (683-00-2476-2400).....No limit

Restricted fees fund (683-00-2551)No limit

Provided, That restricted fees shall be limited to the following accounts: Technology equipment; capital improvements; computer services; expenses reimbursed by the Kansas university endowment association; postgraduate fees; pathology fees; student health insurance premiums; gift receipts; designated research collaboration; facilities use; photography; continuing education; student activity fees; student application fees; department duplicating; student health services; student identification badges; student transcript fees; loan administration fees; fitness center fees; occupational health fees; employee health; telekid care fees; area outreach fees; police fees; endowment payroll reimbursement; rental

property; e-learning fees; surplus property sales; outreach air travel; student loan legal fees; hospital authority salary reimbursements; graduate medical education contracts; Kansas university physicians inc., salaries reimbursements; housestaff activity fees; anatomy cadavers; biotechnology services; energy center funded depreciation; biostatistics; electron microscope services; Wichita faculty contracts; physical therapy services; legal fee reimbursements; sponsored research; departmental commercial receipts for all sales, refunds and all other collections of receipts not specifically enumerated above; Kansas department for children and families cost-sharing; *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase health insurance coverage for all students enrolled in the school of allied health, school of nursing and school of medicine.

Scientific research and development – special

revenue fund (683-00-2926) No limit

Kansas breast cancer research fund (683-00-2671-2660)..... No limit

Sponsored research overhead fund (683-00-2907-2800)..... No limit

Parking facility revenue fund –

KC campus (683-00-5176-5550)..... No limit

Provided, That expenditures may be made from the parking facility revenue fund – KC campus for capital improvement projects for parking improvements.

Parking fee fund – Wichita campus (683-00-5180-5590) No limit

Provided, That expenditures may be made from the parking fee fund – Wichita campus for capital improvement projects for parking improvements.

Services to hospital authority fund (683-00-2915-2900)..... No limit

Direct medical education

reimbursement fund (683-00-2918-3000)..... No limit

Service clearing fund (683-00-6007) No limit

Provided, That the service clearing fund shall be used for the following service activities: Printing services; purchasing storeroom; university motor pool; physical plant storeroom; photo services; telecommunications services; facilities operations discretionary repairs; animal care; instruc-

tional services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Educational nurse faculty loan

program fund (683-00-7505-7540)..... No limit

Federal college work study fund (683-00-3256-3520)..... No limit

AMA education and research grant fund (683-00-7207-7500) No limit

Federal health professions/primary care student

loan fund (683-00-7516-7560) No limit

Federal nursing student loan fund (683-00-7517-7570)..... No limit

Suspense fund (683-00-9057-9500)..... No limit

Federal student educational opportunity

grant fund (683-00-3255-3510)..... No limit

Federal Pell grant fund (683-00-3252-3500) No limit

Federal Perkins student loan fund (683-00-7515-7550)..... No limit

Medical loan repayment fund (683-00-7214-7520) No limit

Provided, That expenditures from the medical loan repayment fund for attorney fees and litigation costs associated with the administration of the medical scholarship and loan program shall be in addition to any expenditure limitation imposed on the operating expenditures account of the medical loan repayment fund.

Medical student loan programs provider

assessment fund (683-00-2625-2650) No limit

Graduate medical education administration

reserve fund (683-00-5652-5640) No limit

University of Kansas medical center private practice foundation

reserve fund (683-00-5659-5660) No limit

Robert Wood Johnson award fund (683-00-7328-7530)..... No limit

Federal scholarship for disadvantaged

students fund (683-00-3094-3100)..... No limit

Temporary deposit fund (683-00-9058-9510) No limit

Mandatory retirement annuity

clearing fund (683-00-9143-9520) No limit

Voluntary tax shelter annuity

clearing fund (683-00-9168-9530) No limit

Agency payroll deduction clearing fund (683-00-9194-9600) No limit

Pre-tax parking clearing fund (683-00-9225-9200)..... No limit

University payroll fund (683-00-9807) No limit

University federal fund (683-00-3148) No limit

Leveraging educational assistance partnership

federal fund (683-00-3223-3200)..... No limit

Johnson county education research

triangle fund (683-00-2394-2390)..... No limit

Psychiatry medical loan repayment fund (683-00-7233-7233).....No limit
 Rural health bridging psychiatry fund (683-00-2218-2218)No limit
 Cancer center research (683-00-2551-2700)No limit
 Graduate medical education
 reimbursement fund (683-00-2918-3050).....No limit

(c) On July 1, 2020, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer amounts specified by the chancellor of the university of Kansas of not to exceed a total of \$125,000 for all such amounts, from the general fees fund (683-00-2108-2500) to the following funds: Federal nursing student loan fund (683-00-7517-7570); federal student education opportunity grant fund (683-00-3255-3510); federal college work study fund (683-00-3256-3520); educational nurse faculty loan program fund (683-00-7505-7540); federal health professions/primary care student loan fund (683-00-7516-7560).

(d) During the fiscal year ending June 30, 2021, 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. 98.

WICHITA STATE UNIVERSITY

(a) 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, 2020, as authorized by chapter 68 of the 2019 Session Laws of Kansas, this or other appropriation act of the 2020 regular session of the legislature, expenditures may be made by the above agency from any special revenue fund or funds during fiscal year 2020 for the following capital improvement project or projects:

Crash dynamics laboratory.....No limit
 Henrion hall renovations.....No limit
 Jabara hall UPS replacement.....No limit
 Hubbard hall biology lab replacement.....No limit
 NIAR building improvementsNo limit
 Shocker hall improvementsNo limit

(b) In addition to the other purposes for which expenditures may be made by Wichita state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2020, as authorized by chapter 68 of the 2019 Session Laws of Kansas, this or other appropriation act of the 2020 regular session of the legislature, expenditures may be made by Wichita state university from the moneys

appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2020 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project for the construction and equipment of a new school of business building on the innovation campus of Wichita state university: *Provided*, That such capital improvement project is hereby approved for Wichita state university for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Wichita state university may make expenditures from the money 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 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 project shall be financed by appropriations from any appropriate special revenue fund or funds: *And provided further*, That any such bonds and interest thereon shall be an obligation only of the Kansas development finance authority, shall not constitute a debt of the state of Kansas within the meaning of section 6 or 7 of article 11 of the constitution of the state of Kansas and shall not pledge the full faith and credit or the taxing power of the state of Kansas: *And provided further*, That Wichita state university shall make provisions for the maintenance of the building.

Sec. 99.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

Operating expenditures (including official hospitality) (715-00-1000-0003).....\$67,168,962

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Aviation research (715-00-1000-0015)\$10,000,000

Provided, That any unencumbered balance in the aviation research account in excess of \$100 as of June 30, 2020, is hereby reappropriated for

fiscal year 2021: *Provided further*, That all moneys in the aviation research account expended for fiscal year 2021 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 2021.

Technology transfer facility (715-00-1000-0005)\$2,000,000

Provided, That any unencumbered balance in the technology transfer account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Aviation infrastructure (715-00-1000-0010).....\$5,200,000

Provided, That any unencumbered balance in the aviation infrastructure account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided further*, That during the fiscal year ending June 30, 2021, 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 2021 by Wichita state university by this or other appropriation act of the 2020 regular session of the legislature, the moneys appropriated in the aviation infrastructure account for fiscal year 2021 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, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund (715-00-2112).....No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund (715-00-2558).....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Summer school workshops; technology equipment; concert course; dramatics; continuing education; flight training; gifts and grants (for teaching, research, and capital improvements); capital improvements; testing service; state department of education (vocational); investment income from bequests; sale of surplus books and art objects; public service; veterans counseling and educational benefits; sponsored research; campus privilege fee; student activities; national defense education programs; engineering equipment fee; midwestern

student exchange; departmental receipts – for all sales, refunds and other collections or receipts not specifically enumerated above: *Provided, however,* That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further,* That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further,* That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further,* That expenditures from this fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff at the student health center: *And provided further,* That expenditures may be made from this fund for official hospitality.

Service clearing fund (715-00-6008)	No limit
<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 (715-00-2477-2400)	No limit
Kansas career work study program fund (715-00-2536-2020)	No limit
Scholarship funds fund (715-00-7211-7000)	No limit
Sponsored research overhead fund (715-00-2908-2080)	No limit
Economic opportunity act – federal fund (715-00-3265-3100)	No limit
Educational opportunity grant – federal fund (715-00-3266-3110)	No limit
Nine month payroll clearing account fund (715-00-7717-7030)	No limit
Pell grants federal fund (715-00-3366-3120)	No limit
Housing system suspense fund (715-00-5705-5160)	No limit
WSU housing system depreciation and replacement fund (715-00-5800-5260)	No limit
National direct student loan fund (715-00-7519-7010)	No limit
WSU housing systems revenue fund (715-00-5100-5250)	No limit
WSU housing system surplus fund (715-00-5620-5270)	No limit
University federal fund (715-00-3149-3140)	No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

Center of innovation for biomaterials in orthopaedic research – Wichita state university fund (715-00-2750-2700).....	No limit
Kan-grow engineering fund – WSU (715-00-2155-2155)	No limit
Aviation research fund (715-00-2052-2052).....	No limit
Temporary deposit fund (715-00-9059-9500)	No limit
Suspense fund (715-00-9077)	No limit
Mandatory retirement annuity clearing fund (715-00-9144-9520)	No limit
Voluntary tax shelter annuity clearing fund (715-00-9169-9530)	No limit
Agency payroll deduction clearing fund (715-00-9198-9400)	No limit
Pre-tax parking clearing fund (715-00-9226-9200)	No limit
Parking system project KDFa bond revenue fund (715-00-5148-5000).....	No limit
Parking system project maintenance KDFa revenue bond fund (715-00-5159-5040).....	No limit

Sec. 100.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2020, the following:

Tuition for technical education (561-00-1000-0120)	\$4,500,000
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Sec. 101.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

Operating expenditures (including official hospitality) (561-00-1000-0103).....	\$4,547,083
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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, 2020, is hereby reappropriated for fiscal year 2021: *Provided further*, That, during fiscal year 2021, 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 2021 by the state board of regents as authorized by this or other appropriation act of the 2020 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 2021 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 2021, 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 2021 by the state board of regents as authorized by this or other appropriation act of the 2020 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 2021 for attendance at an out-of-state meeting by members of the state board of regents whenever under any provision of law such members of the state board of regents are authorized to attend the out-of-state meeting or whenever the state board of regents authorizes such members to attend the out-of-state meeting for participation in matters of educational interest to the state of Kansas: *And provided further*, That each member of the state board of regents attending an out-of-state meeting so authorized shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3212, and amendments thereto, for members of the legislature.

Midwest higher education commission (561-00-1000-0250)\$95,000
State scholarship program (561-00-1000-4300).....\$1,035,919

Provided, That any unencumbered balance in the state scholarship program account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided further*, That expenditures may be made from the state scholarship program account for the state scholarship program under K.S.A. 74-32,239, and amendments thereto, and for the Kansas distinguished scholarship program under K.S.A. 74-3278 through 74-3283, and amendments thereto: *And provided further*, That, of the total amount appropriated in the state scholarship program account, the amount dedicated for the Kansas distinguished scholarship program shall not exceed \$25,000.

Postsecondary education operating.....\$11,893,156
Comprehensive grant program (561-00-1000-4500)\$18,758,338

Provided, That any unencumbered balance in the comprehensive grant program account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided further*, That \$2,500,000 of such moneys shall be matched on a \$1-for-\$1 basis by the university receiving such moneys.

Ethnic minority scholarship program (561-00-1000-2410)\$296,498
Provided, That any unencumbered balance in the ethnic minority scholarship program account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Kansas work-study program (561-00-1000-2000)\$546,813
Provided, That any unencumbered balance in the Kansas work-study program account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided further*, That the state board of regents is hereby authorized to transfer moneys from the Kansas work-study program account to the Kansas career work-study program fund of any institution under its jurisdiction participating in the Kansas work-study program established by K.S.A. 74-3274 et seq., and amendments thereto: *And provided further*, That all moneys transferred from this account to the Kansas career work-study program fund of any such institution shall be expended for and in accordance with the Kansas work-study program.

ROTC service scholarships (561-00-1000-4600)\$175,335
Provided, That any unencumbered balance in the ROTC service scholarships account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Military service scholarships (561-00-1000-1310)\$500,314
Provided, That any unencumbered balance in the military service scholarships account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided further*, That all expenditures from the military service scholarships account shall be made for scholarships awarded under the military service scholarship program act, K.S.A. 74-32,227 through 74-32,232, and amendments thereto.

Teachers scholarship program (561-00-1000-0800).....\$1,547,023
Provided, That any unencumbered balance in the teachers scholarship program account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

National guard educational assistance (561-00-1000-1300)\$3,000,434
Provided, That any unencumbered balance in the national guard educational assistance account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided further*, That moneys in the national guard educational assistance account represent and include the profits derived from the veterans benefit game pursuant to K.S.A. 74-8724, and amendments thereto.

Career technical workforce grant (561-00-1000-2200)\$114,075
Provided, That any unencumbered balance in the career technical work-

force grant account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Nursing student scholarship program (561-00-1000-4100).....\$417,255

Provided, That any unencumbered balance in the nursing student scholarship program account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Optometry education program (561-00-1000-1100)\$107,089

Provided, That any unencumbered balance in the optometry education program account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Municipal university operating grant (561-00-1000-1010).....\$12,445,987

Adult basic education (561-00-1000-0900)\$1,457,031

Postsecondary tiered technical education
state aid (561-00-1000-0760)\$60,967,448

Provided, That if the amount of moneys appropriated for the above agency for the fiscal year ending June 30, 2021, by this or other appropriation act of the 2020 regular session of the legislature, in the postsecondary tiered technical education state aid account (561-00-1000-0760) is \$58,300,000 or greater, then the difference between the amount of moneys appropriated for the fiscal year 2021 and \$58,300,000 shall be distributed based on each eligible institution's calculated gap, according to the postsecondary tiered technical education state aid act, K.S.A. 71-1801 through 71-1810, and amendments thereto, as determined by the state board of regents:
Provided further, That if the amount of moneys appropriated for the above agency for fiscal year 2021 is less than \$58,300,000, then each eligible institution shall receive an amount of moneys proportionally adjusted to equal the amount of moneys such eligible institution received in fiscal year 2016.

Non-tiered course credit hour grant (561-00-1000-0550).....\$79,995,039

Provided, That if the amount of moneys appropriated for the above agency for the fiscal year ending June 30, 2021, by this or other appropriation act of the 2020 regular session of the legislature, in the non-tiered course credit hour grant account is \$76,496,329 or greater, then the difference between the amount of moneys appropriated for the fiscal year 2021 and \$76,496,329 shall be distributed based on each eligible institution's calculated gap, as determined by the state board of regents.

Technology equipment at community colleges and
Washburn university (561-00-1000-0500).....\$398,475

Provided, That the state board of regents is hereby authorized to make expenditures from the technology equipment at community colleges and Washburn university account for grants to community colleges and Wash-

burn university pursuant to grant applications for the purchase of technology equipment, in accordance with guidelines established by the state board of regents.

Career technical education capital
outlay aid (561-00-1000-0310).....\$71,585
Tuition waivers (561-00-1000-1650).....\$134,657
Nurse educator grant program (561-00-1000-4120).....\$188,126

Provided, That any unencumbered balance in the nurse educator grant program account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided further*, That all expenditures from the nurse educator grant program account shall be made for scholarships awarded under the nurse educator service scholarship program act.

Nursing faculty and supplies
grant program (561-00-1000-4130)\$1,787,193

Provided, That any unencumbered balance in the nursing faculty and supplies grant program account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided further*, That the state board of regents is hereby authorized to make grants to Kansas post-secondary educational institutions with accredited nursing programs from the nursing faculty and supplies grant program account for expansion of nursing faculty and laboratory supplies: *And provided further*, That such grants shall be either need-based or competitive and shall be matched on the basis of \$1 from the nursing faculty and supplies grant program account for \$1 from the postsecondary educational institution receiving the grant.

Tuition for technical education (561-00-1000-0120)\$37,550,000

Provided, That, any unencumbered balance in the tuition for technical education account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided further*, That, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made by the above agency from the tuition for technical education account of the state general fund for fiscal year 2021, expenditures shall be made by the above agency from the tuition for technical education account of the state general fund for fiscal year 2021 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 and for the postsecondary education institution to provide a transcript to each student who completes such technical education course: *And provided further*, That, such expenditures shall be in an amount not less than \$500,000.

Governor's scholars program\$20,000

Provided, That any unencumbered balance in the governor’s scholars program account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Osteopathic medical service scholarship	
repayment fund (561-00-7216-6300)	No limit
KAN-ED services fee fund (561-00-2814-2814)	No limit
Earned indirect costs fund – federal (561-00-3642-3600).....	No limit
Faculty of distinction program fund (561-00-7200-7050)	No limit
Paul Douglas teacher scholarship	
fund – federal (561-00-3879-3950).....	No limit
GED credentials processing fees fund (561-00-2151-2100)	No limit
Tuition waiver gifts, grants and	
reimbursements fund (561-00-7230-7230)	No limit
Adult basic education – federal fund (561-00-3042-3000)	No limit
Truck driver training fund (561-00-2172-4900)	No limit
Improving teacher quality grant	
federal fund (561-00-3526-3526).....	No limit
State scholarship discontinued	
attendance fund (561-00-7213-6100)	No limit
Kansas ethnic minority fellowship	
program fund (561-00-7238-7600)	No limit
Private postsecondary educational institution degree	
authorization expense reimbursement	
fee fund (561-00-2643-3300)	No limit
Substance abuse education	
fund – federal (561-00-3805-4000).....	No limit
Nursing service scholarship	
program fund (561-00-7220-6800).....	No limit
Clearing fund (561-00-9029-9100).....	No limit
Conversion of materials and	
equipment fund (561-00-2433-3200)	No limit
Motorcycle safety fund (561-00-2366-2360)	No limit
Financial aid services fee fund (561-00-2280-2800)	No limit

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 (561-00-2266)	No limit
Optometry education repayment fund (561-00-7203-7100)	No limit
Teacher scholarship repayment fund (561-00-7205-7200)	No limit
Nursing service scholarship repayment fund (561-00-7210-7400)	No limit
Nurse educator service scholarship repayment fund (561-00-7231-7300)	No limit
ROTC service scholarship repayment fund (561-00-7232-7232)	No limit
Carl D. Perkins vocational and technical education – federal fund (561-00-3539-3539)	No limit
College access challenge grant program (561-00-3880-3955)	No limit
Kansas national guard educational assistance program repayment fund (561-00-7228-7000)	No limit
Grants fund (561-00-2525-2500)	No limit
Workforce development loan fund (561-00-7518-7900)	No limit
Regents clearing fund (561-00-9052-9200)	No limit
Private and out-of-state postsecondary educational institution fee fund (561-00-2614-2610)	No limit
KanTRAIN federal fund (561-00-3578-3578)	No limit
USAC E-rate program federal fund (561-00-3920-3920)	No limit
WIOA youth activities federal fund (561-00-3039)	No limit
WIOA adult set-aside federal fund (561-00-3270)	No limit
WIOA dislocated workers set-aside federal fund (561-00-3428)	No limit
Temporary assistance for needy families federal fund (561-00-3323-3323)	No limit
Workforce data quality initiative federal fund (561-00-3237-3237)	No limit
Postsecondary education performance-based incentives fund (561-00-2777-2777)	\$125,000
Private donations, gifts, grants bequest fund (561-00-7262-7700)	No limit
WIOA pilot demonstration research project (561-00-3237-3237)	No limit

(c) During the fiscal year ending June 30, 2021, 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, 2021, to another item of appropriation in an account of the state general fund for fiscal year 2021. The chief executive officer of the state board of regents shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research. As used in this subsection, “account”: (1) Means the operating expenditures (including official hospitality) account of the state board of regents (561-00-1000-0103), the university of Kansas (682-00-1000-0023), the university of Kansas medical center (683-00-1000-0503), Kansas state university (367-00-1000-0003), Kansas state university polytechnic campus (367-00-1000-0150), Kansas state university veterinary medical center (368-00-1000-5003), Kansas state university extension systems and agriculture research programs (369-00-1000-1020) and (369-00-1000-1030), Wichita state university (715-00-1000-0003), Emporia state university (379-00-1000-0083), Pittsburg state university (385-00-1000-0063) and Fort Hays state university (246-00-1000-0013); and (2) includes each other account of the state general fund of the state board of regents.

(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 2021 for such state educational institution as authorized by this or other appropriation act of the 2020 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 2021 for the purposes of capital improvement projects making energy and other conservation improvements: *Provided*, That such capital improvement projects are hereby approved for such state educational institution for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of issuance of one or more series of bonds by the Kansas development finance authority in accordance with that statute from time to time during fiscal year 2021: *Provided, however*, That no such bonds shall be issued until the state board of regents has first advised and consulted on any such project with the joint committee on state building construction: *Provided further*, That the amount of the bond proceeds that may be utilized for any such capital improvement project shall be subject to approval by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, except that such approval also may be given while

the legislature is in session: *And provided further*, That, in addition to such project costs, any such amount of bond proceeds may include costs of issuance, capitalized interest and any required reserves for the payment of principal and interest on such bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That payments relating to principal and interest on such bonds shall be subject to and dependent upon annual appropriations therefor to the state educational institution for which the bonds are issued: *And provided further*, That each energy conservation capital improvement project for which bonds are issued for financing under this subsection shall be designed and completed in order to have cost savings sufficient to be equal to or greater than the cost of debt service on such bonds: *And provided further*, That the state board of regents shall prepare and submit a report to the committee on appropriations of the house of representatives and the committee on ways and means of the senate on the savings attributable to energy conservation capital improvements for which bonds are issued for financing under this subsection (d)(1) at the beginning of the 2021 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, 2021, the following:

SEDIF – career technical education capital
outlay aid (561-00-1900-1950).....\$2,547,726

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2020, in the SEDIF – career technical education capital outlay aid account is hereby reappropriated for fiscal year 2021: *Provided further*, That expenditures from the SEDIF – career technical education capital outlay aid account for each grant of career technical education capital outlay aid shall be matched by the postsecondary institution awarded such grant in an amount which is equal to 50% of the grant.

SEDIF – technology innovation and
internship program (561-00-1900-1960).....\$179,284

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2020, in the SEDIF – technology innovation and internship program account is hereby reappropriated for fiscal year 2021.

SEDIF – EPSCOR (561-00-1900-1970).....\$993,265
Community and technical college
competitive grants (561-00-1900-1980)\$500,000

Provided, That all moneys in the community and technical college competitive grants account shall be for grants awarded to community and technical colleges under a competitive grant program administered by the secretary of commerce: *Provided further*, That all expenditures from such account shall be for competitive grants to community and technical colleges that require a local match of nonstate moneys on a \$1 for \$1 basis, from either the college or private industry partner, and that will develop innovative programs with private companies needing specific job skills or will meet other industry needs that cannot be addressed with current funding streams.

(f) On July 1, 2020, the vocational education capital outlay aid account (561-00-1000-0310) of the state general fund of the state board of regents is hereby redesignated as the career technical education capital outlay aid account (561-00-1000-0310) of the state general fund of the state board of regents.

(g) On July 1, 2020, the SEDIF – vocational education capital outlay aid account (561-00-1900-1950) of the economic development initiatives fund of the state board of regents is hereby redesignated as the SEDIF – career technical education capital outlay aid account (561-00-1900-1950) of the economic development initiatives fund of the state board of regents.

(h) (1) In addition to the other purposes for which expenditures may be made by any postsecondary educational institution from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2021 for such postsecondary educational institution as authorized by this or other appropriation act of the 2020 regular session of the legislature, expenditures shall be made by such postsecondary educational institution from such moneys for fiscal year 2021 for the purpose of deeming any person who is enrolled as a member of the Kickapoo Tribe of Indians of the Kickapoo Reservation in Kansas, the Prairie Band Potawatomi Nation, the Iowa Tribe of Kansas or the Sac and Fox Nation of Missouri in Kansas and Nebraska, regardless of the residence of such person prior to admission at a postsecondary educational institution, as a resident of this state for the purpose of tuition and fees for attendance at any postsecondary educational institution.

(2) As used in this subsection, “postsecondary educational institution” means the same as such term is defined in K.S.A. 74-3201b, and amendments thereto.

(i) During the fiscal year ending June 30, 2021, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2021 by this or any other appropriation act of the 2020 regular session of the legislature, expenditures shall be

made by the above agency from such moneys to create a comprehensive three-year, five-year and 10-year plan to examine declining enrollment, changes over time for the state institutions and deferred maintenance for fiscal year 2021 and to provide such plan on or before January 11, 2021, to the senate standing committee on ways and means and the house of representatives standing committee on appropriations.

Sec. 102.

DEPARTMENT OF CORRECTIONS

(a) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$6,089,218 from the department of corrections outsourcing male offenders account (521-00-1000-0606) of the state general fund of the department of corrections to the operating expenditures account (521-00-1000-0603) of the state general fund of the department of corrections.

(b) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$250,000 from the department of corrections outsourcing male offenders account (521-00-1000-0606) of the state general fund of the department of corrections to the local jail payments account (521-00-1000-0510) of the state general fund of the department of corrections.

Sec. 103.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

Operating expenditures (521-00-1000-0603)\$51,052,857

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided, however*, That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,000.

Community corrections (521-00-1000-0220)\$20,192,277

Provided, That any unencumbered balance in the community corrections account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *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 2021 that supplant any amount of local public or private funding of existing programs as determined in accordance with rules and regulations adopted by the secretary of corrections.

Local jail payments (521-00-1000-0510)\$1,550,000

Provided, That any unencumbered balance in the local jail payments account in excess of \$100 as of June 30, 2020, is hereby reappropriated for

fiscal year 2021: *Provided further*, That, notwithstanding the provisions of K.S.A. 19-1930, and amendments thereto, payments by the department of corrections under K.S.A. 19-1930(b), and amendments thereto, for the cost of maintenance of prisoners shall not exceed the per capita daily operating cost, not including inmate programs, for the department of corrections.

Treatment and programs –
offender programs (521-00-1000-0151)\$5,806,319

Provided, That any unencumbered balance in the treatment and programs – offender programs account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Treatment and programs – medical
and mental (521-00-1000-0152)\$69,809,867

Provided, That any unencumbered balance in the treatment and programs – medical and mental account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Department of corrections
hepatitis C treatment (521-00-1000-0153).....\$4,500,000

Provided, That any unencumbered balance in the department of corrections hepatitis C treatment account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Treatment and programs –
KUMC contract (521-00-1000-0154)\$1,820,833

Provided, That any unencumbered balance in the treatment and programs – KUMC contract account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Operating expenditures –
juvenile services (521-00-1000-0103)\$1,918,711

Provided, That any unencumbered balance in the operating expenditures – juvenile services account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Evidence-based programs (521-00-1000-0050)\$14,321,500

Provided, That any unencumbered balance in the evidence-based programs account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided further*, That, notwithstanding the provisions of K.S.A. 75-52,164, and amendments thereto, or any other statute, expenditures may be made from this account to conduct research into, and development of, evidence-based practices to reduce offender behavior and recidivism among juveniles: *Provided, however*, That the expenditures for such research and development shall not exceed \$1,000,000.

Prevention and graduated sanctions
community grants (521-00-1000-0221)\$19,311,197

Provided, That any unencumbered balance in the prevention and graduated sanctions community grants account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided further*, That moneys awarded as grants from the prevention and graduated sanctions community grants account is not an entitlement to communities, but a grant that must meet conditions prescribed by the above agency for appropriate outcomes.

Purchase of services (521-00-1000-0300).....\$906,795

Provided, That any unencumbered balance in the purchase of services account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Department of corrections outsourcing
male offenders (521-00-1000-0606)\$10,640,884

Provided, That any unencumbered balance in the department of corrections outsourcing male offenders account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Topeka correctional facility –
facilities operations (660-00-1000-0303)\$17,806,740

Provided, That any unencumbered balance in the Topeka correctional facility – facilities operations account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided, however*, That expenditures from the Topeka correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Hutchinson correctional facility –
facilities operations (313-00-1000-0303)\$36,586,671

Provided, That any unencumbered balance in the Hutchinson correctional facility – facilities operations account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided, however*, That expenditures from the Hutchinson correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Lansing correctional facility –
facilities operations (400-00-1000-0303)\$31,862,653

Provided, That any unencumbered balance in the Lansing correctional facility – facilities operations account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided, however*, That expenditures from the Lansing correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Ellsworth correctional facility –
facilities operations (177-00-1000-0303)\$16,858,892

Provided, That any unencumbered balance in the Ellsworth correctional facility – facilities operations account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided, however*, That expenditures from the Ellsworth correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Winfield correctional facility –
facilities operations (712-00-1000-0303)\$15,183,968

Provided, That any unencumbered balance in the Winfield correctional facility – facilities operations account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided, however*, That expenditures from the Winfield correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Norton correctional facility –
facilities operations (581-00-1000-0303)\$18,472,944

Provided, That any unencumbered balance in the Norton correctional facility – facilities operations account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided, however*, That expenditures from the Norton correctional facility – facilities operations account for official hospitality shall not exceed \$500.

El Dorado correctional facility –
facilities operations (195-00-1000-0303)\$33,963,579

Provided, That any unencumbered balance in the El Dorado correctional facility – facilities operations account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided, however*, That expenditures from the El Dorado correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Larned correctional mental health facility –
facilities operations (408-00-1000-0303)\$12,998,466

Provided, That any unencumbered balance in the Larned correctional mental health facility – facilities operations account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided, however*, That expenditures from the Larned correctional mental health facility – facilities operations account for official hospitality shall not exceed \$500.

Kansas juvenile correctional complex –
facilities operations (352-00-1000-0303)\$20,642,421

Provided, That any unencumbered balance in the Kansas juvenile correctional complex – facilities operations account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided, however*, That expenditures from the Kansas juvenile correctional complex – facilities operations account for official hospitality shall not exceed \$500:

Provided further, That expenditures may be made from this account for educational services contracts, which are hereby authorized to be negotiated and entered into by the above agency with unified school districts or other accredited educational services providers.

Facilities operations (521-00-1000-0303).....\$15,866,555

Provided, That any unencumbered balance in the facilities operations account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Facilities shrinkage (521-00-1000-0304)\$5,000,000

Provided, That any unencumbered balance in the facilities shrinkage account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Supervision fees fund (521-00-2116-2100) No limit

Justice reinvestment technical assistance

for state governments project –

federal fund (521-00-3758-3758)..... No limit

Residential substance abuse treatment –

federal fund (521-00-3006)..... No limit

Department of corrections forensic

psychologist fund (521-00-2492-2492) No limit

Provided, That expenditures may be made from the department of corrections forensic psychologist fund for general health care contract expenses.

Ed Byrne memorial justice assistance grants –

federal fund (521-00-3057)..... No limit

Violence against women – federal fund (521-00-3214) No limit

Sex offender management grant –

federal fund (521-00-3206-3206)..... No limit

Department of corrections state asset

forfeiture fund (521-00-2460-2400) No limit

Prisoner reentry intv demo – federal fund (521-00-3063) No limit

Victims of crime act – federal fund (521-00-3260) No limit

Correctional industries fund (522-00-6126-7300) No limit

Provided, That expenditures may be made from the correctional industries fund for official hospitality.

Ed Byrne state and local law assistance –

federal fund (521-00-3213-3213)..... No limit

Bulletproof vest partnership –
 federal fund (521-00-3216-3216)..... No limit
 Safeguard community grants – federal fund (521-00-3225)..... No limit
 Workforce investment act – federal fund (521-00-3237-3237) No limit
 Workplace and community transition training –
 federal fund (521-00-3281-3281)..... No limit
 USMS reimbursement – federal fund (521-00-3562-3562) No limit
 Community awareness project –
 federal fund (521-00-3250-3250)..... No limit
 Corrections training and staff development –
 federal fund (521-00-3413-3413)..... No limit
 Second chance act – federal fund (521-00-3895-3895) No limit
 Alcohol and drug abuse treatment fund (521-00-2339-2110) No limit

Provided, That expenditures may be made from the alcohol and drug abuse treatment fund for payments associated with providing treatment services to offenders who were driving under the influence of alcohol or drugs regardless of when the services were rendered.

State of Kansas – department of corrections inmate
 benefit fund (521-00-7950-5350)..... No limit
 Department of corrections – alien incarceration grant
 fund – federal (521-00-3943-3800)..... No limit
 Department of corrections – general
 fees fund (521-00-2427-2450)..... No limit

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

Juvenile justice delinquency prevention
 federal fund (521-00-3351)..... No limit
 Juvenile alternatives to detention fund (521-00-2250)..... No limit

Provided, That notwithstanding the provisions of K.S.A. 79-4803, and amendments thereto, or any other statute, expenditures may be made by the above agency from the juvenile alternatives to detention fund for per diem payments to detention centers: *Provided, however*, That expenditures from the juvenile alternatives to detention fund for per diem

payments to detention centers shall not exceed \$97,396: *And provided further*, That the department of corrections is hereby authorized and directed to make expenditures from the juvenile alternatives to detention fund for fiscal year 2021 for purchase of services.

Juvenile justice fee fund central office (521-00-2257)	No limit
Title IV-E fund (521-00-3337)	No limit
Juvenile delinquency preservation trust fund (521-00-7322-7000)	No limit
Title I program for neglected and delinquent children – federal fund (521-00-3009)	No limit
Topeka correctional facility – community development block grant – federal fund (660-00-3669-3669)	No limit
Topeka correctional facility – bureau of prisons contract – federal fund (660-00-3582-3200)	No limit
Topeka correctional facility – general fees fund (660-00-2090-2090)	No limit
Hutchinson correctional facility – general fees fund (313-00-2051-2000)	No limit
Lansing correctional facility – general fees fund (400-00-2040-2040)	No limit
Ellsworth correctional facility – general fees fund (177-00-2227-2000)	No limit
Winfield correctional facility – general fees fund (712-00-2237-2000)	No limit
Norton correctional facility – general fees fund (581-00-2238-2000)	No limit
El Dorado correctional facility – general fees fund (195-00-2252-2000)	No limit
Larned correctional mental health facility – general fees fund (408-00-2145-2000)	No limit
Kansas juvenile correctional complex – fee fund (352-00-2321-2300)	No limit
Kansas juvenile correctional complex – gifts, grants and donations fund (352-00-7016-7000)	No limit
Kansas juvenile correctional complex – title I neglected and delinquent children – federal fund (352-00-3009)	No limit
Byrne grant – federal fund – Kansas juvenile correctional complex (352-00-3057-3057)	No limit
National school breakfast program – federal fund – Kansas juvenile correctional complex (352-00-3529-3529)	No limit
National school lunch program – federal fund – Kansas juvenile correctional complex (352-00-3530-3530)	No limit
Community corrections supervision fund (521-00-2748-2748)	No limit

Community corrections special revenue fund (521-00-2447-2447)	No limit
Medical assistance program – federal fund (521-00-3414)	No limit
Byrne grant – federal fund (521-00-3353-3200)	No limit

(c) During the fiscal year ending June 30, 2021, 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, 2021, from the state general fund for the department of corrections or any correctional institution or correctional facility under the general supervision and management of the secretary of corrections to another item of appropriation for fiscal year 2021 from the state general fund for the department of corrections or any correctional institution or correctional facility under the general supervision and management of the secretary of corrections. The secretary of corrections shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(d) Notwithstanding the provisions of K.S.A. 75-3731, and amendments thereto, or any other statute, the director of accounts and reports shall accept for payment from the secretary of corrections any duly authorized claim to be paid from the local jail payments account (521-00-1000-0510) of the state general fund during fiscal year 2021 for costs pursuant to K.S.A. 19-1930(b), and amendments thereto, even though such claim is not submitted or processed for payment within the fiscal year in which the service is rendered and whether or not the services were rendered prior to the effective date of this act.

(e) Notwithstanding the provisions of K.S.A. 75-3731, and amendments thereto, or any other statute, the director of accounts and reports shall accept for payment from the director of Kansas correctional industries any duly authorized claim to be paid from the correctional industries fund (522-00-6126-7300) during fiscal year 2021 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, 2020, a detailed accounting of all such payments made from the correctional industries fund during fiscal year 2020.

(f) During the fiscal year ending June 30, 2021, the secretary of corrections, with the approval of the director of the budget, may make transfers from the correctional industries fund (522-00-6126-7300) to the department of corrections – general fees fund (521-00-2427-2450). The secretary of corrections shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(g) During the fiscal year ending June 30, 2021, all expenditures made by the department of corrections from the correctional industries fund (522-00-6126-7300) shall be made on budget for all purposes of state accounting and budgeting for the department of corrections.

(h) Notwithstanding the provisions of K.S.A. 75-52,164, and amendments thereto, or any other statute, during fiscal year 2021, the director of accounts and reports shall transfer the amount certified pursuant to K.S.A. 75-52,164(b), and amendments thereto, from each account of the state general fund of a state agency that has been determined by the secretary of corrections to be actual or projected cost savings to the evidence-based programs account of the state general fund of the department of corrections: *Provided*, That the secretary of corrections shall transmit a copy of each such certification to the director of legislative research.

(i) On July 1, 2020, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,352,358 from the court cost fund (082-00-2012-2000) of the attorney general to the department of corrections – general fees fund (521-00-2427-2450) of the department of corrections.

Sec. 104.

ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2020, the following:

Force protection (034-00-1000-0500)	\$40,000
Rehabilitation and repair (034-00-1000-8000)	\$125,000
Deferred maintenance	\$216,115
Emergency management	\$15,000,000

Sec. 105.

ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

Operating expenditures (034-00-1000-0053)	\$5,622,549
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Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$2,500.

Incident management team (034-00-1000-0105)	\$15,554
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Provided, That any unencumbered balance in the incident management team account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Civil air patrol – operating expenditures (034-00-1000-0103)	\$42,403
Disaster relief (034-00-1000-0200)	\$1,319,554

Provided, That any unencumbered balance in the disaster relief account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Military activation payments (034-00-1000-0300)\$6,000

Provided, That any unencumbered balance in the military activation payments account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided further*, That all expenditures from the military activation payments account shall be for military activation payments authorized by and subject to the provisions of K.S.A. 75-3228, and amendments thereto.

Kansas military emergency relief (034-00-1000-0400)\$9,881

Provided, That expenditures may be made from the Kansas military emergency relief account for grants and interest-free loans, which are hereby authorized to be entered into by the adjutant general with repayment provisions and other terms and conditions including eligibility as may be prescribed by the adjutant general therefor, to members and families of the Kansas army and air national guard and members and families of the reserve forces of the United States of America who are Kansas residents, during the period preceding, during and after mobilization to provide assistance to eligible family members experiencing financial emergencies: *Provided further*, That such assistance may include, but shall not be limited to, medical, funeral, emergency travel, rent, utilities, child care, food expenses and other unanticipated emergencies: *And provided further*, That any moneys received by the adjutant general in repayment of any grants or interest-free loans made from the Kansas military emergency relief account shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas military emergency relief account.

Any unencumbered balance in excess of \$100 as of June 30, 2020, in each of the following accounts is hereby reappropriated for fiscal year 2021: Force protection, calibrators decommission and replacement, environmental clean-up projects, emergency management.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas intelligence fusion center fund.....No limit
General fees fund (034-00-2102)No limit

Provided, That the adjutant general is hereby authorized to fix, charge and collect fees agreed upon in memorandums of understanding with other state agencies, local government agencies, for-profit organizations

and not-for-profit organizations: *Provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred under the provisions of the memorandums of understanding with other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*, That all fees received pursuant to such memorandums of understanding shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund.

Office of emergency communications

fund (034-00-2496-2496) No limit

Provided, That the adjutant general is hereby authorized to fix, charge and collect fees for recovery of costs associated with the use of the above agency's communication equipment by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *Provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the above agency's communication equipment by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*, That all fees received for use of the above agency's communication equipment by other state agencies, local government agencies, for-profit organizations or not-for-profit organizations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the office of emergency communications fund.

Conversion of materials and equipment fund –

military division (034-00-2400-2030) No limit

Adjutant general expense fund (034-00-2357) No limit

State asset forfeiture fund (034-00-2498-2498) No limit

State emergency fund (034-00-2437) No limit

State emergency fund weather

disasters 5/4/2007 (034-00-2441) No limit

State emergency fund weather

disasters 12/06, 7/07 (034-00-2445) No limit

Disaster grants – public assistance federal fund (034-00-3005) No limit

National guard military operations/maintenance

federal fund (034-00-3055-3300) No limit

Econ adjustment/military installation

federal fund (034-00-3196-3196) No limit

Disaster assistance to individual/household

federal fund (034-00-3405-3405) No limit

Interoperability communication

equipment fund (034-00-3449-3449) No limit

Pre-disaster mitigation – federal fund (034-00-3268-3269) No limit

Hazard material training and planning – federal fund (034-00-3121-3310).....	No limit
State homeland security program federal fund (034-00-3629-3629).....	No limit
Nuclear safety emergency management fee fund (034-00-2081-2200)	No limit

Provided, That, notwithstanding the provisions of any other statute, the adjutant general may make transfers of moneys from the nuclear safety emergency management fee fund to other state agencies for fiscal year 2021 pursuant to agreements, which are hereby authorized to be entered into by the adjutant general with other state agencies to provide appropriate emergency management plans to administer the Kansas nuclear safety emergency management act, K.S.A. 48-940 et seq., and amendments thereto.

Military fees fund – federal (034-00-2152)	No limit
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Provided, That all moneys received by the adjutant general from the federal government for reimbursement for expenditures made under agreements with the federal government shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the military fees fund – federal.

Armories and units general fees fund (034-00-2171-2010)	No limit
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Emergency systems for advanced registration for volunteer health professionals – federal fund (034-00-3748-3748).....	No limit
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Civil air patrol – grants and contributions – federal fund (034-00-7315-7000).....	No limit
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Emergency management performance grant – federal fund (034-00-3342-3342).....	No limit
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NG – federal forfeiture fund (034-00-2184-2100).....	No limit
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Inaugural expense fund (034-00-2003-2300)	No limit
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Kansas military emergency relief fund (034-00-2658-2650)	No limit
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Provided, That expenditures may be made from the Kansas military emergency relief fund for grants and interest-free loans, which are hereby authorized to be entered into by the adjutant general with repayment provisions and other terms and conditions including eligibility as may be prescribed by the adjutant general therefor, to members and families of the Kansas army and air national guard and members and families of the reserve forces of the United States of America who are Kansas residents, during the period preceding, during and after mobilization to provide assistance to eligible family members experiencing financial emergencies: *Provided further*, That such assistance may include, but shall not be limited to, medical, funeral, emergency travel, rent, utilities, child care, food

expenses and other unanticipated emergencies: *And provided further*, That any moneys received by the adjutant general in repayment of any grants or interest-free loans made from the Kansas military emergency relief fund shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas military emergency relief fund.

Emergency management assistance compact	
federal fund (034-00-3609-3605)	No limit
Public safety interoperable communications grant program	
federal fund (034-00-3340-3340)	No limit
Military construction national guard	
federal fund (034-00-3192-3192)	No limit
National guard civilian youth opportunities	
federal fund (034-00-3193-3193)	No limit
Hazard mitigation grant federal fund (034-00-3019)	No limit
Citizen corps federal fund (034-00-3341-3341)	No limit
Law enforcement terrorism prevention program	
federal fund (034-00-3613-3600)	No limit
Safe and drug-free schools and communities national programs	
federal fund (034-00-3569-3569)	No limit
National guard museum assistance fund (034-00-8306-8300)	No limit

Provided, That all expenditures from the national guard museum assistance fund shall be made for an expansion of the 35th infantry division museum and education center facility.

Great plains joint regional training center	
fee fund (034-00-2688-2688)	No limit

Provided, That expenditures may be made from the great plains joint regional training center fee fund for use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *Provided further*, That the adjutant general is hereby authorized to fix, charge and collect fees for recovery of costs associated with the use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*, That all fees received for use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations or not-for-profit organizations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215,

and amendments thereto, and shall be credited to the great plains joint regional training center fee fund.

State and local implementation grant program –
federal fund (034-00-3576-3576).....No limit
Military honors funeral fund (034-00-2789-2789).....No limit

Provided, That the adjutant general is hereby authorized to accept gifts and donations of money during fiscal year 2021 for military funeral honors or purposes related thereto: *Provided further*, That such gifts and donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the military honors funeral fund.

Fire management assistance grant –
federal fund (034-00-3320-3320).....No limit
Kansas national guard counter drug state forfeiture fund.....No limit

(c) In addition to the other purposes for which expenditures may be made by the adjutant general from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2021 and from which expenditures may be made for salaries and wages, as authorized by this or other appropriation act of the 2020 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 2021, 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 2021 made by this or other appropriation act of the 2020 regular session of the legislature.

(d) On July 1, 2020, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$320,000 from the state

highway fund of the department of transportation to the office of emergency communications fund (034-00-2496-2496) of the adjutant general.

(e) During the fiscal year ending June 30, 2021, the adjutant general, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2021, from the state general fund for the adjutant general to another item of appropriation for fiscal year 2021 from the state general fund for the adjutant general: *Provided*, That the adjutant general shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

Sec. 106.

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, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures, other than refunds authorized by law, purchases of nationally recognized adopted codes for resale and federally reimbursed overtime, shall not exceed the following:

Fire marshal fee fund (234-00-2330-2000)\$5,740,379

Provided, That expenditures from the fire marshal fee fund for official hospitality shall not exceed \$1,000.

Boiler inspection fee fund (234-00-2128-2128)No limit

Provided, That, during the fiscal year ending June 30, 2021, notwithstanding the provisions of any statute, in addition to the other purposes for which expenditures may be made from the boiler inspection fee fund for fiscal year 2021 by the above agency by this or other appropriation act of the 2020 regular session of the legislature, expenditures shall be made by the above agency from the boiler inspection fee fund for operating expenses of the above agency.

Gifts, grants and donations fund (234-00-7405-7400)No limit

Intragovernmental service fund (234-00-6160-6000)No limit

Explosives regulatory and training fund (234-00-2361-2361)No limit

State fire marshal liquefied petroleum gas

fee fund (234-00-2608-2600)No limit

Emergency response fund (234-00-2589)No limit

Provided, That expenditures may be made by the state fire marshal from the emergency response fund for fiscal year 2021 for the purposes of responding to specific incidences of emergencies related to hazardous materials or search and rescue incidents without prior approval of the state finance council: *Provided, however*, That expenditures from the emergency response fund during fiscal year 2021 for the purposes of responding

to any specific incidence of an emergency related to hazardous materials or search and rescue incidents without prior approval by the state finance council shall not exceed \$25,000, except upon approval by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, except that such approval also may be given while the legislature is in session.

Fire safety standard and firefighter protection act enforcement fund (234-00-2694-2620)	No limit
Cigarette fire safety standard and firefighter protection act fund (234-00-2696-2630)	No limit
Non-fuel flammable or combustible liquid aboveground storage tank system fund (234-00-2626-2610)	No limit
Homeland security grant – federal fund (234-00-3199)	No limit
FFY12 HMEP grant – federal fund (234-00-3121-3121)	No limit
Contract inspections fund (234-00-6122-6122)	No limit

(b) During the fiscal year ending June 30, 2021, notwithstanding the provisions of any other statute, the state fire marshal, with the approval of the director of the budget, may transfer funds from the fire marshal fee fund (234-00-2330-2000) to the emergency response fund (234-00-2589) of the state fire marshal. The state fire marshal shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research and the director of the budget: *Provided*, That the aggregate amount of such transfers for the fiscal year ending June 30, 2021, shall not exceed \$500,000.

(c) During the fiscal year ending June 30, 2021, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the fire marshal fee fund (234-00-2330-2000) during fiscal year 2021, 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 2021 are insufficient to fund the budgeted expenditures and transfers from the fire marshal fee fund for fiscal year 2021 in accordance with the provisions of appropriation acts, the director of the budget shall certify such finding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of moneys from the emergency response fund (234-00-2589) to the fire marshal fee fund that is required, in accordance with the certification by the director of the budget under this subsection, to fund the budgeted expenditures and transfers from the fire marshal fee fund for the remainder of fiscal year 2021 in accordance

with the provisions of appropriation acts, as specified by the director of the budget pursuant to such certification.

(d) During the fiscal year ending June 30, 2021, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the fire marshal fee fund (234-00-2330-2000) and any other resources available to the fire marshal fee fund during the fiscal year 2021, 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 2021 are insufficient to meet in full the estimated expenditures for fiscal year 2021 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 2021: *Provided*, That the aggregate amount of such transfers during fiscal year 2021 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 2021, the director of the budget shall transmit a copy of such certification to the director of legislative research.

(e) During the fiscal year ending June 30, 2021, notwithstanding the provisions of any other statute, the state fire marshal, may transfer funds from the contract inspections fund (234-00-6122-6122) of the state fire marshal to the fire marshal fee fund (234-00-2330-2000) of the state fire marshal. The state fire marshal shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research and the director of the budget.

(f) Notwithstanding the provisions of K.S.A. 2-3907, and amendments thereto, or any other statute, in addition to the other purposes for which expenditures may be made by the state fire marshal from moneys appropriated from any special revenue fund or funds for fiscal year 2021,

as authorized by this or other appropriation act of the 2020 regular session of the legislature, expenditures shall be made by the state fire marshal from such moneys appropriated from any special revenue fund or funds for fiscal year 2021 to enter into a memorandum of understanding with the Kansas department of agriculture for the state fire marshal to assume the authority, powers and duties granted to the Kansas department of agriculture regarding the regulation of hemp processors during fiscal year 2021: *Provided*, That the state fire marshal shall adopt any rules and regulations relating to the regulation of hemp processors necessary for the health, welfare and safety of the public: *Provided further*, That the state fire marshal shall require, as a qualification for all individuals seeking to engage in the extraction of cannabinoids, including the disposal of such cannabinoids, from industrial hemp to be fingerprinted and to submit to a state and national criminal history record check in conformity with all state and federal requirements: *And provided further*, That the state fire marshal is hereby authorized to fix, charge and collect fees agreed upon in the memorandum of understanding with the Kansas department of agriculture to recover all or part of the expenses incurred under the provisions of the memorandum of understanding with the department for the regulation of hemp processors: *And provided further*, That all fees received pursuant to such memorandum 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 fire marshal fee fund: *And provided, however*, That, such fee shall not exceed \$1,000.

Sec. 107.

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, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund (280-00-2179-2200) No limit

Provided, That all moneys received from the sale of used equipment, recovery of and reimbursements for expenditures and any other source of revenue shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund, except as otherwise provided by law: *Provided further*, That notwithstanding the provisions of article 66 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto, in addition to the other purposes for which expenditures may be made by the above agency from the general fees fund, expenditures shall be made by the above agency from such fund to sell the personal sidearm, with a trigger lock, of a part-time state law enforcement officer to such officer, subject to the following: (1) Such officer is

resigning; (2) the sale of such personal sidearm shall be for the amount equal to the total of the fair market value of the sidearm, as fixed by the superintendent, plus the cost of the trigger lock; and (3) no sale of a personal sidearm shall be made to any resigning officer unless the superintendent determines that the employment record and performance evaluations of each such officer are satisfactory: *And provided further*, That all proceeds from the sale of personal sidearms and trigger locks shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund.

For patrol of Kansas turnpike fund (280-00-2514-2500) No limit
Provided, That expenditures shall be made from the for patrol of Kansas turnpike fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.

Highway patrol motor vehicle fund (280-00-2317-2800) No limit
 State forfeiture fund – pending (280-00-2264-2264) No limit
 Kansas highway patrol state forfeiture fund (280-00-2413-2100) No limit
Provided, That, notwithstanding the provisions of K.S.A. 60-4117, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2021, expenditures may be made from the Kansas highway patrol state forfeiture fund for salaries and wages, and associated fringe benefits of non-supervisory personnel.

Disaster grants – public assistance –
 federal fund (280-00-3005-3005) No limit
 Edward Byrne memorial assistance grant – state and local
 law enforcement – federal fund (280-00-3213-3213) No limit
 Bulletproof vest partner – federal fund (280-00-3216-3216) No limit
 Performance registration information system management –
 federal fund (280-00-3239-3239) No limit
 Commercial vehicle information system network –
 federal fund (280-00-3244-3244) No limit
 Highway planning and construction –
 federal fund (280-00-3333-3333) No limit
 KHP federal forfeiture – federal fund (280-00-3545) No limit
Provided, That expenditures may be made from the KHP federal forfeiture – fund by the above agency for the capital improvement project or projects for troop F headquarters.

High intensity drug trafficking areas –
 federal fund (280-00-3615-3000) No limit
 Homeland security program – federal fund (280-00-3629) No limit
 Edward Byrne memorial justice assistance grant –
 federal fund (280-00-3057) No limit

Emergency ops cntr – federal fund (280-00-3808-3808) No limit
 State and community highway safety –
 federal fund (280-00-3815-3815)..... No limit
 Gifts and donations fund (280-00-7331) No limit
Provided, That expenditures from the gifts and donations fund for official
 hospitality shall not exceed \$1,000.

Motor carrier safety assistance program
 state fund (280-00-2208)..... No limit
Provided, That expenditures shall be made from the motor carrier safety
 assistance program state fund for necessary moving expenses in accor-
 dance with K.S.A. 75-3225, and amendments thereto.

National motor carrier safety assistance program –
 federal fund (280-00-3073)..... No limit
Provided, That expenditures shall be made from the national motor carri-
 er safety assistance program – federal fund for necessary moving expenses
 in accordance with K.S.A. 75-3225, and amendments thereto.

Aircraft fund – on budget (280-00-2368-2360)..... No limit
 Highway safety fund (280-00-2217-2250) No limit
 Capitol area security fund (280-00-6143-6100) No limit
 Vehicle identification number fee fund (280-00-2213) No limit
 Motor vehicle fuel and storeroom
 sales fund (280-00-6155-6200) No limit

Provided, That expenditures may be made from the motor vehicle fuel
 and storeroom sales fund to acquire and sell commodities and to provide
 services to local governments and other state agencies: *Provided further*,
 That the superintendent of the Kansas highway patrol is hereby autho-
 rized to fix, charge and collect fees for such commodities and services:
And provided further, That such fees shall be fixed in order to recover all
 or part of the expenses incurred in acquiring or providing and selling such
 commodities and services: *And provided further*, That all fees received
 for such commodities and services shall be deposited in the state treasury
 in accordance with the provisions of K.S.A. 75-4215, and amendments
 thereto, and shall be credited to the motor vehicle fuel and storeroom
 sales fund.

Kansas highway patrol
 operations fund (280-00-2034-1100).....\$53,329,416

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 high-
 way patrol assigned to duties pursuant to K.S.A. 74-2105, and amend-

ments 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 (280-00-2306).....No limit
Provided, That expenditures may be made from the highway patrol training center fund for use of the highway patrol training center by other state agencies, local government agencies and not-for-profit organizations: *Provided further*, That the superintendent of the Kansas highway patrol is hereby authorized to fix, charge and collect fees for recovery of costs associated with use of the highway patrol training center by other state agencies, local government agencies and not-for-profit organizations: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the highway patrol training center by other state or local government agencies: *And provided further*, That all fees received for use of the highway patrol training center by other state agencies, local government agencies or not-for-profit organizations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the highway patrol training center fund.

Executive aircraft fund (280-00-6144-6120)No limit
Provided, That expenditures may be made from the executive aircraft fund to provide aircraft services to other state agencies and to purchase liability and property damage insurance for state aircraft: *Provided further*, That the superintendent of the highway patrol is hereby authorized to fix, charge and collect fees for such aircraft services to other state agencies: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services: *And provided further*, That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the executive aircraft fund.

1122 program clearing fund (280-00-7280)No limit
 Kansas highway patrol staffing and
 training fund (280-00-2211-2211)No limit
 BAU fund.....No limit
 Homeland sec grant prog fund.....No limit

(b) On or before the 10th of each month during the fiscal year ending June 30, 2021, the director of accounts and reports shall transfer from the state general fund to the 1122 program clearing fund (280-00-7280-7280) interest earnings based on: (1) The average daily balance of moneys in the 1122 program clearing fund for the preceding month; and

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

(c) On July 1, 2020, and January 1, 2021, or as soon thereafter each such date as moneys are available, the director of accounts and reports shall transfer an amount specified by the executive director of the state corporation commission, with the approval of the director of the budget, of not more than \$650,000 from the motor carrier license fees fund (143-00-2812-5500) of the state corporation commission to the motor carrier safety assistance program state fund (280-00-2208) of the Kansas highway patrol.

(d) On July 1, 2020, October 1, 2020, January 1, 2021, and April 1, 2021, or as soon thereafter each such date as moneys are available, the director of accounts and reports shall transfer \$13,332,354 from the state highway fund of the department of transportation to the Kansas highway patrol operations fund (280-00-2034-1100) of the Kansas highway patrol for the purpose of financing the Kansas highway patrol operations. In addition to other purposes for which expenditures may be made from the state highway fund during fiscal year 2021 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 2021 for support and maintenance of the Kansas highway patrol.

(e) On July 1, 2020, 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 (280-00-2217-2250) of the Kansas highway patrol for the purpose of financing the motorist assistance program of the Kansas highway patrol.

(f) On July 1, 2020, 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 (280-00-2179-2200) of the Kansas highway patrol for the purpose of financing operating expenditures of the Kansas highway patrol.

(g) On July 1, 2020, and January 1, 2021, or as soon thereafter each such 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 (280-00-2317-2800) of the Kansas highway patrol to the aircraft fund – on budget (280-00-2368-2360) of the Kansas highway patrol.

(h) During the fiscal year ending June 30, 2021, in addition to the other purposes for which expenditures may be made by the above agency from any special revenue fund or funds for fiscal year 2021 as authorized by this or other appropriation act of the 2020 regular session of the legislature, expenditures shall be made by the above agency from such moneys to sell the agency's 1978 Cessna R182 aircraft: *Provided*, That the proceeds from such sale shall be credited to the state highway fund.

Sec. 108.

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, 2021, the following:

Operating expenditures (083-00-1000-0083)\$23,159,639

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2020, is hereby reappropriated to the operating expenditures account for fiscal year 2021: *Provided, however*, That expenditures from the operating expenditures account for official hospitality shall not exceed \$750.

Meth lab cleanup (083-00-1000-0200)\$50,000

Provided, That any unencumbered balance in the meth lab cleanup account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *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, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas bureau of investigation state
forfeiture fund (083-00-2283) No limit

Provided, That expenditures made from the Kansas bureau of investigation state forfeiture fund shall not be considered a source of revenue to meet normal operating expenses, but for such special, additional law enforcement purposes including direct or indirect operating expenditures incurred for conducting educational classes and training for special agents and other personnel, including official hospitality.

Federal forfeiture fund (083-00-3940) No limit

Provided, That expenditures made from the federal forfeiture fund shall not be considered a source of revenue to meet normal operating expenses.

es, but for such special, additional law enforcement purposes including direct or indirect operating expenditures incurred for conducting educational classes and training for special agents and other personnel, including official hospitality.

High intensity drug trafficking area –
federal fund (083-00-3349-3100)..... No limit
Federal grants – marijuana eradication –
federal fund (083-00-3350)..... No limit
eCitation national priority safety program –
federal fund (083-00-3092)..... No limit
Ncs-x grant – federal fund (083-00-3580-3580)..... No limit
Criminal justice information system line fund (083-00-2457)..... No limit

Provided, That in addition to the other purposes for which expenditures may be made from the criminal justice information system line fund pursuant to K.S.A. 74-5707, and amendments thereto, expenditures may be made from the criminal justice information system line fund for salaries and wages, contractual services, commodities and capital outlay for the maintenance and support of the Kansas criminal justice information system.

DNA database fund (083-00-2676-2700)..... No limit
Kansas bureau of investigation motor
vehicle fund (083-00-2344-2050)..... No limit

Provided, That expenditures may be made from the Kansas bureau of investigation motor vehicle fund to acquire and sell motor vehicles for the Kansas bureau of investigation: *Provided further*, That all moneys received for sale of motor vehicles of the Kansas bureau of investigation shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas bureau of investigation motor vehicle fund.

Forensic laboratory and materials fee fund (083-00-2077) No limit

Provided, That expenditures may be made from the forensic laboratory and materials fee fund for the acquisition of laboratory equipment and materials and for other direct or indirect operating expenditures for the forensic laboratory of the Kansas bureau of investigation: *Provided, however*, That all expenditures from this fund of moneys received as Kansas bureau of investigation laboratory analysis fees pursuant to K.S.A. 28-176, and amendments thereto, shall be for the purposes authorized by K.S.A. 28-176(e), and amendments thereto: *Provided further*, That all fees received for such laboratory tests, including all moneys received pursuant to K.S.A. 28-176(a), and amendments thereto, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the forensic laboratory and materials fee fund.

General fees fund (083-00-2140)..... No limit

Provided, That expenditures may be made from the general fees fund for direct or indirect operating expenditures incurred for the following activities: (1) Conducting education and training classes for special agents and other personnel, including official hospitality; (2) purchasing illegal drugs, making contacts and acquiring information leading to illegal drug outlets, contraband and stolen property, and conducting other activities for similar investigatory purposes; (3) conducting investigations and related activities for the Kansas lottery or the Kansas racing and gaming commission; (4) conducting DNA forensic laboratory tests and related activities; (5) preparing, publishing and distributing crime prevention materials; and (6) conducting agency operations: *Provided, however*, That the director of the Kansas bureau of investigation is hereby authorized to fix, charge and collect fees in order to recover all or part of the direct and indirect operating expenses incurred, except as otherwise hereinafter provided, for the following: (1) Education and training services made available to local law enforcement personnel in classes conducted for special agents and other personnel of the Kansas bureau of investigation; (2) investigations and related activities conducted for the Kansas lottery or the Kansas racing and gaming commission, except that the fees fixed for these activities shall be fixed in order to recover all of the direct and indirect expenses incurred for such investigations and related activities; (3) DNA forensic laboratory tests and related activities; and (4) sale and distribution of crime prevention materials: *Provided further*, That all fees received for such activities shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further*, That all moneys that are expended for any such evidence purchase, information acquisition or similar investigatory purpose or activity from whatever funding source and that are recovered shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further*, That all moneys received as gifts, grants or donations for the preparation, publication or distribution of crime prevention materials shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further*, That expenditures from any moneys received from the division of alcoholic beverage control and credited to the general fees fund may be made by the Kansas bureau of investigation for all purposes for which expenditures may be made for operating expenditures: *And provided further*, That expenditures from any moneys received from the Kansas criminal justice information system committee and credited to the general fees fund may be made by the Kansas bureau of investigation for

all purposes for which expenditures may be made for training activities and official hospitality.

Record check fee fund (083-00-2044-2010) No limit

Provided, That the director of the Kansas bureau of investigation is authorized to fix, charge and collect fees in order to recover all or part of the direct and indirect operating expenses for criminal history record checks conducted for noncriminal justice entities including government agencies and private organizations: *Provided, however*, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the record check fee fund: *Provided further*, That expenditures may be made from the record check fee fund for operating expenditures of the Kansas bureau of investigation.

Intergovernmental service fund (083-00-6119-6100)..... No limit

Agency motor pool fund (083-00-6117) No limit

National criminal history improvement program

federal fund (083-00-3189-3189)..... No limit

Public safety partnership and community policing

federal fund (083-00-3218-3218)..... No limit

Forensic DNA backlog reduction

federal fund (083-00-3226-3226)..... No limit

Coverdell forensic sciences improvement

federal fund (083-00-3227-3227)..... No limit

Anti-gang initiative federal fund (083-00-3229-3229) No limit

Homeland security federal fund (083-00-3199)..... No limit

State homeland security program

federal fund (083-00-3629-3629)..... No limit

Convicted/arrestee DNA backlog reduction

federal fund (083-00-3489-3489)..... No limit

Disaster grants – public assistance

federal fund (083-00-3005-3005)..... No limit

Ed Byrne memorial justice assistance

federal fund (083-00-3057)..... No limit

Ed Byrne state/local law enforcement

federal fund (083-00-3213-3213)..... No limit

Violence against women – ARRA

federal fund (083-00-3214)..... No limit

AWA implementation grant program

federal fund (083-00-3228-3228)..... No limit

Ed Byrne memorial JAG – ARRA

federal fund (083-00-3455-3455)..... No limit

Convicted offender/arrestee DNA backlog reduction

federal fund (083-00-3489-3489)..... No limit

KBI-FBI reimbursement

federal fund (083-00-3506-3506).....	No limit
Project safe neighborhoods fund (083-00-3217-3217)	No limit
Social security administration reimbursement –	
federal fund (083-00-3560-3560).....	No limit
Bulletproof vest partnership –	
federal fund (083-00-3216-3211).....	No limit
Sexual assault kit grant – federal fund (083-00-3146-3146)	No limit
Crime victim assistance	
discretionary grant (083-00-3250-3260)	No limit
Opioid summit fund	No limit

(c) During the fiscal year ending June 30, 2021, 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 2021 made by this act or other appropriation act of the 2020 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 2021 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. 109.

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, 2021, 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 (206-00-2329-2500)	No limit
Emergency medical services	
operating fund (206-00-2326-4000)	\$1,810,058

Provided, That the emergency medical services board is hereby authorized to fix, charge and collect fees in order to recover costs incurred for distributing educational videos, replacing lost educational materials and mailing labels of those licensed by the board: *Provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215,

and amendments thereto, and shall be credited to the emergency medical services operating fund: *And provided further*, That, notwithstanding the provisions of K.S.A. 65-6128 or 65-6129b, and amendments thereto, or of any other statute, all moneys received by the emergency medical services board for fees authorized by law for licensure or the issuance of permits, or for any other regulatory duties and functions prescribed by law in the field of emergency medical services, shall be deposited in the state treasury to the credit of the emergency medical services operating fund of the emergency medical services board: *And provided further*, That expenditures from the emergency medical services operating fund for official hospitality shall not exceed \$2,000.

Education incentive grant
payment fund (206-00-2396-2510)..... No limit
Provided, That the priority for award of education incentive grants shall be to award such grants to rural areas.

EMS revolving fund (206-00-2449-2400) No limit
Provided, That, if an organization agrees to receive money from the EMS revolving fund, the organization shall enter into a grant agreement requiring such organization to submit a written report to the emergency medical services board detailing and accounting for all expenditures and receipts related to the use of the moneys received from the EMS revolving fund: *Provided further*, That the emergency medical services board shall prepare a written report specifying and accounting for all moneys allocated to and expended from the EMS revolving fund: *And provided further*, That such report shall be submitted to the house of representatives committee on appropriations and the senate committee on ways and means on or before February 1, 2021.

EMS criminal history and
fingerprinting fund (206-00-2806-2806) No limit
National bioterrorism hospital preparedness –
federal fund (206-00-3398-3398)..... No limit
Highway safety – federal fund (206-00-3815)..... No limit
DHH-medicare rural hospital FLEX project –
federal fund (206-00-3293)..... No limit

(b) In addition to the other purposes for which expenditures may be made by the emergency medical services board from the emergency medical services operating fund (206-00-2326-4000) for fiscal year 2021 by this or other appropriation act of the 2020 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 2021 for the purpose of implementing a grant program for emergency medical services training and educational assistance for persons in underserved

areas: *Provided*, That when issuing such grants, first priority shall be given to ambulance services submitting applications seeking grants to pay the cost of recruiting volunteers and cost of the initial courses of training for attendants and instructor-coordinators: *Provided further*, That the second priority shall be given to ambulance services submitting applications seeking grants to pay the cost of continuing education for attendants and instructor-coordinators: *And provided further*, That the third priority shall be given to ambulance services submitting applications seeking grants to pay the cost of education for attendants and instructor-coordinators who are obtaining a postsecondary education degree.

(c) In addition to the other purposes for which expenditures may be made by the emergency medical services board from the moneys appropriated from the state general fund or from any special revenue fund or funds for the emergency medical services board for fiscal year 2021, as authorized by this or any other appropriation act of the 2020 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 2021 to require emergency medical services agencies in each of the six EMS regions of the state to prepare and submit a report of the expenditures made and moneys received in each of the EMS regions that are related to the operation and administration of the Kansas emergency medical services regional operations to the emergency medical services board: *Provided*, That the report for each EMS region shall specify and account for all moneys appropriated from the state treasury for the emergency medical services board and disbursed to each such EMS region for the operation of the education and training of emergency medical attendants in each such EMS region.

(d) On July 1, 2020, and January 1, 2021, or as soon thereafter each such date as moneys are available, the director of accounts and reports shall transfer \$150,000 from the emergency medical services operating fund (206-00-2326-4000) to the educational incentive grant payment fund (206-00-2396-2510) of the emergency medical services board.

(e) During the fiscal year ending June 30, 2021, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the emergency medical services operating fund (206-00-2326-4000) during fiscal year 2021, 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 2021 are insufficient to fund the budgeted expenditures and transfers from the emergency medical services operating fund for fiscal year 2021 in accor-

dance with the provisions of appropriation acts, the director of the budget shall certify such funding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of moneys from the education incentive grant payment fund (206-00-2396-2510) to the emergency medical services operating fund that is required, in accordance with the certification by the director of the budget under this subsection, to fund the budgeted expenditures and transfers from the emergency medical services operating fund for the remainder of fiscal year 2021 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, 2021, 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, 2021.

Sec. 110.

KANSAS SENTENCING COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

Operating expenditures (626-00-1000-0303).....\$928,345

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided, however*, That expenditures from the operating expenditures account for official hospitality shall not exceed \$900.

Substance abuse treatment programs (626-00-1000-0600).....\$8,933,614

Provided, That any unencumbered balance in the substance abuse treatment programs account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided further*, That, notwithstanding the provisions of K.S.A. 2019 Supp. 21-6824, and amendments thereto, or any other statute, in addition to other purposes for which expenditures may be made by the above agency from the substance abuse treatment program account of the state general fund during fiscal year 2021, expenditures may be made from such account for operating costs.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, all

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

General fees fund (626-00-2201-2000) No limit
 Statistical analysis – federal fund (626-00-3600)..... No limit

Sec. 111.

**KANSAS COMMISSION ON PEACE OFFICERS’
STANDARDS AND TRAINING**

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2020, by section 132(e) of chapter 68 of the 2019 Session Laws of Kansas on the Kansas commission of peace officers’ standards and training fund (529-00-2583-2580) of the Kansas commission on peace officers’ standards and training is hereby increased from \$682,467 to \$694,917.

Sec. 112.

**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, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas commission on peace officers’ standards and
 training fund (529-00-2583-2580)\$691,229

Provided, That expenditures from the Kansas commission on peace officers’ standards and training fund for official hospitality shall not exceed \$1,000.

Local law enforcement training
 reimbursement fund (529-00-2746-2700)..... No limit

Sec. 113.

KANSAS DEPARTMENT OF AGRICULTURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

Operating expenditures (046-00-1000-0053)\$9,890,108

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2020, is hereby reappropriated to the operating expenditures account for fiscal year 2021: *Provided further*, That expenditures from this account for official hospitality shall not exceed \$10,000.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, all

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

Dairy fee fund (046-00-2105-1015).....	No limit
Meat and poultry inspection fee fund (046-00-2004-0700).....	No limit
Plant protection fee fund (046-00-2006-0900)	No limit
Laboratory equipment fund (046-00-2710-2700)	No limit
Water structures – state highway fund (046-00-2043-1080)	No limit
Soil amendment fee fund (046-00-2117-1100).....	No limit
Agricultural liming materials fee fund (046-00-2118-1200)	No limit
Weights and measures fee fund (046-00-2165-1500)	No limit
Water appropriation certification fund (046-00-2168-1600)	No limit
Water resources cost fund (046-00-2110-1020)	No limit

Provided, That all moneys received by the secretary of agriculture from any governmental or nongovernmental source to implement the provisions of the Kansas water banking act, K.S.A. 82a-761 through 82a-773, and amendments thereto, which are hereby authorized to be applied for and received, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the water resources cost fund.

Agriculture seed fee fund (046-00-2187-2720).....	No limit
Chemigation fee fund (046-00-2194-1800).....	No limit
Petroleum inspection fee fund (046-00-2550-2550).....	No limit
Kansas agricultural remediation fund (046-00-2095-1090).....	No limit
Warehouse fee fund (046-00-2809-4700).....	No limit
U.S. geological survey cooperative gauge agreement grants fund (046-00-2629-2800)	No limit

Provided, That the secretary of agriculture is hereby authorized to enter into a cooperative gauge agreement with the United States geological survey: *Provided further*, That all moneys collected for the construction or operation of river water intake gauges shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the U.S. geological survey cooperative gauge agreement grants fund: *And provided further*, That expenditures may be made from this fund to pay the costs incurred in the construction or operation of river water intake gauges.

Agricultural chemical fee fund (046-00-2800-2900).....	No limit
Feeding stuffs fee fund (046-00-2801-4000)	No limit
Fertilizer fee fund (046-00-2802-4100).....	No limit
Plant pest emergency response fund (046-00-2210-1805)	No limit
Pesticide use fee fund (046-00-2804-4300).....	No limit
Egg fee fund (046-00-2808-4600)	No limit

Water structures fund (046-00-2037-1075).....	No limit
Meat and poultry inspection fund – federal (046-00-3013)	No limit
EPA pesticide performance partnership grant – federal fund (046-00-3295-3290).....	No limit
FEMA dam safety – federal fund (046-00-3362-3353)	No limit
State trade and export promotion – federal fund (046-00-3573-3576).....	No limit
Conversion of materials and equipment fund (046-00-2402-2200)	No limit
Trademark fund (046-00-2333-2360)	No limit
Water structures USGS LIDAR grant (046-00-3080-3080).....	No limit
Water structures NRCS LIDAR grant (046-00-3081-3081)	No limit
Specialty crop block grant fund (046-00-3463-3300)	No limit
Market development fund (046-00-2331-2351).....	No limit
<i>Provided</i> , That expenditures may be made from the market development fund for official hospitality: <i>Provided further</i> , 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 secre- tary of agriculture: <i>And provided further</i> , That all moneys received by the department of agriculture for repayment of loans made under the agricul- tural 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 (046-00-2773-2294)	No limit
<i>Provided</i> , That expenditures may be made from the reimbursement and recovery fund for official hospitality.	
Conference registration and disbursement fund (046-00-2772-2101).....	No limit
<i>Provided</i> , That expenditures may be made from the conference registra- tion and disbursement fund for official hospitality.	
Buffer participation incentive fund (046-00-2517-2510).....	No limit
Land reclamation fee fund (046-00-2542-2090)	No limit
Livestock brand fee fund (046-00-2011-2030).....	No limit
Livestock market brand inspection fee fund (046-00-2007-2010)	No limit
Veterinary inspection fee fund (046-00-2009-2020)	No limit
Animal dealers fee fund (046-00-2207-2050)	No limit
<i>Provided</i> , That expenditures from the animal dealers fee fund for offi- cial hospitality shall not exceed \$300: <i>Provided further</i> , That expenditures shall be made from the animal dealers fee fund by the livestock com- missioner for operating expenditures for an educational course regarding animals and their care and treatment as authorized by K.S.A. 47-1707,	

and amendments thereto, to be provided through the internet or printed booklets.

Animal disease control fund (046-00-2202-2500).....No limit
Provided, That expenditures from the animal disease control fund for official hospitality shall not exceed \$450: *Provided further*, That, notwithstanding the provisions of any statute to the contrary, during fiscal year 2021 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, 2021.

Health and human services retail food audit –
federal fund (046-00-3429-3410).....No limit
Publications fee fund (046-00-2322-2000).....No limit
Provided, That expenditures may be made from the publications fee fund for operating expenditures related to preparation and publication of informational or educational materials related to the programs or functions of the Kansas department of agriculture: *Provided further*, That, notwithstanding the provisions of K.S.A. 75-1005, and amendments thereto, to the contrary, the secretary of agriculture is hereby authorized to enter into a contract with a commercial publisher for the printing, distribution and sale of such materials: *And provided further*, That the secretary of agriculture is hereby authorized to collect fees from such commercial publisher pursuant to contract with the publisher for the sale of such materials: *And provided further*, That the secretary of agriculture is hereby authorized to receive and accept grants, gifts, donations or funds from any non-federal source for the printing, publication and distribution of such materials: *And provided further*, That all moneys received from such fees or for such grants, gifts, donations or other funds received for such purpose shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the publications fee fund.

Homeland security grant – federal fund (046-00-3199-3436).....No limit
National floodplain insurance assistance (CAP) –
federal fund (046-00-3445-3330).....No limit
Cooperating technical partners –
federal fund (046-00-3203-3210).....No limit
Plant and animal disease & pest control –
federal fund (046-00-3360).....No limit
Market protection/ promotion fund (046-00-3104-3315).....No limit
USDA Kansas forestry service –
federal fund (046-00-3426-3380).....No limit
Food safety fee fund (046-00-2813-4805).....No limit
Gifts and donations fund (046-00-7305-7000).....No limit

Provided, That the secretary of agriculture is hereby authorized to receive gifts and donations of resources and money for services for the benefit and support of agriculture and purposes related thereto: *Provided further*, That such gifts and donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the gifts and donations fund.

General fees fund (046-00-2346-2100) No limit

Provided, That expenditures may be made from the general fees fund for operating expenditures for the regulatory programs of the Kansas department of agriculture and for official hospitality: *Provided further*, That the director of accounts and reports shall transfer an amount or amounts specified by the secretary of agriculture from any special revenue fund or funds of the department of agriculture that have available moneys to the general fees fund: *And provided further*, That the director of accounts and reports shall transmit a copy of such transfer request to the director of legislative research.

Lodging fee fund (046-00-2456-2400) No limit

Watershed protect approach/WTR RSRCE

MGT fund (046-00-3889) No limit

NRCS contribution agreement farm bill –

federal fund (046-00-3917-3800)..... No limit

Compliance education fee fund (046-00-2757-2757) No limit

Provided, That all expenditures from the compliance education fee fund shall be for the purposes of compliance education: *Provided further*, That, notwithstanding the provisions of any statute to the contrary, during fiscal year 2021, the secretary of agriculture is hereby authorized to remit and designate amounts of moneys collected for civil fines and penalties by the department of agriculture to the state treasurer for deposit in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the compliance education fee fund: *And provided further*, That, upon receipt of each such remittance and designation, the state treasurer shall credit the entire amount of such remittance to the compliance education fee fund.

Laboratory testing services fee fund (046-00-2752-2752)..... No limit

Provided, That expenditures may be made from the laboratory testing services fee fund for administrative operating expenditures of the agriculture laboratory of the Kansas department of agriculture: *Provided further*, That the director of accounts and reports shall transfer an amount or amounts specified by the secretary of agriculture from any special revenue fund or funds of the department of agriculture that have available moneys to the laboratory testing services fee fund: *And provided further*, That the director of accounts and reports shall transmit a copy of such transfer request to the director of legislative research.

Arkansas river gaging fund (046-00-2751-2751)	No limit
Food/drug administration/research (046-00-3462).....	No limit
Biofuel infrastructure program (046-00-3579-3579)	No limit
AMS farmers market promotion program (046-00-3588-3588)....	No limit
Grain commodity commission services fund (046-00-2018-1070)	No limit
Commercial industrial hemp act licensing fee fund (046-00-2343-2343)	No limit
Plant/animal disease and pest control (046-00-3360)	No limit
Service member ag grant (046-00-3185-3185).....	No limit

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2021, for the water plan project or projects specified, the following:

Water resources cost share (046-00-1800-1205).....\$2,698,289

Provided, That any unencumbered balance in the water resources cost share account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided further*, That the initial allocation for grants to conservation districts for fiscal year 2021 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 2021 for the water resources cost share account.

Nonpoint source pollution assistance (046-00-1800-1210)\$1,857,836

Provided, That any unencumbered balance in the nonpoint source pollution assistance account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Conservation district aid (046-00-1800-1220).....\$2,342,637

Provided, That any unencumbered balance in the conservation district aid account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Watershed dam construction (046-00-1800-1240)\$750,000

Provided, That any unencumbered balance in the watershed dam construction account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided further*, That expenditures from the watershed dam construction account are hereby authorized for engineering contracts for watershed planning as determined by the secretary of agriculture.

Kansas water quality buffer initiatives (046-00-1800-1250)\$200,000

Provided, That any unencumbered balance in the Kansas water quality buffer initiatives account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *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 2021 in accordance with contracts, which are hereby authorized to be entered into by the secretary of agriculture, for such grants or incentives.

Riparian and wetland program (046-00-1800-1260).....\$154,024

Provided, That any unencumbered balance in the riparian and wetland program account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Basin management (046-00-1800-0080)\$608,949

Provided, That any unencumbered balance in the basin management account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Water use (046-00-1800-0075)\$72,600

Provided, That any unencumbered balance in the water use account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Interstate water issues (046-00-1800-0070)\$490,007

Provided, That any unencumbered balance in the interstate water issues account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Kansas conservation reserve enhancement

program fund (046-00-1800-1225)\$699,745

Provided, That any unencumbered balance in the Kansas conservation reserve enhancement program fund account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Streambank stabilization

projects (046-00-1800-1290)\$750,000

Provided, That any unencumbered balance in the streambank stabilization projects account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Irrigation technology (046-00-1800-0088)\$100,000

Provided, That any unencumbered balance in the irrigation technology account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Crop and livestock research (046-00-1800)\$350,000
Provided, That any unencumbered balance in the crop and livestock re-
search account in excess of \$100 as of June 30, 2020, is hereby reappro-
priated for fiscal year 2021.

(d) During the fiscal year ending June 30, 2021, the secretary of agri-
culture, with the approval of the state finance council acting on this mat-
ter, which is hereby characterized as a matter of legislative delegation and
subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amend-
ments thereto, or upon specific authorization in an appropriation act of
the legislature, may transfer any part of any item of appropriation for fis-
cal year 2021 from the state water plan fund for the Kansas department of
agriculture to another item of appropriation for fiscal year 2021 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 di-
rector of accounts and reports and shall transmit a copy of each such cer-
tification 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, 2020, 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
(046-00-2043-1080) of the Kansas department of agriculture.

(f) There is appropriated for the above agency from the state econom-
ic development initiatives fund for the fiscal year ending June 30, 2021,
the following:

Agriculture marketing program (046-00-1900-1110)\$1,035,436
Provided, That expenditures may be made from the agriculture market-
ing 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. 114.

STATE FAIR BOARD

(a) In addition to the other purposes for which expenditures may be
made by the above agency from moneys appropriated from the state gen-
eral fund or from any special revenue fund or funds of the above agency
for the fiscal year ending June 30, 2020, by chapter 68 of the 2019 Session
Laws of Kansas, this or any other appropriation act of the 2020 regular
session of the legislature, expenditures shall be made by the above agency

from such moneys 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 renovate the expo center on the state fairgrounds: *Provided*, That such capital improvement project is hereby approved for the state fair board 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 state fair board may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *And provided further*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$1,247,519 plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project, credit enhancement costs and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement project shall be financed by appropriations from the state fair capital improvements fund (373-00-2533-2500): *And provided further*, That any such bonds and interest thereon shall be an obligation only of the Kansas development finance authority, shall not constitute a debt of the state of Kansas within the meaning of section 6 or 7 of article 11 of the constitution of the state of Kansas and shall not pledge the full faith and credit or the taxing power of the state of Kansas.

Sec. 115.

STATE FAIR BOARD

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

Operating expenditures (373-00-1000-0103)\$150,000

Provided, That the above agency shall make expenditures from the operating expenditures account during the fiscal year 2021 to request assistance from other state agencies to negotiate with the city of Hutchinson on the increase of storm water charges and the electric company on how electricity is calculated.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures, other than refunds authorized by law and remittances of sales tax to the department of revenue, shall not exceed the following:

State fair fee fund (373-00-5182-5100) No limit
Provided, That expenditures from the state fair fee fund for official hospitality shall not exceed \$10,000.
 State fair special cash fund (373-00-9088-9000) No limit
 State fair debt service special
 revenue fund (373-00-2267-2200) No limit

Sec. 116.

KANSAS WATER OFFICE

(a) On the effective date of this act, of the \$896,522 appropriated for the above agency for the fiscal year ending June 30, 2020, by section 126(c) of chapter 68 of the 2019 Session Laws of Kansas from the state water plan fund in the assessment and evaluation account (709-00-1800-1110), the sum of \$100,000 is hereby lapsed.

(b) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2020, for the state water plan project or projects specified, the following:

Flood study (709-00-1800) \$100,000

Provided, That any unencumbered balance in the flood study account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2020, for the state water plan project or projects specified, the following:

Arbuckle study (709-00-1800) \$68,000

Provided, That any unencumbered balance in the Arbuckle study account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Sec. 117.

KANSAS WATER OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

Water resources operating
 expenditures (709-00-1000-0303) \$1,023,178

Provided, That any unencumbered balance in the water resources operating expenditures account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *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, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Local water project match fund (709-00-2620-3200).....No limit
Provided, That all moneys received from local government entities and instrumentalities to be used to match funds for water projects shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local water project match fund: *Provided further*, That all moneys credited to this fund shall be used to match state funds or federal funds, or both, for water projects.

Water supply storage assurance fund (709-00-2631).....No limit
Provided, That no additional water supply storage space shall be purchased in Milford, Perry, Big Hill or Hillsdale reservoirs during fiscal year 2021, unless a contract is entered into under the state water plan storage act, K.S.A. 82a-1301 et seq., and amendments thereto, to supply water to users that is not held under contract in such reservoirs.

State conservation storage water
 supply fund (709-00-2502-2600)No limit
 Water marketing fund (709-00-2255-2100)No limit
Provided, That expenditures may be made from the water marketing fund for the purchase of vessel liability insurance.

General fees fund (709-00-2022-2000)No limit
Provided, That expenditures may be made from the general fees fund for operating expenditures for the Kansas water office, including training and informational programs and official hospitality: *Provided further*, That the director of the Kansas water office is hereby authorized to fix, charge and collect fees for such programs: *And provided further*, That fees for such programs shall be fixed in order to recover all or part of the operating expenses incurred for such programs, including official hospitality: *And provided further*, That all fees received for such programs and all fees received for providing access to or for furnishing copies of public records shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund.

Indirect cost fund (709-00-2419-2419)No limit
 Motor pool vehicle replacement fund (709-00-6120-6100)No limit
 Reservoir storage beneficial use fund (709-00-2673-2630)No limit
Provided, That expenditures may be made by the above agency from the reservoir storage beneficial use fund to call water into service for beneficial uses or to complete studies or take actions necessary to ensure reservoir storage sustainability, subject to the availability of moneys credited to the reservoir storage beneficial use fund.

Republican river water conservation projects – Nebraska
 moneys fund (709-00-2690-2640).....No limit

Republican river water conservation projects – Colorado
 moneys fund (709-00-2691-2680)..... No limit
 Lower Smoky Hill water supply
 access fund (709-00-2772-2700)..... No limit
 Milford RCPP federal fund (709-00-3022-3022)..... No limit
 Lower Smoky Hill water supply
 access fund (709-00-2203-2203)..... No limit
 EPA wetland development grant fund (709-00-3914-3990) No limit
 Distribution management plan – CDFA 97.042..... No limit
 Emergency management
 performance grant (709-00-3342-3342) No limit
 HHPD rehabilitation – CDFA 97.041 (709-00-0000-0000)..... No limit
 South fork Republican river water conservation projects fund..... No limit

Provided, That during the fiscal year ending June 30, 2021, the above agency shall pay an amount equal to the amount certified pursuant to subsection (b) in one payment from the south fork Republican river water conservation projects fund as a grant pursuant to a grant agreement entered into by the Kansas water office and the Cheyenne county conservation district, which grant agreement is hereby authorized to be entered into by such entities: *Provided further*, That in accordance with the grant agreement, such moneys shall be used exclusively for the purposes of paying all or a portion of the costs of the projects specified in K.S.A. 82a-1804(g), and amendments thereto, in the area lying in the south fork of the upper Republican river basin in northwest Kansas in all or parts of Cheyenne and Sherman counties: *And provided further*, That in accordance with the grant agreement, all expenditures of such moneys shall be approved by the Cheyenne county conservation district and the Kansas water office: *And provided further*, That, in accordance with the grant agreement, such moneys shall be administered by the Cheyenne county conservation district and any interest earned on such moneys shall be used for the purposes prescribed by this subsection: *And provided further*, That in accordance with the grant agreement, all expenditures and the status of new projects approved by the Cheyenne county conservation district shall be reported not later than November 1 of each calendar year to the Kansas water office.

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2021, for the state water plan project or projects specified, the following:

Assessment and evaluation (709-00-1800-1110).....\$829,900

Provided, That any unencumbered balance in the assessment and evaluation account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

MOU – storage operations
and maintenance (709-00-1800-1150).....\$480,100

Provided, That any unencumbered balance in the MOU – storage operations and maintenance account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Stream gaging (709-00-1800-1190)\$423,130

Provided, That any unencumbered balance in the stream gaging account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Technical assistance to water users (709-00-1800-1200).....\$325,000

Provided, That any unencumbered balance in the technical assistance to water users account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Milford lake watershed regional conservation
partnership program (709-00-1800-1280).....\$200,000

Provided, That any unencumbered balance in the Milford lake watershed regional conservation partnership program account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Best management
practices implementation (709-00-1800-1286).....\$1,000,000

Provided, That any unencumbered balance in the best management practices implementation account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Water vision education (709-00-1800-1281)\$100,000

Provided, That any unencumbered balance in the water vision education account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Reservoir bathymetric surveys and
biological research (709-00-1800-1275)\$350,000

Provided, That any unencumbered balance in the reservoir bathymetric surveys and biological research account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Water technology farms (709-00-1800-1282).....\$75,000

Provided, That any unencumbered balance in the water technology farms account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Equus Beds aquifer chloride
plume pilot (709-00-1800-1287).....\$50,000

Provided, That any unencumbered balance in the equus beds aquifer

chloride plume pilot account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Water injection dredging\$660,000

(d) During the fiscal year ending June 30, 2021, 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 2021 from the state water plan fund for the Kansas water office to another item of appropriation for fiscal year 2021 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, 2021, if it appears that the resources are insufficient to meet in full the estimated expenditures as they become due to meet the financial obligations imposed by law on the water marketing fund (709-00-2255-2100) of the Kansas water office as a result of a cash flow shortfall, the pooled money investment board is authorized and directed to loan to the director of the Kansas water office a sufficient amount or amounts of moneys to maintain the cash flow of the water marketing fund upon approval of each such loan by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto. No such loan shall be made unless the terms have been approved by the director of the budget. A copy of the terms of each such loan shall be submitted to the director of legislative research. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for each such loan. Each such loan shall be repaid without interest within one year from the date of the loan.

(f) During the fiscal year ending June 30, 2021, if it appears that the resources are insufficient to meet in full the estimated expenditures as they become due to meet the financial obligations imposed by law on the water marketing fund (709-00-2255-2100) of the Kansas water office as a result of increases in water rates, fees or charges imposed by the federal government, the pooled money investment board is authorized and directed to loan to the director of the Kansas water office a sufficient amount or amounts of moneys to reimburse the water marketing fund for increases in water rates, fees or charges imposed by the federal government and to allow the Kansas water office to spread such

increases to consumers over a longer period, except that no such loan shall be made unless the terms thereof have been approved by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for each such loan. Each such loan shall bear interest at a rate equal to the net earnings rate for the pooled money investment portfolio at the time of the making of such loan. Such loan shall not be deemed to be an indebtedness or debt of the state of Kansas within the meaning of section 6 of article 11 of the constitution of the state of Kansas. Upon certification to the pooled money investment board by the director of the Kansas water office of the amount of each loan authorized pursuant to this subsection, the pooled money investment board shall transfer each such amount certified by the director of the Kansas water office from the state bank account or accounts to the water marketing fund of the Kansas water office. The principal and interest of each loan authorized pursuant to this subsection shall be repaid in payments payable at least annually for a period of not more than five years.

(g) During the fiscal year ending June 30, 2021, 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, 2021, from the water marketing fund (709-00-2255-2100) to the state general fund, in accordance with the provisions of the state water plan storage act, K.S.A. 82a-1301 et seq., and amendments thereto, and rules and regulations adopted thereunder, for the purposes of making repayments to the state general fund for moneys advanced for annual capital cost payments for water supply storage space in reservoirs.

(h) During the fiscal year ending June 30, 2021, 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 2021 by this or other appropriation act of the 2020 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 2021 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, 2020, or as soon thereafter

as moneys are available, the director of accounts and reports shall transfer \$410,574 from the water marketing fund (709-00-2255-2100) of the Kansas water office to the state general fund.

(j) On July 1, 2020, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,260,426 from the state water plan fund to the state general fund: *Provided*, That the amount transferred from the state water plan fund to the state general fund pursuant to this subsection is to reimburse the state general fund for bond payments for the John Redmond reservoir dredging project.

(k) During the fiscal year ending June 30, 2021, the director of the Kansas water office shall certify to the director of accounts and reports the amount of moneys expended by the Kansas department of agriculture from the state general fund that is attributable to the administration of the state water plan storage act, K.S.A. 82a-1301 et seq., and amendments thereto, or the water assurance program act, K.S.A. 82a-1330 et seq., and amendments thereto: *Provided*, That upon receipt of such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer the amount certified from the water marketing fund (709-00-2255-2100) of the Kansas water office to the state general fund: *Provided further*, That the director of the Kansas water office shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

(l) On October 1, 2020, the director of the Kansas water office shall certify the amount of moneys in the Republican river water conservation projects – Colorado moneys fund and shall transmit such certification, along with the amount to be transferred, to the director of accounts and reports. Upon receipt of such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer the amount specified by the director of the Kansas water office, but not less than \$500,000, from the Republican river water conservation projects – Colorado moneys fund to the south fork Republican river water conservation projects fund: *Provided*, That the director of the Kansas water office shall transmit a copy of such certification to the director of the budget and to the director of legislative research.

Sec. 118.

KANSAS DEPARTMENT OF WILDLIFE, PARKS AND TOURISM

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2020, the following:

Emergency flood damage repair.....\$2,000,000

(b) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$45,167 from the state highway fund of the department of transportation to the

department access roads fund (710-00-2178-2760) of the Kansas department of wildlife, parks and tourism.

(c) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2021, by section 164(j) of chapter 68 of the 2019 Session Laws of Kansas on the wildlife restoration fund (710-00-3418-3422) of the Kansas wildlife, parks and tourism is hereby increased from \$4,504,250 to \$4,729,250.

Sec. 119.

**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, 2021, the following:

Operating expenditures (710-00-1900-1910)\$1,744,728

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *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 2021, expenditures shall be made by the above agency from the operating expenditures account for fiscal year 2021 to include a provision on the calendar year 2021 applications for hunting licenses, fishing licenses and annual park permits for the applicant to make a voluntary contribution of \$2 or more to support the annual licenses issued to Kansas disabled veterans, annual licenses issued to Kansas national guard members, and annual park permits issued to Kansas national guard members: *And provided further*, That all moneys received as voluntary contributions to support the annual licenses issued to Kansas disabled veterans, annual licenses issued to Kansas national guard members, and annual park permits issued to Kansas national guard members shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the free licenses and permits fund.

State parks operating expenditures (710-00-1900-1920)\$1,598,719

Provided, That any unencumbered balance in the state parks operating expenditures account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Travel and tourism operating expenditures (710-00-1900-1901)\$1,699,161

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 (710-00-1900-1930)\$36,342

Provided, That any unencumbered balance in the reimbursement for annual licenses issued to national guard members account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *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 2021 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 (710-00-1900-1940)\$17,922

Provided, That any unencumbered balance in the reimbursement for annual park permits issued to national guard members account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *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 2021 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 (710-00-1900-1950)\$69,827

Provided, That any unencumbered balance in the reimbursement for annual licenses issued to Kansas disabled veterans account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *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 2021 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, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Wildlife fee fund (710-00-2300-2890).....\$34,581,488

Provided, That additional expenditures may be made from the wildlife fee fund for fiscal year 2021 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 2021: *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 \$4,000.

Parks fee fund (710-00-2122-2053)\$10,754,213

Provided, That additional expenditures may be made from the parks fee fund for fiscal year 2021 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 2021: *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 (710-00-2245-2813)\$1,194,340

Provided, That additional expenditures may be made from the boating fee fund for fiscal year 2021 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 2021: *And provided further*, That the secretary of wildlife, parks and tourism shall report all such expenditures to the governor and the legislature as appropriate.

Central aircraft fund (710-00-6145-6100) No limit

Provided, That expenditures may be made by the above agency from the central aircraft fund for aircraft operating expenditures, for aircraft maintenance and repair, to provide aircraft services to other state agencies and for the purchase of state aircraft insurance: *Provided further*, That the secretary of wildlife, 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 (710-00-2178-2761) \$1,702,545

Wildlife, parks and tourism

nonrestricted fund (710-00-2065-2120) No limit

Prairie spirit rails-to-trails fee fund (710-00-2025-2030) No limit

Plant and animal disease and pest

control fund (710-00-3360-3361) No limit

Nongame wildlife improvement fund (710-00-2593-3300) No limit

Wildlife conservation fund (710-00-2100-2020) No limit

Federally licensed wildlife areas fund (710-00-2670-3400) No limit

State agricultural production fund (710-00-2050-5100) No limit

Land and water conservation fund – state (710-00-3794-3920) No limit

Land and water conservation fund – local (710-00-3794-3795) No limit

Development and promotions fund (710-00-2097-2010) No limit

Department of wildlife and parks private gifts and

donations fund (710-00-7335-7000) No limit

Fish and wildlife restitution fund (710-00-2166-2750) No limit

Parks restitution fund (710-00-2156-2100) No limit

Nonfederal grants fund (710-00-2063-2090) No limit

Disaster grants – public assistance fund (710-00-3005-3005) No limit

Soil/water conservation fund (710-00-3083-3083) No limit

Navigation projects fund (710-00-3191-3191) No limit

Recreation resource management fund (710-00-3197-3197) No limit

Cooperative endangered species

conservation fund (710-00-3198-3198) No limit

Landowner incentive program fund (710-00-3200-3210) No limit

Bulletproof vest partnership fund (710-00-3216-3216) No limit

Recreational trails program fund (710-00-3238-3238)	No limit
Highway planning/construction fund (710-00-3333-3333).....	No limit
Americorps – ARRA fund (710-00-3404-3405)	No limit
Cooperative forestry assistance fund (710-00-3426-3426)	No limit
North America wetland conservation fund (710-00-3453-3453)	No limit
Wildlife services fund (710-00-3485-3485)	No limit
Fish/wildlife management assistance fund (710-00-3495-3495)	No limit
Fish/wildlife core act fund (710-00-3513-3513).....	No limit
Great plains LCC	No limit
USDA grant manual update	No limit
Watershed protection/flood prevention fund (710-00-3906-3906)	No limit
Suspense fund (710-00-9159-9000).....	No limit
Employee maintenance deduction clearing fund (710-00-9120-9100)	No limit
Cabin revenue fund (710-00-2668-2660)	No limit
Feed the hungry fund (710-00-2642-2640).....	No limit
State wildlife grants fund (710-00-3204-3204).....	No limit
Boating safety financial assistance fund (710-00-3251-3250).....	No limit
Wildlife restoration fund (710-00-3418-3418)	No limit
Sport fish restoration fund (710-00-3490-3490).....	No limit
Outdoor recreation acquisition, development and planning fund (710-00-3794-3794).....	No limit
Publication and other sales fund (710-00-2399-2399)	No limit
<i>Provided</i> , That in addition to other purposes for which expenditures may be made by the above agency from moneys appropriated from the pub- lication and other sales fund for fiscal year 2021, expenditures may be made from such fund for the purpose of compensating federal aid pro- gram expenditures, if necessary, in order to comply with the requirements established by the United States fish and wildlife service for utilization of federal aid funds: <i>Provided further</i> , That all such expenditures shall be in addition to any expenditures made from the publication and other sales fund for fiscal year 2021: <i>And provided further</i> , That the secretary of wild- life, parks and tourism shall report all such expenditures to the governor and legislature as appropriate.	
Free licenses and permits fund (710-00-2493-2493)	No limit
Enforce underage drinking law fund (710-00-3219-3219)	No limit
Migratory bird monitoring (710-00-3504-3504)	No limit
Voluntary public access (710-00-3557-3557)	No limit
Energy efficiency/conservation block grant fund (710-00-3157-3157).....	No limit

Endangered species – recovery fund (710-00-3209-3209).....No limit
Wetlands reserve program fund (710-00-3007-3060).....No limit
Adaptive science fund (710-00-3015-3050)No limit

(c) During the fiscal year ending June 30, 2021, 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 2021, from which expenditures may be made for salaries and wages, as authorized by this or other appropriation act of the 2020 regular session of the legislature, expenditures may be made by the above agency from such moneys appropriated from any special revenue fund or funds for fiscal year 2021, from which expenditures may be made for salaries and wages, for progression within the existing pay structure for natural resource officers of the Kansas department of wildlife, parks and tourism: *Provided, however,* That notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, the secretary of wildlife, parks and tourism shall not require such officer to transfer into the unclassified service in order to progress within the existing pay structure pursuant to this subsection.

(d) Notwithstanding the provisions of K.S.A. 2019 Supp. 32-9,100, and amendments thereto, or any other statute to the contrary, in addition to the other purposes for which expenditures may be made by the Kansas department of wildlife, parks and tourism from moneys appropriated from the wildlife fee fund (710-00-2300-2880) of the Kansas department of wildlife, parks and tourism for the fiscal year ending June 30, 2021, by this or any other appropriation act of the 2020 regular session of the legislature, expenditures may be made by the above agency from such moneys during fiscal year 2021 to issue senior lifetime hunting and fishing licenses to Kansas resident disabled veterans who are 65 years of age or older: *Provided,* That such licenses are hereby authorized to be issued without charge to such veterans in accordance with policies and procedures prescribed by the secretary of wildlife, parks and tourism: *Provided further,* That to qualify for such license without charge, the resident disabled veteran shall have been separated from the armed services under honorable conditions and have a disability certified by the Kansas commission on veterans affairs office as being service-related and such service-connected disability is equal to or greater than 30%.

Sec. 120.

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, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

State highway fund (276-00-4100-4100)No limit

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 (276-00-4220-4220)	No limit
County equalization and adjustment fund (276-00-4210-4210)	\$2,500,000
Highway special permits fund (276-00-2576-2576)	\$0
Highway bond debt service fund (276-00-4707-9000)	No limit
Rail service improvement fund (276-00-2008-2100)	No limit
Transportation revolving fund (276-00-7511-1000)	No limit
Rail service assistance program loan guarantee fund (276-00-7502-7200)	No limit
Railroad rehabilitation loan guarantee fund (276-00-7503-7500)	No limit

Provided, That expenditures from the railroad rehabilitation loan guarantee fund shall not exceed the amount that the secretary of transportation is obligated to pay during the fiscal year ending June 30, 2021, in satisfaction of liabilities arising from the unconditional guarantee of payment that was entered into by the secretary of transportation in connection with the mid-states port authority federally taxable revenue refunding bonds, series 1994, dated May 1, 1994, authorized by K.S.A. 12-3420, and amendments thereto, and guaranteed pursuant to K.S.A. 75-5031, and amendments thereto.

Interagency motor vehicle fuel sales fund (276-00-2298-2400) No limit

Provided, That expenditures may be made from the interagency motor vehicle fuel sales fund to provide and sell motor vehicle fuel to 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 (276-00-2572-0300)	No limit
Public use general aviation airport development fund (276-00-4140-4140)	No limit
Highway bond proceeds fund (276-00-4109-4110)	No limit
Communication system revolving fund (276-00-7524-7700)	No limit
Traffic records enhancement fund (276-00-2356-2000)	No limit

Other federal grants fund (276-00-3122-3100).....No limit
 Kansas intermodal transportation
 revolving fund (276-00-7552-7551)No limit
 Conversion of materials and
 equipment fund (276-00-2256-2256)No limit
 Seat belt safety fund (276-00-2216-2216)No limit

(b) Expenditures may be made by the above agency for the fiscal year ending June 30, 2021, from the state highway fund (276-00-4100-4100) for the following specified purposes: *Provided*, That expenditures from the state highway fund for fiscal year 2021, other than refunds authorized by law for the following specified purposes, shall not exceed the limitations prescribed therefor as follows:

Agency operations (276-00-4100-0403)\$279,364,045

Provided, That expenditures from the agency operations account of the state highway fund for official hospitality by the secretary of transportation shall not exceed \$5,000; *Provided further*, That expenditures may be made from this account for engineering services furnished to counties for road and bridge projects under K.S.A. 68-402e, and amendments thereto.

Conference fees (276-00-4100-2200).....No limit

Provided, That the secretary of transportation is hereby authorized to fix, charge and collect conference, training and workshop attendance and registration fees for conferences, training seminars and workshops sponsored or cosponsored by the department; *Provided further*, That such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the conference fees account of the state highway fund; *And provided further*, That expenditures may be made from this account to defray all or part of the costs of the conferences, training seminars and workshops.

Substantial maintenance (276-00-4100-0700)No limit

Claims (276-00-4100-1150)No limit

Payments for city connecting links (276-00-4100-6200).....\$5,360,000

Federal local aid programs (276-00-4100-3000).....No limit

Bond services fees (276-00-4100-0580)No limit

Other capital improvements (276-00-4100-8075).....No limit

Provided, That the secretary of transportation is authorized to make expenditures from the other capital improvements account to undertake a program to assist cities and counties with railroad crossings of roads not on the state highway system.

(c) (1) In addition to the other purposes for which expenditures may be made by the above agency from the state highway fund (276-00-4100-4100) for fiscal year 2021, expenditures may be made by the above agency from the following capital improvement account or accounts of the state

highway fund for fiscal year 2021 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Buildings – rehabilitation and repair (276-00-4100-8005)	\$4,000,000
Buildings – reroofing (276-00-4100-8010)	\$877,435
Buildings – other construction, renovation and repair (276-00-4100-8070)	\$9,855,583
Buildings – purchase land (276-00-4100-8065)	\$75,000

(2) In addition to the other purposes for which expenditures may be made by the above agency from the state highway fund (276-00-4100-4100) for fiscal year 2021, expenditures may be made by the above agency from the state highway fund for fiscal year 2021 from the unencumbered balance as of June 30, 2020, 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 2021 shall not exceed the amount of the unencumbered balance in such project account on June 30, 2020, 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 2021.

(d) During the fiscal year ending June 30, 2021, 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 2021 from the state highway fund (276-00-4100-4100) for the department of transportation to another item of appropriation in a capital improvement project account for a building or buildings for fiscal year 2021 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, 2021, the director of accounts and reports shall transfer from the motor pool service fund (173-00-6109-4020) of the department of administration to the state highway fund (276-00-4100-4100) of the department of transportation an amount determined to be equal to the sum of the annual vehicle registration fees for each vehicle owned or leased by the state or any state agencies in accordance with K.S.A. 75-4611, and amendments thereto.

(f) During the fiscal year ending June 30, 2021, upon notification from the secretary of transportation that an amount is due and payable from the railroad rehabilitation loan guarantee fund (276-00-7503-7500), the director of accounts and reports shall transfer from the state highway fund

(276-00-4100-4100) to the railroad rehabilitation loan guarantee fund the amount certified by the secretary as due and payable.

(g) Any payment for services during the fiscal year ending June 30, 2021, from the state highway fund (276-00-4100-4100) to other state agencies shall be in addition to any expenditure limitation imposed on the state highway fund for fiscal year 2021.

(h) For the fiscal year ending June 30, 2021, 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, 2020, October 1, 2020, January 1, 2021, and April 1, 2021, or as soon thereafter each such date as moneys are available, the director of accounts and reports shall transfer \$33,425,000.00 from the state highway fund (276-00-4100-4100) 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 2021 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 2021.

(j) Notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, for the fiscal year ending June 30, 2021, the secretary of transportation shall apportion and distribute quarterly, on the first day of January, April, July and October, to cities on the state highway system from the state highway fund moneys at the rate of \$5,000 per year per lane per mile for the maintenance of streets and highways in cities designated by the secretary as city connecting links: *Provided*, That all moneys so distributed shall be used solely for the maintenance of city connecting links: *Provided further*, That such apportionment shall apply only to those city connecting link lanes maintained by the city, and shall not apply to city connecting link lanes maintained by the secretary pursuant to agreement with the city: *And provided further*, That, as used in this subsection, "lane" means the portion of the roadway for use of moving traffic of a standard width prescribed by the secretary.

(k) In addition to the other purposes for which expenditures may be made by the above agency from the state highway fund (276-00-4100-4100) for fiscal year 2021, expenditures shall be made by the above agency from the state highway fund for fiscal year 2021 for the placement of a state capitol visitors center sign at the 8th avenue exit on Interstate 70 in Topeka and to replace the state capitol sign at the 10th avenue exit on Interstate 70 in Topeka with a sign for the Kansas judicial center: *Provided*, That such signs shall be in place on or before January 1, 2021.

Sec. 121. 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, 2021, expenditures shall be made by the legislature from the operations (including official hospitality) account of the state general fund for fiscal year 2021 for an additional amount of allowance equal to the amount required to provide, along with the amount of allowance otherwise payable from appropriations for the legislature to each member of the legislature at the rate prescribed by K.S.A. 46-137a(c), and amendments thereto, an aggregate amount of allowance: (a) Equal to \$354.15 for the two-week period that coincides with the first biweekly payroll period, which is chargeable to fiscal year 2021 and for each of the 14 ensuing two-week periods thereafter; and (b) equal to \$354.15 for the two-week period that coincides with the biweekly payroll period, which includes March 21, 2021, which is chargeable to fiscal year 2021 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 2021, notwithstanding the provisions of K.S.A. 46-137a, and amendments thereto: *Provided*, That all expenditures under this section for such purposes shall be made otherwise in the same manner that such allowance is payable to such members of the legislature for such two-week periods, for which such allowance is payable in accordance with this section and which are chargeable to fiscal year 2021.

Sec. 122. (a) On June 30, 2021, notwithstanding the provisions of K.S.A. 74-8768, and amendments thereto, or any other statute, the director of accounts and reports shall transfer the amount of any unencumbered balance in the expanded lottery act revenues fund to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the expanded lottery act revenues fund to the state general fund as prescribed by law.

(b) On June 30, 2021, 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, 2021, is insufficient to fund the appropriations and trans-

fers that are authorized from the expanded lottery act revenues fund for the fiscal year ending June 30, 2021, 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, 2021. 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. 123. During the fiscal year ending June 30, 2021, the director of the Kansas water office may transfer any part of any item of appropriation for fiscal year 2021 from the state water plan fund for the Kansas water office to any item of appropriation for fiscal year 2021 from the state water plan fund for the Kansas department of agriculture or the department of health and environment – division of environment: *Provided*, That the director of the Kansas water office shall certify each such transfer to the director of accounts and reports and upon receipt of such certification, the director of accounts and reports shall transfer such certified amount to the certified item of appropriation: *Provided further*, That when the director of the Kansas water office provides certification to the director of accounts and reports under this section, the director shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

Sec. 124. On the effective date of this act, the director of accounts and reports shall transfer all moneys in the home inspectors registration fee fund (195-00-2666-2600) to the state general fund. On the effective date of this act, all liabilities of the home inspectors registration fee fund are hereby transferred to and imposed on the state general fund and the home inspectors registration fee fund is hereby abolished.

Sec. 125. Notwithstanding the provisions of K.S.A. 2019 Supp. 10-1009, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2021, in addition to the other purposes for which expenditures may be made by the department of administration from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2021, as authorized by this or other appropriation act of the 2020 regular session of the legislature, expenditures shall be made from such moneys for fiscal year 2021 for the secretary

of administration, in consultation with the Kansas development finance authority, to ensure that the maximum stated rate of interest that may be fixed on fixed-rate or variable-rate bonds issued by a municipality or taxing subdivision of the state of Kansas shall be determined on the day the bonds are sold and shall not exceed the daily yield for the 10-year treasury bonds published by the bond buyer in New York, New York, on the Monday next preceding the day on which the bonds are sold, plus: (a) 6%, if the interest on the bonds is excluded from gross income for federal income tax purposes; or (b) 7%, if the interest on the bonds is included in the gross income for federal income tax purposes.

Sec. 126. During the fiscal years ending June 30, 2020, and June 30, 2021, no state agency shall expend any moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal years 2020 and 2021 as authorized by chapter 68 of the 2019 Session Laws of Kansas, this or any other appropriation act of the 2020 regular session of the legislature to expand eligibility for the receipt of medical assistance benefits under title XIX of the social security act, commonly known as medicaid, 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 such expansion by an act of the legislature.

Sec. 127.

STATE FINANCE COUNCIL

(a) On the effective date of this act, of the \$21,960,192 appropriated for the above agency for the fiscal year ending June 30, 2020, by section 132(a) of chapter 68 of the 2019 Session Laws of Kansas from the state general fund in the state employee pay increase account, the sum of \$230,948 is hereby lapsed.

(b) On the effective date of this act, of the \$206,866 appropriated for the above agency for the fiscal year ending June 30, 2020, by section 132(b) of chapter 68 of the 2019 Session Laws of Kansas from the state economic development initiatives fund in the state employee pay increase account, the sum of \$17,438 is hereby lapsed.

(c) On the effective date of this act, the \$3,036,261 appropriated for the above agency for the fiscal year ending June 30, 2020, by section 133(a) of chapter 68 of the 2019 Session Laws of Kansas from the state general fund in the Kansas juvenile correctional complex – facilities renovations account is hereby lapsed.

(d) On the effective date of this act, of the \$10,950,000 appropriated for the above agency for the fiscal year ending June 30, 2020, by section 133(a) of chapter 68 of the 2019 Session Laws of Kansas from the state general fund in the department of corrections outsourcing male offenders account, the sum of \$6,570,000 is hereby lapsed.

Sec. 128.

STATE FINANCE COUNCIL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, 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:

Coronavirus prevention fund.....No limit

Provided, That all moneys in the coronavirus prevention fund shall be used for the purposes of coronavirus treatment and prevention in the state of Kansas: *Provided further*, That the state finance council is hereby authorized to approve the disbursement and expenditure of moneys from the coronavirus prevention fund for such purposes: *And provided further*, That the state finance council acting on such matter is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto.

Sec. 129. (a) During the fiscal year ending June 30, 2021, 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 2021 by this or other appropriation act of the 2020 regular session of the legislature, expenditures shall be made by the state board of regents from such moneys, for and on behalf of the university of Kansas, to sell and convey all of the rights, title and interest, subject to all easements and appurtenances, in the following described real estate located in Douglas county, Kansas: Hillcrest Third Addition Lot 23 also 36-12-19 beginning at point on Cl Warren St (now 9th St) produced from city of Lawrence 15 chs 84 lks W of E bndry of NW 1/4 36-12-19th S08.5degW 5 chs 5 lks th E 2 chs 38 lks th N 5 chs th W 1 ch 62 lks to point beginning 1a (u09706 & u10483 combined 1992).

(b) Conveyance of such rights, title and interest in such real estate shall be executed in the name of the state board of regents by its chairperson and executive officer. All proceeds from the sale and conveyance thereof shall be deposited in the restricted fees account of the university of Kansas.

(c) No conveyance of real estate authorized by this section shall be made or accepted by the state board of regents until the deeds, titles and conveyances have been reviewed and approved by the attorney general. In the event that the state board of regents determines that the legal description of the real estate described in this section is incorrect, the state board of regents may convey the property utilizing the correct legal description, but the deed conveying the property shall be subject to the approval of the attorney general. The conveyance authorized by this section shall not be subject to the provisions of K.S.A. 75-6609, and amendments thereto.

Sec. 130.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, for the capital improvement project or projects specified, the following:

Rehabilitation and repair for
state facilities (173-00-1000-8500).....\$3,450,000

Provided, That any unencumbered balance in the rehabilitation and repair for state facilities account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

National bio and agro-defense facility –
debt service (173-00-1000-0460).....\$23,410,439
Restructuring debt service (173-00-1000-0450)\$1,119,618
John Redmond reservoir debt service (173-00-1000-0461)\$1,671,000
University of Kansas medical education building
debt service (173-00-1000-0462)\$1,862,500
Debt service refunding – 2015A (173-00-1000-0463)\$24,477,050
Debt service refunding – 2016H (173-00-1000-0464)\$6,288,750
Debt service refunding – 2019F/G (173-00-1000)\$3,814,629

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Veterans memorial fund (173-00-7253-7250) No limit
State facilities gift fund (173-00-7263-7290)..... No limit
Master lease program fund (173-00-8732)..... No limit
State buildings depreciation fund (173-00-6149-4500) No limit
Executive mansion gifts fund (173-00-7257-7270) No limit
Topeka state hospital cemetery memorial
gift fund (173-00-7337-7240)..... No limit
Capitol area plaza authority
planning fund (173-00-7121-7035)..... No limit

Provided, That the secretary of administration may accept gifts, donations and grants of money, including payments from local units of city and county government, for the development of a new master plan for the capitol plaza and the state zoning area described in K.S.A. 75-3619, and amendments thereto: *Provided further*, That all such gifts, donations and grants shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the capitol area plaza authority planning fund.

Statehouse debt service – state
highway fund (173-00-2861-2861)..... No limit

Provided, That on September 1, 2020, and February 1, 2021, or as soon thereafter each such 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 \$5,685,374 from the state highway fund of the department of transportation to the statehouse debt service – state highway fund of the department of administration.

Debt service refunding – 2019F/G –

state highway fund (173-00).....No limit

Provided, That on September 1, 2020, and February 1, 2021, or as soon thereafter each such 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 \$1,654,961 from the state highway fund of the department of transportation to the debt service refunding – 2019F/G – state highway fund of the department of administration.

(c) In addition to the other purposes for which expenditures may be made by the above agency from the building and ground fund for fiscal year 2021, expenditures may be made by the above agency from the following capital improvement account or accounts of the building and ground fund (173-00-2028) for fiscal year 2021 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Parking improvements and repair (173-00-2028-2085).....No limit

(d) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings depreciation fund (173-00-6149) for fiscal year 2021, 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 2021 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

State of Kansas facilities projects –

debt service (173-00-6149-4520).....No limit

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the state buildings depreciation fund for fiscal year 2021.

(e) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings operating fund (173-00-6148) for fiscal year 2021, 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 2021 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Eisenhower building purchase and renovation –
debt service (173-00-6148-4610) No limit

(f) In addition to the other purposes for which expenditures may be made by the above agency from the building and ground fund (173-00-2028), the state buildings depreciation fund (173-00-6149), and the state buildings operating fund (173-00-6148) for fiscal year 2021, expenditures may be made by the above agency from each such special revenue fund for fiscal year 2021 from the unencumbered balance as of June 30, 2020, in each existing capital improvement account of each such special revenue fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2020: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on each such special revenue fund for fiscal year 2021 and shall be in addition to any other expenditure limitation imposed on any such account of each such special revenue fund for fiscal year 2021.

Sec. 131.

DEPARTMENT OF COMMERCE

(a) In addition to the other purposes for which expenditures may be made by the above agency from the reimbursement and recovery fund (300-00-2275) for fiscal year 2021, 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 2021, for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Debt service – 1430 Topeka facilities (300-00-2275-2297)\$134,553
Rehabilitation and repair (300-00-2275-2410)..... No limit

(b) In addition to the other purposes for which expenditures may be made by the above agency from the Wagner Peyser employment services – federal fund (300-00-3275) for fiscal year 2021, 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 2021, for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair (300-00-3275-3272)..... No limit

Sec. 132.

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, 2021, 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 (331-00-2887-2800) No limit

Sec. 133.

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, 2021, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects (039-00-8100-8240).....\$8,454,142

Provided, That the secretary for aging and disability services is hereby authorized to transfer moneys during fiscal year 2021 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 2021 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 (039-00-8100-8320)\$3,846,900
Debt service – state hospitals rehabilitation and repair (039-00-8100-8325)\$2,585,450
Larned state hospital – city of Larned wastewater treatment (410-00-8100-8300)\$129,620

Provided, That notwithstanding the provisions of K.S.A. 76-6b05, and amendments thereto, expenditures may be made by the above agency from the Larned state hospital – city of Larned wastewater treatment account of the state institutions building fund for payment of Larned state hospital’s portion of the city of Larned’s wastewater treatment system.

Larned state hospital isaac ray doors\$250,000
Osawatomie state hospital – certified beds\$500,000
EMR infrastructure fund\$2,771,500

Provided, That, notwithstanding the provisions of K.S.A. 76-6b05, and amendments thereto, or any other statute, in addition to other purposes for which expenditures may be made by the above agency from the EMR infrastructure account of the state institutions building fund during fiscal year 2021, expenditures may be made from such account for the emergency medical records information technology project.

Sec. 134.

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, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Employment security administration property
sale fund (296-00-3336-3110) No limit

Provided, That the secretary of labor is hereby authorized to make expenditures from the employment security administration property sale fund during fiscal year 2021 for the unemployment insurance program: *Provided, however*, That no expenditures shall be made from this fund for the proposed purchase or other acquisition of additional real estate to provide space for the unemployment insurance program of the department of labor until such proposed purchase or other acquisition, including the preliminary plans and program statement for any capital improvement project that is proposed to be initiated and completed by or for the department of labor have been reviewed by the joint committee on state building construction.

(b) In addition to the other purposes for which expenditures may be made by the department of labor from moneys appropriated from any special revenue fund or funds for fiscal year 2021 as authorized by this or other appropriation act of the 2020 regular session of the legislature, expenditures may be made by the department of labor for fiscal year 2021 from the moneys appropriated from any special revenue fund for the expenses of the sale, exchange or other disposition conveying title for any portion or all of the real estate of the department of labor: *Provided*, That such expenditures may be made and such sale, exchange or other disposition conveying title for any portion or all of the real estate of the department of labor may be executed or otherwise effectuated only upon specific authorization by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, and acting after receiving the recommendations of the joint committee on state building construction: *Provided, however*, That no such sale, exchange or other disposition conveying title for any portion of the real estate of the department of labor shall be executed until the proposed sale, exchange or other disposition conveying title for such real estate has been reviewed by the joint committee on state building construction: *Provided further*, That the net proceeds from the sale of any of the real estate of the department of labor shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the employment security administration

property sale fund of the department of labor: *And provided further*, That expenditures from the employment security administration property sale fund shall not exceed the limitation established for fiscal year 2021 by this or other appropriation act of the 2020 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 (296-00-2120) for fiscal year 2021, expenditures may be made by the above agency from the special employment security fund for fiscal year 2021 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 (296-00-2120-2020) for fiscal year 2021 for such capital improvement purposes shall not exceed \$178,224; *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 2021.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the workmen's compensation fee fund (296-00-2124) for fiscal year 2021, expenditures may be made by the above agency from the workmen's compensation fee fund for fiscal year 2021 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 (296-00-2124-2227) for fiscal year 2021 for such capital improvement purposes shall not exceed \$95,966; and (2) payment of rehabilitation and repair projects; *Provided*, That expenditures from the workmen's compensation fee fund (296-00-2124-2228) for fiscal year 2021 for such capital improvement purposes shall not exceed \$885,000.

Sec. 135.

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, 2021, for the capital improvement project or projects specified, the following:

Veterans cemetery program rehabilitation and
repair projects (694-00-1000-0904)\$80,884

Provided, That any unencumbered balance in the veterans cemetery program rehabilitation and repair projects account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

(b) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2021, for the capital improvement project or projects specified, the following:

Soldiers' home rehabilitation and repair projects (694-00-8100-7100)	\$645,220
Veterans' home rehabilitation and repair projects (694-00-8100-8250)	\$602,750

Sec. 136.

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, 2021, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects (604-00-8100-8108)	\$431,508
Security system upgrade project (604-00-8100-8130)	\$280,035
Campus boilers and HVAC upgrades (604-00-8100-8145)	\$228,900

Sec. 137.

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, 2021, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects (610-00-8100-8108)	\$400,250
Campus boilers and HVAC upgrades (610-00-8100-8145)	\$529,200
Campus life safety and security (610-00-8100-8130)	\$303,900

Sec. 138.

STATE HISTORICAL SOCIETY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

Rehabilitation and repair projects (288-00-1000-8088)	\$900,000
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Provided, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

(b) In addition to the other purposes for which expenditures may be made by the above agency from the private gifts, grants and bequests fund (288-00-7302) for fiscal year 2021, 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 2021 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair projects	No limit
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Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the private gifts, grants and bequests fund for fiscal year 2021.

(c) In addition to the other purposes for which expenditures may be made by the above agency from the historical preservation grant in aid

fund (288-00-3089) for fiscal year 2021, expenditures may be made by the above agency from the following capital improvement account or accounts of the historical preservation grant in aid fund for fiscal year 2021 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair projectsNo limit
Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the historical preservation grant in aid fund for fiscal year 2021.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the private gifts, grants and bequests fund, historic properties fee fund, state historical facilities fund, save America's treasures fund, historical society capital improvement fund, law enforcement memorial fund and historical preservation grant in aid fund for fiscal year 2021, expenditures may be made by the above agency from each such special revenue fund for fiscal year 2021 from the unencumbered balance as of June 30, 2020, in each existing capital improvement account of each such special revenue fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2020: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on each such special revenue fund for fiscal year 2021 and shall be in addition to any other expenditure limitation imposed on any such account of each such special revenue fund for fiscal year 2021.

Sec. 139.

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, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Memorial union project –
debt service 2010J (379-00-5161-5040).....No limit
Student recreation center project – debt service
refunding 2017D (379-00-2526-2040)No limit
Student housing projects – debt service
refunding 2017D (379-00-5169-5050)No limit
Twin towers housing project – debt service
refunding 2017D (379-00-5120-5030)No limit
Parking maintenance projects (379-00-5186-5060).....No limit
Rehabilitation and repairs projects (379-00-2526-2040)No limit
Deferred maintenance projects (379-00-2485-2485)No limit

(b) During the fiscal year ending June 30, 2021, 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 2020 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, 2019.

Sec. 140.

FORT HAYS STATE UNIVERSITY

(a) 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, 2020, as authorized by chapter 68 of the 2019 Session Laws of Kansas, this or other appropriation act of the 2020 regular session of the legislature, expenditures may be made by the above agency from any special revenue fund or funds during fiscal year 2020 for the following capital improvement project or projects:

Akers boiler replacement..... No limit

Sec. 141.

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, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Lewis field renovation – debt service
 refunding 2016B (246-00-5150-5180)..... No limit
 Memorial union renovation – debt service
 refunding 2016B (246-00-5102-5010)..... No limit
 Energy conservation – debt service (246-00-2035-2000) No limit
 Wiest hall replacement –
 debt service 2016B (246-00-5103-5020) No limit
 Deferred maintenance projects (246-00-2483-2483) No limit
 Forsyth library renovation (246-00-2510-2040)..... No limit
 South campus drive project (246-00-2035-2000)..... No limit
 Rarick hall renovation (246-00-2035-2000)..... No limit
 Student union rehabilitation and
 repair projects (246-00-5102-5010)..... No limit
 Rehabilitation and repair projects (246-00-2035-2000)..... No limit

Rehabilitation and repair projects (246-00-2510-2040).....No limit
Student housing rehabilitation and
repair projects (246-00-5103-5020).....No limit
Parking maintenance projects (246-00-5185-5050).....No limit

(b) During the fiscal year ending June 30, 2021, 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 2020 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, 2019.

(c) In addition to the other purposes for which expenditures may be made by Fort Hays state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2021 as authorized by this or other appropriation act of the 2020 regular session of the legislature, expenditures may be made by Fort Hays state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2021, 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 and equip an addition to the memorial union on the campus of Fort Hays state university: *Provided*, That such capital improvement project is hereby approved for Fort Hays 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 Fort Hays state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$15,250,000 plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project, credit enhancement costs and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement project shall be financed by appropriations from any appropriate special revenue fund or

funds: *And provided further*, That any such bonds and interest thereon shall be an obligation only of the Kansas development finance authority, shall not constitute a debt of the state of Kansas within the meaning of section 6 or 7 of article 11 of the constitution of the state of Kansas and shall not pledge the full faith and credit or the taxing power of the state of Kansas: *And provided further*, That Fort Hays state university shall make provisions for the maintenance of the memorial union addition.

(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 during the fiscal year ending June 30, 2021, as authorized by this or other appropriation act of the 2020 regular session of the legislature, expenditures may be made by the above agency from any special revenue fund or funds during fiscal year 2021 for a capital improvement project to construct an addition to the memorial union.

Sec. 142.

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, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Energy conservation projects –	
debt service 2003J1, 2010U1/2,	
2012F/H, 2017B (367-00-2062-2000)	No limit
Research initiative debt service	
2005H, 2012H (367-00-2901-2106)	No limit
Chiller plant project –	
debt service 2015B (367-00-2062-2000)	No limit
Engineering complex project –	
debt service 2014D1 (367-00-2154-2154)	No limit
Recreation complex project –	
debt service 2010G1/2 (367-00-2520-2080)	No limit
Student union renovation project – debt service	
refunding 2016A (367-00-2520-2080)	No limit
Electrical upgrade project –	
debt service 2017E (367-00-2520-2080)	No limit
Salina student life center project – debt service	
2008D (367-00-5111-5101)	No limit
Childcare development center project – debt service	
refunding 2019C (367-00-5125-5101)	No limit
Jardine housing project – debt service	
refunding 2019C (367-00-5163-4500)	No limit
Wefald dining and residence hall project –	
debt service 2014D (367-00-5163-4500)	No limit

Student union parking – debt service	
refunding 2016A (367-00-5181-4630)	No limit
Seaton hall renovation –	
debt service 2016A (367-00-2520-2080)	No limit
Chemical landfill – debt service	
refunding 2019C (367-00-2901-2160)	No limit
Jardine housing project – debt service	
2005A, 2007A (367-00-5163-4500)	No limit
Derby dining center project – debt	
service 2019C (367-00-5163-4500)	No limit
Capital lease – debt service (367-00-2062-2000)	No limit
Capital lease – debt service (367-00-2520-2080)	No limit
Deferred maintenance projects (367-00-2484-2484)	No limit
Parking maintenance projects (367-00-5181-4638)	No limit
Campus infrastructure	
HVAC projects (367-00-2484-2484)	No limit
Willard hall renovation (367-00-2520-2080)	No limit

(b) During the fiscal year ending June 30, 2021, 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 2020 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, 2019.

Sec. 143.

KANSAS STATE UNIVERSITY EXTENSION SYSTEMS
AND AGRICULTURE RESEARCH PROGRAMS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Capital lease – debt service (369-00-2697-1100)	No limit
Capital lease – debt service (369-00-2921-1200)	No limit

Sec. 144.

KANSAS STATE UNIVERSITY
VETERINARY MEDICAL CENTER

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, all

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

Capital lease – debt service (368-00-5160-5300) No limit

Sec. 145.

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, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Student housing and building renovations –

debt service 2014A1 (385-00-5106-5105) No limit

Overman student center and student housing – debt service

refunding 2014A2 (385-00-2820-2820) No limit

Deferred maintenance projects (385-00-2486-2486) No limit

Student health center –

debt service 2009G (385-00-2828-2851) No limit

Overman student center project (385-00-2820-2820) No limit

Rehabilitation and repair projects (385-00-2833-2831) No limit

Housing maintenance projects (385-00-5645-5160) No limit

Parking maintenance projects (385-00-5187-5060) No limit

Energy conservation projects – debt

service 2011D/D3, 2015M No limit

Student housing project – debt

service 2011D2 (385-00-2833-2830) No limit

Student housing projects – debt

service 2009H1/2 (385-00-5165-5050) No limit

Student housing projects – debt

service 2011D1 (385-00-5646-5160) No limit

Parking facility – debt service 2009J1/2 (385-00-5187-5060) No limit

Tyler scientific research center – debt

service 2015K (385-00-2903-2903) No limit

(b) During the fiscal year ending June 30, 2021, 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 2020 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, 2019.

Sec. 146.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

GPS hall renovation – debt service 2011C (682-00-5142-5050).....	No limit
Student housing projects – debt service 2010A (682-00-5142-5050).....	No limit
Templinger/Hashinger hall renovation – debt service refunding 2014C (682-00-5142-5050).....	No limit
Engineering facility – debt service 2013G1 (682-00-2545-2080)	No limit
Engineering facility – debt service 2013G1 (682-00-2153-2153)	No limit
Student recreation center – debt service 2017A refunding (682-00-2864-2860).....	No limit
Parking facility – debt service 2017A refunding (682-00-5175-5070).....	No limit
McCollum hall parking – debt service 2014C (682-00-5142-5050).....	No limit
McCollum hall parking – debt service 2014C (682-00-5175-5070)	No limit
Energy conservation projects – debt service 2010B (682-00-2107-2000)	No limit
Energy conservation projects – debt service (682-00-2545-2080)	No limit
Earth, energy and environment center – debt service 2017A (682-00-2545-2080)	No limit
Corbin hall project 2017A (682-00-5142-5050)	No limit
Parking maintenance projects (682-00-5175-5070).....	No limit
Student housing maintenance projects (682-00-5621-5110).....	No limit
Rehabilitation and repair projects (682-00-2107-2000).....	No limit
Kansas law enforcement training center projects (682-00-2133-2020)	No limit
Deferred maintenance projects (682-00-2487-2487)	No limit

(b) During the fiscal year ending June 30, 2021, 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 2020 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, 2019.

Sec. 147.

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, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Health education building –	
debt service 2017A (683-00-2108-2500)	No limit
Energy conservation –	
debt service 2012D2.2 (683-00-2108-2500)	No limit
Hemenway research initiative –	
debt service 2012D2.1 (683-00-2907-2800)	No limit
Parking garage 3 – debt service 2014C (683-00-5176-5550)	No limit
Parking garage 4 –	
debt service 2010K1/2 (683-00-5176-5550)	No limit
Parking garage 5 – debt service 2016C (683-00-5176-5550)	No limit
Deferred maintenance projects (683-00-2488-2488)	No limit
Rehabilitation and repair projects (683-00)	No limit
Parking maintenance projects (683-00-5176-5550)	No limit

(b) During the fiscal year ending June 30, 2021, 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 2020 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, 2019.

Sec. 148.

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, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Energy conservation – debt service (715-00-2112-2000)	No limit
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Rhatigan student center –	
debt service 2012A1 (715-00-2558-2030)	No limit
Engineering research lab – debt	
service 2005D/2003C (715-00-2558-2030)	No limit
Shocker residence hall –	
debt service 2013F (715-00-5100-5250)	No limit
Parking garage – debt service 2016J (715-00-5148-5000)	No limit
Fairmont towers – debt	
service 2012A2 (715-00-5620-5670)	No limit
Innovation campus – school of business	
debt service (715-00-2112-2000)	No limit
Deferred maintenance projects (715-00-2489-2489)	No limit
NIAR building improvement (715-00-2558-2030)	No limit
Shocker hall improvements (715-00-5100-5250)	No limit
Parking maintenance projects (715-00-5159-5040)	No limit

(b) During the fiscal year ending June 30, 2021, 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 2020 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, 2019.

(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, 2021, as authorized by this or other appropriation act of the 2020 regular session of the legislature, expenditures may be made by the above agency from any special revenue fund or funds during fiscal year 2021 for a capital improvement project for the new school of business building on the innovation campus.

(d) In addition to the other purposes for which expenditures may be made by Wichita state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2021 as authorized by this or other appropriation act of the 2020 regular session of the legislature, expenditures may be made by Wichita state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2021, 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 purchase the student housing units commonly known as the flats and the suites on the campus of Wichita state university: *Provided*, That such capital improvement project is hereby approved for Wichita state university for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Wichita state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$49,000,000 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 the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided, however*, That the state board of regents shall approve such capital improvement project prior to any action by Wichita state university to purchase such property: *And provided further*, That debt service for any such bonds for such capital improvement project shall be financed by appropriations from any appropriate special revenue fund or funds: *And provided further*, That any such bonds and interest thereon shall be an obligation only of the Kansas development finance authority, shall not constitute a debt of the state of Kansas within the meaning of section 6 or 7 of article 11 of the constitution of the state of Kansas and shall not pledge the full faith and credit or the taxing power of the state of Kansas: *And provided further*, That Wichita state university shall make provisions for the maintenance of the flats and the suites.

Sec. 149.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas educational building fund.....No limit

Provided, That the state board of regents is hereby authorized to transfer moneys from the Kansas educational building fund to an account or accounts of the Kansas educational building fund of any institution under the control and supervision of the state board of regents to be expended by the institution for projects, including planning 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 Kansas educational building fund: *And provided further*, That the state board of regents shall transmit a copy of each such certification to the director of the budget and to the director of legislative research: *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 2021.

Sec. 150.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 2021, for the capital improvement project or projects specified, the following:

Capital improvements – rehabilitation and repair of
correctional institutions (521-00-8600-8240)\$5,782,000

Provided, That the secretary of corrections is hereby authorized to transfer moneys during fiscal year 2021 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 2021 by the institution or facility for capital improvement projects and for security improvement projects including acquisition of security equipment.

(b) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2021, for the capital improvement project or projects specified, the following:

Capital improvements – rehabilitation and repair of juvenile
correctional facilities (521-00-8100-8000)..... \$500,000

Provided, That the secretary of corrections is hereby authorized to transfer moneys during fiscal year 2021 from the capital improvements – rehabilitation and repair account of the state institutions building fund to any account or accounts of the state institutions building fund of any juvenile correctional facility or institution under the general supervision and management of the secretary of corrections to be expended during fiscal year 2021 for capital improvement projects approved by the secretary: *Provided further*, That the secretary of corrections shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Correctional facility infrastructure project (521-00-2834)No limit

(d) In addition to the other purposes for which expenditures may be made by the department of corrections from moneys appropriated from the correctional institutions building fund for fiscal year 2021 as authorized by this or other appropriation act of the 2020 regular session of the legislature, expenditures may be made by the department of corrections from moneys appropriated from the correctional institutions building fund for fiscal year 2021 to raze building 41, building 42, building 43 and the staff development building at El Dorado correctional facility.

Sec. 151.

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, 2021, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects (083-00-1000-0100).....\$100,000

Provided, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

KBI lab – debt service (083-00-1000-0820)\$4,322,925

Sec. 152.

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 2021, expenditures may be made by the above agency from the highway patrol training center fund for fiscal year 2021 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair – training center –

Salina (280-00-2306-2004)No limit

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the highway patrol training center fund for fiscal year 2021.

(b) In addition to the other purposes for which expenditures may be made from the vehicle identification number fee fund for fiscal year 2021, expenditures may be made by the above agency from the vehicle iden-

tification number fee fund for fiscal year 2021 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Training academy rehabilitation
and repair (280-00-2213-2401) No limit

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the vehicle identification number fee fund for fiscal year 2021.

(c) In addition to the other purposes for which expenditures may be made from the Kansas highway patrol operations fund for fiscal year 2021, expenditures may be made by the above agency from the Kansas highway patrol operations fund for fiscal year 2021 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Scale replacement and rehabilitation and
repair of buildings (280-00-2034-1115).....\$407,915

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 2021.

(d) On July 1, 2020, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$407,135 from the state highway fund of the department of transportation to the Kansas highway patrol operations fund (280-00-2034-1115). In addition to the other purposes for which expenditures may be made from the state highway fund during fiscal year 2021 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 2021 for support and maintenance of the Kansas highway patrol.

(e) In addition to the other purposes for which expenditures may be made by the above agency from the KHP federal forfeiture – federal fund for fiscal year 2021, expenditures may be made by the above agency from the following account or accounts of the KHP federal forfeiture – federal fund for fiscal year 2021 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Training academy rehabilitation
and repair (280-00-3545-3548) No limit
Troop F storage building (280-00-3545-3545) No limit
KHP federal forfeiture – new construction\$1,502,400

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the KHP federal forfeiture – federal fund for fiscal year 2021.

Sec. 153.

ADJUTANT GENERAL

(a) There is hereby appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, for the capital improvement project or projects specified, the following:

Debt service – rehabilitation and repair of the
statewide armories (034-00-1000-8010).....\$266,275
Rehabilitation and repair projects (034-00-1000-8000).....\$666,431

Provided, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021.

Deferred maintenance.....\$1,000,000

Sec. 154.

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, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State fair capital improvements fund (373-00-2533-2500).....No limit

(b) On or before the 10th day of each month during the fiscal year ending June 30, 2021, 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, 2021, for the capital improvement project or projects specified, the following:

State fair debt service (373-00-1000-0700).....\$850,500

Sec. 155.

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, 2021, the following:

Debt service – Kansas City district office (710-00-1900-1960).....\$10,603

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Department access road fund (710-00-2178-2760) No limit
Provided, That, in addition to the other purposes for which expenditures may be made by the above agency from the department access road fund, expenditures may be made from this fund for road improvement projects administered by the department of transportation in state parks and on public lands.

Bridge maintenance fund (710-00-2045-2070) No limit
Office of the secretary building fund No limit

(c) On July 1, 2020, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$3,402,545 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, 2020, 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 2021, 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 2021 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Agricultural land capital improvement No limit
Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the state agricultural production fund for fiscal year 2021.

(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 2021, expenditures may be made by the above agency from the following capital improvement account or accounts of the parks fee fund for fiscal year 2021 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Parks rehabilitation and repair projects (710-00-2122-2066) \$1,205,000
Debt service – Kansas City district office (710-00-2122-2058) \$29,694

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 2021.

(g) In addition to the other purposes for which expenditures may be made by the above agency from the boating fee fund for fiscal year 2021, expenditures may be made by the above agency from the following capital

improvement account or accounts of the boating fee fund for fiscal year 2021 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Debt service – Kansas City district office (710-00-2245-2805)	\$18,659
Coast guard boating projects (710-00-2245-2840)	\$75,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the boating fee fund for fiscal year 2021.

(h) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife fee fund for fiscal year 2021, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife fee fund during fiscal year 2021 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Shooting range development (710-00-2300-2301)	\$300,000
Land acquisition (710-00-2300-3040)	\$400,000
Federally mandated boating access (710-00-2300-4360)	\$241,750
Debt service – Kansas City office (710-00-2300-2885)	\$110,738
Rehabilitation and repair (710-00-2300-3262)	\$2,420,725
State fishing lake projects (710-00-2300-4320)	\$62,525

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 2021.

(i) In addition to the other purposes for which expenditures may be made by the above agency from the cabin revenue fund for fiscal year 2021, expenditures may be made by the above agency from the following capital improvement account or accounts of the cabin revenue fund for fiscal year 2021 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Cabin site preparation (710-00-2668-2670)	\$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 2021.

(j) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife restoration fund for fiscal year 2021, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife restoration fund for fiscal year 2021 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Wetlands acquisition and development (710-00-3418-3420)	\$0
Rehabilitation and repair (710-00-3418-3422)	\$3,840,000

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 2021.

(k) 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 2021, 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 2021 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair (710-00-3490-3491).....\$1,920,500

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 2021.

(l) 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 2021, 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 2021 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Wetlands acquisition (710-00-2600-3330).....\$387,500

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 2021.

(m) 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 2021, 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 2021 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Land and water conservation
development (710-00-3794-3794)\$840,000

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 2021.

(n) 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 2021, expenditures may be made by the above agency from the following capital improvement account or accounts of the recre-

ational trails program fund for fiscal year 2021 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Recreational trails program (710-00-3238-3238).....\$700,000

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 2021.

(o) 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 2021, 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 2021 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

FLW-AG land capital improvements.....\$42,500

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 2021.

(p) In addition to the other purposes for which expenditures may be made by the above agency from the other federal grants fund for fiscal year 2021, expenditures may be made by the above agency from the following capital improvement account or accounts of the other federal grants fund for fiscal year 2021 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Other federal grants (710-00-3846).....\$45,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the other federal grants fund for fiscal year 2021.

(q) In addition to the other purposes for which expenditures may be made by the above agency from the boating safety and financial assistance fund for fiscal year 2021, expenditures may be made by the above agency from the following capital improvement account or accounts of the boating safety and financial assistance fund for fiscal year 2021 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Coast guard boating projects (710-00-3251-3251).....No limit

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the boating safety and financial assistance fund for fiscal year 2021.

(r) In addition to the other purposes for which expenditures may be made by the above agency from the parks fee fund, boating fee fund,

boating safety and financial assistance fund, wildlife fee fund, wildlife conservation fund, cabin revenue fund, wildlife restoration fund, sport fish restoration program fund, migratory waterfowl propagation and protection fund, nongame wildlife improvement fund, plant and animal disease and pest control fund, land and water conservation fund – local, outdoor recreation acquisition, development and planning fund, recreational trails program fund, federally licensed wildlife areas fund, department of wildlife and parks gifts and donations fund, highway planning/construction fund, state wildlife grants fund, disaster grants – public assistance, non-federal grants fund, bridge maintenance fund, state agricultural production fund, department access road fund, navigation projects fund, other federal grants fund and recreation resource management fund for fiscal year 2021, expenditures may be made by the above agency from each such special revenue fund for fiscal year 2021 from the unencumbered balance as of June 30, 2020, in each existing capital improvement account of each such special revenue fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2020: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on each such special revenue fund for fiscal year 2021 and shall be in addition to any other expenditure limitation imposed on any such account of each such special revenue fund for fiscal year 2021.

Sec. 156. K.S.A. 2019 Supp. 2-223 is hereby amended to read as follows: 2-223. (a) There is hereby established in the state treasury the state fair capital improvements fund. All expenditures of moneys in the state fair capital improvements fund shall be used for the payment of capital improvements and maintenance for the state fairgrounds and the payment of capital improvement obligations that have been financed. Capital improvement projects for the Kansas state fairgrounds are hereby approved for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute.

(b) 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 for the fiscal year ending June 30, ~~2020~~ 2021, notwithstanding the other provisions of this section, on March 1, ~~2020~~ 2021, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer from the state fair fee fund to the state fair capital

improvements fund the amount equal to the greater of \$300,000 or the amount equal to 5% of the total gross receipts during fiscal year ~~2020~~ 2021 from state fair activities and non-fair days activities through March 1, ~~2020~~ 2021, except that, subject to approval by the director of the budget prior to March 1, ~~2020~~ 2021, 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, ~~2020~~ 2021, the state fair board may certify an amount on March 1, ~~2020~~ 2021, 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, ~~2020~~ 2021, 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 ~~2020~~ 2021. Upon receipt of any such certification, the director of accounts and reports shall transfer moneys from the state fair fee fund to the state fair capital improvements fund in accordance with such certification.

Sec. 157. K.S.A. 2019 Supp. 12-1775a is hereby amended to read as follows: 12-1775a. (a) Prior to December 31, 1996, the governing body of each city that, pursuant to K.S.A. 12-1771, and amendments thereto, has established a redevelopment district prior to July 1, 1996, shall certify to the director of accounts and reports the amount equal to the amount of revenue realized from ad valorem taxes imposed pursuant to K.S.A. 72-5142, and amendments thereto, within such redevelopment district. Except as provided further, to February 1, 1997, and annually on that date thereafter, the governing body of each such city shall certify to the director of accounts and reports an amount equal to the amount by which revenues realized from such ad valorem taxes imposed in such redevelopment district are estimated to be reduced for the ensuing calendar year due to legislative changes in the statewide school finance formula. Prior to March 1 of each year, the director of accounts and reports shall certify to the state treasurer each amount certified by the governing bodies of cities under this section for the ensuing calendar year and shall transfer from the state general fund to the city tax increment financing revenue replacement fund the aggregate of all amounts so certified. Prior to April 15 of each year, the state treasurer shall pay from the city tax increment financing revenue replacement fund to each city certifying an amount to the director of accounts and reports under this section for the ensuing

calendar year the amount so certified. During fiscal years ~~2019, 2020 and, 2021 and 2022~~, no moneys shall be transferred from the state general fund to the city tax increment financing revenue replacement fund pursuant to this subsection.

(b) There is hereby created the tax increment financing revenue replacement fund, which shall be administered by the state treasurer. All expenditures from the tax increment financing revenue replacement fund shall be made in accordance with appropriations acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state treasurer or a person or persons designated by the state treasurer.

Sec. 158. K.S.A. 2019 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. 2019 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, 2018~~, July 1, 2019, ~~and July 1, 2020~~, and July 1, 2021, the director of accounts and reports shall transfer \$2,000,000 from the state economic development initiatives fund to the state housing trust fund established by K.S.A. 74-8959, and amendments thereto.

(2) Notwithstanding the provisions of K.S.A. 74-8959, and amendments thereto, to the contrary, during ~~fiscal year 2019~~, fiscal year 2020, ~~and fiscal year 2021 and fiscal year 2022~~, 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 13, 2020~~, January 11, 2021, ~~and January 10, 2022~~, and January 9, 2023, 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. 159. K.S.A. 2019 Supp. 55-193 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, ~~2021~~ 2022, 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 ~~2019~~ 2020, state fiscal year ~~2020~~ 2021, or state fiscal year ~~2021~~ 2022.

Sec. 160. K.S.A. 65-180 is hereby amended to read as follows: 65-180. The secretary of health and environment shall:

(a) Institute and carry on an intensive educational program among physicians, hospitals, public health nurses and the public concerning congenital hypothyroidism, galactosemia, phenylketonuria and other genetic diseases detectable with the same specimen. This educational program shall include information about the nature of such conditions and examinations for the detection thereof in early infancy in order that measures may be taken to prevent intellectual disability or morbidity resulting from such conditions.

(b) Provide recognized screening tests for phenylketonuria, galactosemia, hypothyroidism and such other diseases as may be appropriately detected with the same specimen. The initial laboratory screening tests for these diseases shall be performed by the department of health and environment or its designee for all infants born in the state. Such services shall be performed without charge.

(c) Provide a follow-up program by providing test results and other information to identified physicians; locate infants with abnormal newborn screening test results; with parental consent, monitor infants to assure appropriate testing to either confirm or not confirm the disease suggested by the screening test results; with parental consent, monitor therapy and treatment for infants with confirmed diagnosis of congenital hypothyroidism, galactosemia, phenylketonuria or other genetic diseases being screened under this statute; and establish ongoing education and support activities for individuals with confirmed diagnosis of congenital hypothyroidism, galactosemia, phenylketonuria and other genetic diseases being screened under this statute and for the families of such individuals.

(d) Maintain a registry of cases including information of importance for the purpose of follow-up services to prevent intellectual disability or morbidity.

(e) Provide, within the limits of appropriations available therefor, the necessary treatment product for diagnosed cases for as long as medically indicated, when the product is not available through other state agencies. In addition to diagnosed cases under this section, diagnosed cases of maple syrup urine disease shall be included as a diagnosed case under this subsection. Where the applicable income of the person or persons who have legal responsibility for the diagnosed individual meets medicaid eligibility, such individuals' needs shall be covered under the medicaid state plan. Where the applicable income of the person or persons who have legal responsibility for the diagnosed individual is not medicaid eligible, but is below 300% of the federal poverty level established under the most recent poverty guidelines issued by the United States department of health and human services, the department of health and environment

shall provide reimbursement of between 50% to 100% of the product cost in accordance with rules and regulations adopted by the secretary of health and environment. Where the applicable income of the person or persons who have legal responsibility for the diagnosed individual exceeds 300% of the federal poverty level established under the most recent poverty guidelines issued by the United States department of health and human services, the department of health and environment shall provide reimbursement of an amount not to exceed 50% of the product cost in accordance with rules and regulations adopted by the secretary of health and environment.

(f) Provide state assistance to an applicant pursuant to subsection (e) only after it has been shown that the applicant has exhausted all benefits from private third-party payers, medicare, medicaid and other government assistance programs and after consideration of the applicant's income and assets. The secretary of health and environment shall adopt rules and regulations establishing standards for determining eligibility for state assistance under this section.

(g) (1) Except for treatment products provided under subsection (e), if the medically necessary food treatment product for diagnosed cases must be purchased, the purchaser shall be reimbursed by the department of health and environment for costs incurred up to \$1,500 per year per diagnosed child age 18 or younger at 100% of the product cost upon submission of a receipt of purchase identifying the company from which the product was purchased. For a purchaser to be eligible for reimbursement under this subsection, the applicable income of the person or persons who have legal responsibility for the diagnosed child shall not exceed 300% of the poverty level established under the most recent poverty guidelines issued by the federal department of health and human services.

(2) As an option to reimbursement authorized under subsection (g) (1), the department of health and environment may purchase food treatment products for distribution to diagnosed children in an amount not to exceed \$1,500 per year per diagnosed child age 18 or younger. For a diagnosed child to be eligible for the distribution of food treatment products under this subsection, the applicable income of the person or persons who have legal responsibility for the diagnosed child shall not exceed 300% of the poverty level established under the most recent poverty guidelines issued by the federal department of health and human services.

(3) In addition to diagnosed cases under this section, diagnosed cases of maple syrup urine disease shall be included as a diagnosed case under this subsection.

(h) The department of health and environment shall continue to receive orders for both necessary treatment products and necessary food treatment products, purchase such products, and shall deliver the prod-

ucts to an address prescribed by the diagnosed individual. The department of health and environment shall bill the person or persons who have legal responsibility for the diagnosed patient for a pro-rata share of the total costs, in accordance with the rules and regulations adopted pursuant to this section.

(i) The secretary of health and environment shall adopt rules and regulations as needed to require, to the extent of available funding, newborn screening tests to screen for treatable disorders listed in the core uniform panel of newborn screening conditions recommended in the 2005 report by the American college of medical genetics entitled “Newborn Screening: Toward a Uniform Screening Panel and System” or another report determined by the department of health and environment to provide more appropriate newborn screening guidelines to protect the health and welfare of newborns for treatable disorders.

(j) In performing the duties under subsection (i), the secretary of health and environment shall appoint an advisory council to advise the department of health and environment on implementation of subsection (i).

(k) The department of health and environment shall periodically review the newborn screening program to determine the efficacy and cost effectiveness of the program and determine whether adjustments to the program are necessary to protect the health and welfare of newborns and to maximize the number of newborn screenings that may be conducted with the funding available for the screening program.

(l) There is hereby established in the state treasury the Kansas newborn screening fund that shall be administered by the secretary of health and environment. All expenditures from the fund shall be for the newborn screening program. All expenditures from the fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of health and environment or the secretary’s designee. On July 1 of each year, the director of accounts and reports shall determine the amount credited to the medical assistance fee fund pursuant to K.S.A. 40-3213, and amendments thereto, and shall transfer the estimated portion of such amount that is necessary to fund the newborn screening program for the ensuing fiscal year as certified by the secretary of health and environment or the secretary’s designee to the Kansas newborn screening fund, ~~except that~~. Such amount shall not exceed \$2,500,000 in any one fiscal year, *except that such amount shall not exceed \$5,000,000 in fiscal year 2021.*

Sec. 161. K.S.A. 2019 Supp. 74-50,107 is hereby amended to read as follows: 74-50,107. (a) Commencing July 1, ~~2018~~ 2019, and on the first day of each month thereafter during ~~fiscal year 2019~~, fiscal year 2020, ~~and~~ fiscal year 2021 *and fiscal year 2022*, the secretary of revenue shall

apply a rate of 2% to that portion of moneys withheld from the wages of individuals and collected under the Kansas withholding and declaration of estimated tax act, K.S.A. 79-3294 et seq., and amendments thereto. The amount so determined shall be credited on a monthly basis as follows: (1) An amount necessary to meet obligations of the debt services for the IMPACT program repayment fund; and (2) an amount to the IMPACT program services fund as needed for program administration; and (3) any remaining amounts to the job creation program fund created pursuant to K.S.A. 74-50,224, and amendments thereto. During ~~fiscal year 2019, fiscal year 2020, and~~ fiscal year 2021 *and fiscal year 2022*, the aggregate amount that is credited to the job creation program fund pursuant to this subsection shall not exceed \$3,500,000 for each such fiscal year.

(b) Commencing July 1, ~~2021~~ 2022, and on an annual basis thereafter, the secretary of revenue shall estimate the amount equal to the amount of net savings realized from the elimination, modification or limitation of any credit, deduction or program pursuant to the provisions of this act as compared to the expense deduction provided for in K.S.A. 79-32,143a, and amendments thereto. Whereupon such amount of savings in accordance with appropriation acts shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount to the credit of the job creation program fund created pursuant to K.S.A. 74-50,224, and amendments thereto. In addition, such other amount or amounts of money may be transferred from the state general fund or any other fund or funds in the state treasury to the job creation program fund in accordance with appropriation acts.

Sec. 162. K.S.A. 2019 Supp. 74-99b34 is hereby amended to read as follows: 74-99b34. (a) The bioscience development and investment fund is hereby created. The bioscience development and investment fund shall not be a part of the state treasury and the funds in the bioscience development and investment fund shall belong exclusively to the authority.

(b) Distributions from the bioscience development and investment fund shall be for the exclusive benefit of the authority, under the control of the board and used to fulfill the purpose, powers and duties of the authority pursuant to the provisions of K.S.A. 74-99b01 et seq., and amendments thereto.

(c) The secretary of revenue and the authority shall establish the base year taxation for all bioscience companies and state universities. The secretary of revenue, the authority and the board of regents shall establish the number of bioscience employees associated with state universities and report annually and determine the increase from the taxation base annually. The secretary of revenue and the authority may consider any verifiable evidence, including, but not limited to, the NAICS code assigned or

recorded by the department of labor for companies with employees in Kansas, when determining which companies should be classified as bioscience companies.

(d) (1) Except as provided in subsection (h), for a period of 15 years from the effective date of this act, the state treasurer shall pay annually 95% of withholding above the base, as certified by the secretary of revenue, upon Kansas wages paid by bioscience employees to the bioscience development and investment fund. Such payments shall be reconciled annually. On or before the 10th day of each month, the director of accounts and reports shall transfer from the state general fund to the bioscience development and investment fund interest earnings based on:

(A) The average daily balance of moneys in the bioscience development and investment fund for the preceding month; and

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

(2) There is hereby established in the state treasury the center of innovation for biomaterials in orthopaedic research – Wichita state university fund, which shall be administered by Wichita state university. All moneys credited to the fund shall be used for research and development. All expenditures from the center of innovation for biomaterials in orthopaedic research – Wichita state university fund shall be made in accordance with appropriation acts and upon warrants of the director of accounts and reports issued pursuant to expenditures approved by the president of Wichita state university or by the person or persons designated by the president of Wichita state university.

(3) There is hereby established in the state treasury the national bio agro-defense facility fund, which shall be administered by Kansas state university in accordance with the strategic plan adopted by the governor's national bio agro-defense facility steering committee. All moneys credited to the fund shall be used in accordance with the governor's national bio agro-defense facility steering committee's plan with the approval of the president of Kansas state university. All expenditures from the national bio agro-defense facility fund shall be made in accordance with appropriation acts and upon warrants of the director of accounts and reports issued pursuant to expenditures approved by the steering committee and the president of Kansas state university or by the person or persons designated by the president of Kansas state university.

(e) The cumulative amounts of funds paid by the state treasurer to the bioscience development and investment fund shall not exceed \$581,800,000.

(f) The division of post audit is hereby authorized to conduct a post audit in accordance with the provisions of the legislative post audit act, K.S.A. 46-1106 et seq., and amendments thereto.

(g) At the direction of the authority, the fund may be held in the custody of and invested by the state treasurer, provided that the bioscience development and investment fund shall at all times be accounted for in a separate report from all other funds of the authority and the state.

(h) During fiscal years ~~2019, 2020 and~~ 2021 *and* 2022, no moneys shall be transferred from the state general fund to the bioscience development and investment fund pursuant to subsection (d)(1).

Sec. 163. K.S.A. 75-2263 is hereby amended to read as follows: 75-2263. (a) Subject to the provisions of subsection (j), the board of trustees is responsible for the management and investment of that portion of state moneys available for investment by the pooled money investment board that is certified by the state treasurer to the board of trustees as being equivalent to the aggregate net amount received for unclaimed property and shall discharge the board's duties with respect to such moneys solely in the interests of the state general fund and shall invest and reinvest such moneys and acquire, retain, manage, including the exercise of any voting rights and disposal of investments of such moneys within the limitations and according to the powers, duties and purposes as prescribed by this section.

(b) Moneys specified in subsection (a) shall be invested and reinvested to achieve the investment objective, which is preservation of such moneys and accordingly providing that the moneys are as productive as possible, subject to the standards set forth in this section. No such moneys shall be invested or reinvested if the sole or primary investment objective is for economic development or social purposes or objectives.

(c) In investing and reinvesting moneys specified in subsection (a) and in acquiring, retaining, managing and disposing of investments of the moneys, the board of trustees shall exercise the judgment, care, skill, prudence and diligence under the circumstances then prevailing, which persons of prudence, discretion and intelligence acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of like character and with like aims by diversifying the investments of the moneys so as to minimize the risk of large losses, unless under the circumstances it is clearly prudent not to do so, and not in regard to speculation but in regard to the permanent disposition of similar moneys, considering the probable income as well as the probable safety of their capital.

(d) In the discharge of such management and investment responsibilities the board of trustees may contract for the services of one or more professional investment advisors or other consultants in the management and investment of such moneys and otherwise in the performance of the duties of the board of trustees under this section.

(e) The board of trustees shall require that each person contracted with under subsection (d) to provide services shall obtain commercial in-

surance that provides for errors and omissions coverage for such person in an amount to be specified by the board of trustees. The amount of such coverage specified by the board of trustees shall be at least the greater of \$500,000 or 1% of the funds entrusted to such person up to a maximum of \$10,000,000. The board of trustees shall require a person contracted with under subsection (d) to provide services to give a fidelity bond in a penal sum as may be fixed by law or, if not so fixed, as may be fixed by the board of trustees, with corporate surety authorized to do business in this state. Such persons contracted with the board of trustees pursuant to subsection (d) and any persons contracted with such persons to perform the functions specified in subsection (b) shall be deemed to be fiduciary agents of the board of trustees in the performance of contractual obligations.

(f) (1) Subject to the objective set forth in subsection (b) and the standards set forth in subsection (c), the board of trustees shall formulate and adopt policies and objectives for the investment and reinvestment of such moneys and the acquisition, retention, management and disposition of investments of the moneys. Such policies and objectives shall be in writing and shall include:

- (A) Specific asset allocation standards and objectives;
- (B) establishment of criteria for evaluating the risk versus the potential return on a particular investment; and
- (C) a requirement that all investment advisors, and any managers or others with similar duties and responsibilities as investment advisors, shall immediately report all instances of default on investments to the board of trustees and provide such board of trustees with recommendations and options, including, but not limited to, curing the default or withdrawal from the investment.

(2) The board of trustees shall review such policies and objectives, make changes considered necessary or desirable and readopt such policies and objectives on an annual basis.

(g) Except as provided in subsection (d) and this subsection, the custody of such moneys shall remain in the custody of the state treasurer, except that the board of trustees may arrange for the custody of such moneys as it considers advisable with one or more member banks or trust companies of the federal reserve system or with one or more banks in the state of Kansas, or both, to be held in safekeeping by the banks or trust companies for the collection of the principal and interest or other income or of the proceeds of sale. All such moneys shall be considered moneys in the state treasury for purposes of K.S.A. 75-6704, and amendments thereto.

(h) All interest or other income of the investments of the moneys invested under this section, after payment of any management fees, shall be deposited in the state treasury to the credit of the state general fund.

(i) ~~Subject to the provisions of subsection (j),~~ The state treasurer shall certify to the board of trustees a portion of state moneys available for investment by the pooled money investment board that is equivalent to the aggregate net amount received for unclaimed property. The state treasurer shall transfer the amount certified to the board of trustees. During fiscal years ~~2019, 2020 and, 2021 and 2022,~~ the state treasurer shall not certify or transfer any state moneys available for investment pursuant to this subsection.

(j) ~~(1) During fiscal year 2017, the board of trustees shall liquidate all investments and reinvestments of state moneys certified by the state treasurer to the board of trustees pursuant to subsection (a).~~

~~(2) Upon receiving any such amounts from any such liquidation, the state treasurer shall remit the entire amount 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 and credit any earnings from the liquidation to the state general fund and credit the principal that had been invested and reinvested to the pooled money investment portfolio.~~

~~(k)~~ As used in this section:

(1) “Board of trustees” means the board of trustees of the Kansas public employees retirement system established by K.S.A. 74-4905, and amendments thereto.

(2) “Fiduciary” means a person who, with respect to the moneys invested under this section:

(A) Exercises any discretionary authority with respect to administration of the moneys;

(B) exercises any authority to invest or manage such moneys or has any authority or responsibility to do so;

(C) provides investment advice for a fee or other direct or indirect compensation with respect to such moneys or has any authority or responsibility to do so;

(D) provides actuarial, accounting, auditing, consulting, legal or other professional services for a fee or other direct or indirect compensation with respect to such moneys or has any authority or responsibility to do so; or

(E) is a member of the board of trustees or of the staff of the board of trustees.

Sec. 164. K.S.A. 75-6707 is hereby amended to read as follows: 75-6707. (a) For the fiscal years ending June 30, 2020, June 30, 2021, and June 30, 2022, the director of the budget, in consultation with the director of legislative research, shall certify, at the end of each such fiscal year, the amount of actual tax receipt revenues to the state general fund that is in excess of, or is less than, the amount of estimated tax receipt revenues

to the state general fund pursuant to the most recent joint estimate of revenue under K.S.A. 75-6701, and amendments thereto, for such fiscal year, and shall transmit such certification to the director of accounts and reports.

(b) Upon receipt of such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer 50% of such certified excess amount from the state general fund as follows:

(1) — for the fiscal years ending June 30, 2020, ~~and June 30, 2021:~~

(A) ~~50%, and June 30, 2022,~~ to the budget stabilization fund established by K.S.A. 75-6706, and amendments thereto; ~~and~~

(B) ~~50% to the pooled money investment portfolio pursuant to K.S.A. 75-4209(m)(2) and (m)(4), and amendments thereto, to pay in full or in part the amounts to be transferred. Any moneys transferred to the pooled money investment portfolio pursuant to this section shall be credited to the final payment to be made in fiscal year 2021, and each next preceding fiscal year thereafter as moneys are available; and~~

(2) ~~for the fiscal year ending June 30, 2022:~~

(A) ~~50% to the budget stabilization fund; and~~

(B) ~~50% to the Kansas public employees retirement fund to be applied to the payment, in full or in part, of the unfunded actuarial pension liability as directed by the Kansas public employees retirement system.~~

(c) If the amount of actual tax receipt revenues to the state general fund is less than the amount of estimated tax receipt revenues to the state general fund, then no transfers shall be made pursuant to this section.

Sec. 165. K.S.A. 76-775 is hereby amended to read as follows: 76-775.

(a) Subject to the other provisions of this act, on the first day of the first state fiscal year commencing after receiving a certification of receipt of a qualifying gift under K.S.A. 76-774, and amendments thereto, the director of accounts and reports shall transfer from the state general fund the amount determined by the director of accounts and reports to be the earnings equivalent award for such qualifying gift for the period of time between the date of certification of the qualifying gift and the first day of the ensuing state fiscal year to either: (1) The endowed professorship account of the faculty of distinction matching fund of the eligible educational institution, in the case of a certification of a qualifying gift to an eligible educational institution that is a state educational institution; or (2) the faculty of distinction program fund of the state board of regents, in the case of a certification of a qualifying gift to an eligible institution that is not a state educational institution. Subject to the other provisions of this act, on each July 1 thereafter, the director of accounts and reports shall make such transfer from the state general fund of the earnings equivalent award for such qualifying gift for the period of the preceding state fiscal year. All transfers made in accordance with the provisions of this subsec-

tion shall be considered demand transfers from the state general fund, except that all such transfers during the fiscal years ending ~~June 30, 2019~~, June 30, 2020, ~~and~~ June 30, 2021, *and June 30, 2022*, shall be considered to be revenue transfers from the state general fund.

(b) There is hereby established in the state treasury the faculty of distinction program fund, which shall be administered by the state board of regents. All moneys transferred under this section to the faculty of distinction program fund of the state board of regents shall be paid to eligible educational institutions that are not state educational institutions for earnings equivalent awards for qualifying gifts to such eligible educational institutions. The state board of regents shall pay from the faculty of distinction program fund the amount of each such transfer to the eligible educational institution for the earnings equivalent award for which such transfer was made under this section.

(c) The earnings equivalent award for an endowed professorship shall be determined by the director of accounts and reports and shall be the amount of interest earnings that the amount of the qualifying gift certified by the state board of regents would have earned at the average net earnings rate of the pooled money investment board portfolio for the period for which the determination is being made.

(d) The total amount of new qualifying gifts that may be certified to the director of accounts and reports under this act during any state fiscal year for all eligible educational institutions shall not exceed \$30,000,000. The total amount of new qualifying gifts that may be certified to the director of accounts and reports under this act during any state fiscal year for any individual eligible educational institution shall not exceed \$10,000,000. No additional qualifying gifts shall be certified by the state board of regents under this act when the total of all transfers from the state general fund for earnings equivalent awards for qualifying gifts pursuant to this section, and amendments thereto, for a fiscal year is equal to or greater than \$8,000,000 in fiscal year 2011 and in each fiscal year thereafter.

Sec. 166. K.S.A. 76-7,107 is hereby amended to read as follows: 76-7,107. (a) (1) On July 1, 2008, or as soon thereafter as sufficient moneys are available, \$7,000,000 shall be transferred by the director of accounts and reports from the state general fund to the infrastructure maintenance fund established by K.S.A. 76-7,104, and amendments thereto.

(2) No moneys shall be transferred by the director of accounts and reports from the state general fund to the infrastructure maintenance fund established by K.S.A. 76-7,104, and amendments thereto, during the fiscal years ending ~~June 30, 2019~~, June 30, 2020, ~~and~~ June 30, 2021, *and June 30, 2022*, 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. 167. K.S.A. 79-2959 is hereby amended to read as follows: 79-2959. (a) There is hereby created the local ad valorem tax reduction fund. All moneys transferred or credited to such fund under the provisions of this act or any other law shall be apportioned and distributed in the manner provided herein.

(b) On January 15 and on July 15 of each year, the director of accounts and reports shall make transfers in equal amounts that in the aggregate equal 3.63% of the total retail sales and compensating taxes credited to the state general fund pursuant to articles 36 and 37 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, during the preceding calendar year from the state general fund to the local ad valorem tax reduction fund, except that: (1) No moneys shall be transferred from the state general fund to the local ad valorem tax reduction fund during state fiscal years ~~2019, 2020 and 2021~~; and (2) the amount of the transfer on each such date shall be \$27,000,000 during fiscal year 2022 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 2022 shall be considered to be revenue transfers from the state general fund.~~

(c) The state treasurer shall apportion and pay the amounts transferred under subsection (b) to the several county treasurers on January 15 and on July 15 in each year as follows: (1) 65% of the amount to be distributed shall be apportioned on the basis of the population figures of the counties certified to the secretary of state pursuant to K.S.A. 11-201, and amendments thereto, on July 1 of the preceding year; and (2) 35% of such amount shall be apportioned on the basis of the equalized assessed tangible valuations on the tax rolls of the counties on November 1 of the preceding year as certified by the director of property valuation.

Sec. 168. K.S.A. 79-2964 is hereby amended to read as follows: 79-2964. There is hereby created the county and city revenue sharing fund. All moneys transferred or credited to such fund under the provisions of this act or any other law shall be allocated and distributed in the manner provided herein. The director of accounts and reports in each year on July 15 and December 10, shall make transfers in equal amounts that in the aggregate equal 2.823% of the total retail sales and compensating taxes credited to the state general fund pursuant to articles 36 and 37 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, during

the preceding calendar year from the state general fund to the county and city revenue sharing fund, except that no moneys shall be transferred from the state general fund to the county and city revenue sharing fund during state fiscal years ~~2019, 2020 and~~ 2021 *and* 2022. 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. 169. K.S.A. 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. 2019 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 2019, state fiscal year 2020, or state fiscal year 2021 or state fiscal year 2022~~; and (3) all transfers under this section shall be considered to be demand transfers from the state general fund.

Sec. 170. K.S.A. 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, 2019, June 30, 2020, or June 30, 2021, or June 30, 2022~~. On and after July 1, 2009, the unobligated balance in the Kansas retail dealer incentive fund shall not exceed \$1.5 million. If the unobligated balance of the fund exceeds \$1.1 million at the time of a quarterly transfer, the transfer shall be limited to the amount necessary for the fund to reach a total of \$1.5 million.

(b) There is hereby created in the state treasury the Kansas retail dealer incentive fund. All moneys in the Kansas retail dealer incentive fund shall be expended by the secretary of the department of revenue for the payment of incentives to Kansas retail dealers who sell and dispense renewable fuels or biodiesel through a motor fuel pump in accordance with the provisions of K.S.A. 79-34,170 through 79-34,175, and amendments thereto.

(c) All moneys remaining in the Kansas retail dealer incentive fund upon the expiration of K.S.A. 79-34,170 through 79-34,175, and amendments thereto, shall be credited by the state treasurer to the state general fund.

Sec. 171. K.S.A. 79-4804 is hereby amended to read as follows: 79-4804. (a) After the transfer of moneys pursuant to K.S.A. 79-4806, and amendments thereto, an amount equal to 85% of the balance of all moneys credited to the state gaming revenues fund shall be transferred and credited to the state economic development initiatives fund. Expenditures from the state economic development initiatives fund shall be made in accordance with appropriations acts for the financing of such programs supporting and enhancing the existing economic foundation of the state and fostering growth through the expansion of current, and the establishment and attraction of new, commercial and industrial enterprises as provided by this section and as may be authorized by law and not less than $\frac{1}{2}$ of such money shall be distributed equally among the congressional districts of the state. Except as provided by subsection (g), all moneys credited to the state economic development initiatives fund shall be credited within the fund, as provided by law, to an account or accounts of the fund, which are created by this section.

(b) There is hereby created the Kansas capital formation account in the state economic development initiatives fund. All moneys credited to the Kansas capital formation account shall be used to provide, encourage and implement capital development and formation in Kansas.

(c) There is hereby created the Kansas economic development research and development account in the state economic development initiatives fund. All moneys credited to the Kansas economic development research and development account shall be used to promote, encourage and implement research and development programs and activities in Kansas and technical assistance funded through state educational institutions under the supervision and control of the state board of regents or other Kansas colleges and universities.

(d) There is hereby created the Kansas economic development endowment account in the state economic development initiatives fund. All moneys credited to the Kansas economic development endowment account shall be accumulated and invested as provided in this section to provide an ongoing source of funds, which shall be used for economic development activities in Kansas, including, but not limited to, continuing appropriations or demand transfers for programs and projects, which shall include, but are not limited to, specific community infrastructure projects in Kansas that stimulate economic growth.

(e) Except as provided in subsection (f), the director of investments may invest and reinvest moneys credited to the state economic development initiatives fund in accordance with investment policies established by the pooled money investment board under K.S.A. 75-4232, and amendments thereto, in the pooled money investment portfolio. All moneys received as interest earned by the investment of the moneys credited

to the state economic development initiatives fund shall be deposited in the state treasury and credited to the Kansas economic development endowment account of such fund.

(f) Moneys credited to the Kansas economic development endowment account of the state economic development initiatives fund may be invested in government guaranteed loans and debentures as provided by law in addition to the investments authorized by subsection (e) or in lieu of such investments. All moneys received as interest earned by the investment under this subsection of the moneys credited to the Kansas economic development endowment account shall be deposited in the state treasury and credited to the Kansas economic development endowment account of the state economic development initiatives fund.

(g) Except as provided further, in each fiscal year, the director of accounts and reports shall make transfers in equal amounts on July 15 and January 15 that in the aggregate equal \$2,000,000 from the state economic development initiatives fund to the state water plan fund created by K.S.A. 82a-951, and amendments thereto. In ~~state fiscal year 2019, fiscal year 2020 and fiscal year 2021~~, the director of accounts and reports shall make transfers in equal amounts on July 15 and January 15 that in the aggregate equal \$500,000 from the state economic development initiatives fund to the state water plan fund. *In state fiscal year 2021, the director of accounts and reports shall make transfers in equal amounts on July 15 and January 15 that in the aggregate equal \$913,325 from the state economic development initiatives fund to the state water plan fund. In state fiscal year 2022, the director of accounts and reports shall make transfers in equal amounts on July 15 and January 15 that in the aggregate equal \$500,000 from the state economic development initiatives fund to the state water plan fund.* No other moneys credited to the state economic development initiatives fund shall be used for: (1) Water-related projects or programs, or related technical assistance; or (2) any other projects or programs, or related technical assistance that meet one or more of the long-range goals, objectives and considerations set forth in the state water resource planning act.

Sec. 172. K.S.A. 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. ~~During the fiscal year ending June 30, 2019, the transfer shall not exceed \$2,750,000. During the fiscal year ending June 30, 2020, the transfer shall not exceed \$4,005,632. During the fiscal year ending June 30, 2021, the transfer shall not exceed \$2,750,000.~~

Sec. 173. K.S.A. 65-180, 75-2263, 75-6707, 76-775, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,171, 79-4804 and 82a-953a and K.S.A.

2019 Supp. 2-223, 12-1775a, 12-5256, 55-193, 74-50,107 and 74-99b34 are hereby repealed.

Sec. 174. If any fund or account name described by words and the numerical accounting code that follows such fund or account name do not match, it shall be conclusively presumed that the legislature intended that the fund or account name described by words is the correct fund or account name, and such fund or account name described by words shall control over a contradictory or incorrect numerical accounting code.

Sec. 175. *Severability.* If any provision or clause of this act or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this act that can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

Sec. 176. *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. 177. *Savings.* (a) Any unencumbered balance as of June 30, 2020, in any special revenue fund, or account thereof, of any state agency named in this act that is not otherwise specifically appropriated or limited for fiscal year 2021 by this or any other appropriation act of the 2020 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 2021, for the same use and purpose as the same was heretofore appropriated.

(b) This section shall not apply to the expanded lottery act revenues fund, the state economic development initiatives fund, the children's initiatives fund, the state water plan fund, the Kansas endowment for youth fund, the Kansas educational building fund, the state institutions building fund, or the correctional institutions building fund, or to any account of any of such funds.

Sec. 178. During the fiscal year ending June 30, 2021, all moneys that are lawfully credited to and available in any bond special revenue fund and that are not otherwise specifically appropriated or limited by this or other appropriation act of the 2020 regular session of the legislature, are hereby appropriated for the fiscal year ending June 30, 2021, for the state agency for which the bond special revenue fund was established for the purposes authorized by law for expenditures from such bond special revenue fund. As used in this section, "bond special revenue fund" means any

special revenue fund or account thereof established in the state treasury prior to or on or after the effective date of this act for the deposit of the proceeds of bonds issued by the Kansas development finance authority, for the payment of debt service for bonds issued by the Kansas development finance authority, or for any related purpose in accordance with applicable bond covenants.

Sec. 179. *Federal grants.* (a) During the fiscal year ending June 30, 2021, each federal grant or other federal receipt that is received by a state agency named in this act and that is not otherwise appropriated to that state agency for fiscal year 2021 by this or other appropriation act of the 2020 regular session of the legislature, is hereby appropriated for fiscal year 2021, for that state agency for the purpose set forth in such federal grant or receipt, except that no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt that has not been previously appropriated or reappropriated or approved for expenditure by the governor, until the governor has authorized the state agency to make expenditures therefrom.

(b) In addition to the other purposes for which expenditures may be made by any state agency that is named in this act and that is not otherwise authorized by law to apply for and receive federal grants, expenditures may be made by such state agency from moneys appropriated for fiscal year 2021 by this act or any other appropriation act of the 2020 regular session of the legislature to apply for and receive federal grants during fiscal year 2021, which federal grants are hereby authorized to be applied for and received by such state agencies: *Provided*, That no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt that has not been previously appropriated or reappropriated or approved for expenditure by the governor, until the governor has authorized the state agency to make expenditures therefrom.

Sec. 180. (a) Any correctional institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2020 regular session of the legislature, and having an unencumbered balance as of June 30, 2020, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2021, for the same uses and purposes as originally appropriated unless specific provision is made for lapsing such appropriation.

(b) This subsection shall not apply to the unencumbered balance in any account of the correctional institutions building fund that was encumbered for any fiscal year commencing prior to July 1, 2019.

Sec. 181. (a) Any Kansas educational building fund appropriation heretofore appropriated to any institution named in this or other appro-

priation act of the 2020 regular session of the legislature and having an unencumbered balance as of June 30, 2020, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2021, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

(b) This subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund that was encumbered for any fiscal year commencing prior to July 1, 2019.

Sec. 182. (a) Any state institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2020 regular session of the legislature and having an unencumbered balance as of June 30, 2020, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2021, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

(b) This subsection shall not apply to the unencumbered balance in any account of the state institutions building fund that was encumbered for any fiscal year commencing prior to July 1, 2019.

Sec. 183. Any transfers of moneys during the fiscal year ending June 30, 2021, 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, 2021.

Sec. 184. This act shall take effect and be in force from and after its publication in the Kansas register.

Approved March 25, 2020.

Published in the *Kansas Register* March 27, 2020.

CHAPTER 6

HOUSE BILL No. 2595

AN ACT concerning state surplus property; eliminating a 30-day waiting period before sale thereof to the general public; amending K.S.A. 75-6602 and repealing the existing section.

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

Section 1. K.S.A. 75-6602 is hereby amended to read as follows: 75-6602. (a) Subject to such limitations as the secretary of administration may prescribe, the secretary of administration or the secretary's designee may dispose of surplus state property to individuals and entities eligible for participation in the federal surplus property program *and to the general public* by any of the following methods:

- (1) Sale at fixed prices;
- (2) ~~by~~ sale at negotiated prices; or
- (3) ~~by~~ advertised public auction or advertised sealed bids.

(b) ~~Subject to such limitations as the secretary of administration may prescribe, the secretary of administration or the secretary's designee may sell state surplus property to the general public by advertised public auction or advertised sealed bids or, if such property has been offered for a period of at least 30 days to individuals and entities eligible for participation in the federal surplus property program, may sell the property to the general public at fixed or negotiated prices.~~

(e)—All surplus state property shall be sold or otherwise disposed of within one year after the date ~~on which such~~ *that the* property becomes surplus. The secretary of administration may adopt rules and regulations to establish procedures for the timely disposal of state surplus property.

~~(d)~~(c) Subject to such limitations as the secretary of administration may prescribe, state agencies that have been given local disposal authorization for specified surplus property identified by state surplus property personnel as having a current value of \$500 or less may dispose of the property using any of the following methods:

(1) Sell such property to a junkyard, as defined by K.S.A. 68-2203, and amendments thereto;

(2) give such property to a not-for-profit organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986; or

(3) give such property to individuals or entities eligible for participation in the federal surplus property program.

Sec. 2. K.S.A. 75-6602 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.

CHAPTER 7

HOUSE BILL No. 2168

AN ACT concerning health provider assessments; relating to the hospital provider assessment and the quality care assessment; increasing the rate and expanding the base of the hospital provider assessment; amending membership on the healthcare access improvement panel; extending the quality care assessment; amending K.S.A. 65-6208, 65-6218 and 75-7435 and repealing the existing sections.

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

Section 1. K.S.A. 65-6208 is hereby amended to read as follows: 65-6208. (a) Subject to the provisions of K.S.A. 65-6209, and amendments thereto, an annual assessment on ~~inpatient~~ services is imposed on each hospital provider in an amount equal to ~~1.83%~~ 3% of each hospital's net inpatient *and outpatient* operating revenue for the hospital's fiscal year ~~2010 three years prior to the assessment year~~. In the event that a hospital does not have a complete ~~twelve-month~~ 2010 12-month fiscal year *in such third prior fiscal year*, the assessment under this section shall be \$200,000 until such date that such hospital has completed the hospital's first ~~twelve-month~~ 12-month fiscal year. Upon completing such first twelve-month fiscal year, such hospital's assessment under this section shall be the amount equal to ~~1.83%~~ 3% of such hospital's net operating revenue for such first completed ~~twelve-month~~ 12-month fiscal year.

(b) Nothing in this act shall be construed to authorize any home rule unit or other unit of local government to license for revenue or impose a tax or assessment upon hospital providers or a tax or assessment measured by the income or earnings of a hospital provider.

(c) (1) *The department of health and environment shall submit to the United States centers for medicare and medicaid services any approval request necessary to implement the amendments made to subsection (a) by this act. If the department has submitted such a request pursuant to section 80(1) of chapter 68 of the 2019 Session Laws of Kansas, then the department may continue such request, or modify such request to conform to the amendments made to subsection (a) by this act, to fulfill the requirements of this paragraph.*

(2) *The secretary of health and environment shall certify to the secretary of state the receipt of such approval and cause notice of such approval to be published in the Kansas register.*

(3) *The amendments made to subsection (a) by this act shall take effect on and after January 1 or July 1 immediately following such publication of such approval.*

Sec. 2. K.S.A. 65-6218 is hereby amended to read as follows: 65-6218.

(a) (1) Assessment revenues generated from the hospital provider assessments shall be disbursed as follows:

(1)(A) Not less than 80% of assessment revenues shall be disbursed to hospital providers through a combination of medicaid access improvement payments and increased medicaid rates on designated diagnostic related groupings, procedures or codes;

(2)(B) not more than 20% of assessment revenues shall be disbursed to providers who are persons licensed to practice medicine and surgery or dentistry through increased medicaid rates on designated procedures and codes; and

(3)(C) not more than 3.2% of hospital provider assessment revenues shall be used to fund healthcare access improvement programs in undergraduate, graduate or continuing medical education, including the medical student loan act.

~~(b) Assessment revenues generated from the health maintenance organization assessment shall be disbursed as follows:~~

~~(1) Not less than 53% of health maintenance organization assessment revenues shall be disbursed to health maintenance organizations that have a contract with the department through increased medicaid capitation payments;~~

~~(2) not more than 30% of health maintenance organization assessment revenues shall be disbursed to fund activities to increase access to dental care, primary care safety net clinics, increased medicaid rates on designated procedures and codes for providers who are persons licensed to practice dentistry, and home and community-based services;~~

~~(3) not more than 17% of health maintenance organization assessment revenues shall be disbursed to pharmacy providers through increased medicaid rates.~~

(2) *On July 1 of each year, the department of health and environment, with approval of the healthcare access improvement panel, shall make adjustments to the disbursement of moneys in accordance with this subsection to cause such disbursements to be paid solely from moneys appropriated from the healthcare access improvement fund. The healthcare access improvement fund shall not be supplemented by appropriations from the state general fund for the purpose of making disbursements under this subsection.*

(e)(b) For the purposes of administering and selecting the disbursements described in subsections (a) and (b) ~~of this section~~, the healthcare access improvement panel is hereby established. The panel shall consist of the following: Three members appointed by the Kansas hospital association, two members ~~who are persons licensed to practice medicine and surgery~~ appointed by the Kansas medical society, one member appointed by each health maintenance organization that has a medicaid managed care contract with the ~~Kansas department for aging and disability services~~ *of health and environment*, one member appointed by the *community*

care network of Kansas association for the medically underserved, one member appointed by the president of the senate, one member appointed by the speaker of the house of representatives, one member from the office of the medicaid inspector general appointed by the attorney general and one representative of the department of health and environment appointed by the governor. The panel shall meet as soon as possible subsequent to the effective date of this act and shall elect a chairperson from among the members appointed by the Kansas hospital association. A representative of the panel shall be required to make an annual report to the legislature regarding the collection and distribution of all funds received and distributed under this act, and such report shall include analysis demonstrating that disbursements made in accordance with subsection (a) are budget neutral to the state general fund.

(c) (1) The department of health and environment shall submit to the United States centers for medicare and medicaid services any approval request necessary to implement the amendments made to this section by this act. If the department has submitted such a request pursuant to section 80(l) of chapter 68 of the 2019 Session Laws of Kansas, then the department may continue such request, or modify such request to conform to the amendments made to subsections (a) and (b) by this act, to fulfill the requirements of this paragraph.

(2) The secretary of health and environment shall certify to the secretary of state the receipt of such approval and cause notice of such approval to be published in the Kansas register.

(3) The amendments made to subsections (a) and (b) by this act shall take effect on and after January 1 or July 1 immediately following such publication of such approval.

Sec. 3. K.S.A. 75-7435 is hereby amended to read as follows: 75-7435.

(a) As used in this section unless the context requires otherwise:

(1) Words and phrases have the meanings respectively ascribed thereto ~~to mean the same as defined~~ by K.S.A. 39-923, and amendments thereto.

(2) “Skilled nursing care facility” means a licensed nursing facility, nursing facility for mental health as defined in K.S.A. 39-923, and amendments thereto, or a hospital long-term care unit licensed by the department of health and environment, providing skilled nursing care, but shall not include the Kansas soldiers’ home or the Kansas veterans’ home.

(3) “Licensed bed” means those beds within a skilled nursing care facility ~~which~~ that the facility is licensed to operate.

(4) “Agent” means the Kansas department for aging and disability services.

(5) “Continuing care retirement facility” means a facility holding a certificate of registration issued by the commissioner of insurance pursuant to K.S.A. 40-2235, and amendments thereto.

(b) (1) Except as otherwise provided in this section ~~and in subsection (f)~~, there is hereby imposed and the secretary of health and environment shall assess an annual assessment per licensed bed, hereinafter called a quality care assessment, on each skilled nursing care facility. The assessment on all facilities in the aggregate shall be an amount fixed by rules and regulations of the secretary of health and environment, shall not exceed \$4,908 annually per licensed bed, shall be imposed as an amount per licensed bed and shall be imposed uniformly on all skilled nursing care facilities except that the assessment rate for skilled nursing care facilities that are part of a continuing care retirement facility, small skilled nursing care facilities and high medicaid volume skilled nursing care facilities shall not exceed $\frac{1}{6}$ of the actual amount assessed all other skilled nursing care facilities. No rules and regulations of the secretary of health and environment shall grant any exception to or exemption from the quality care assessment. The assessment shall be paid quarterly, with one fourth of the annual amount due by the 30th day after the end of the month of each calendar quarter. The secretary of health and environment is authorized to establish delayed payment schedules for skilled nursing care facilities ~~which~~ *that* are unable to make quarterly payments when due under this section due to financial difficulties, as determined by the secretary of health and environment. As used in this paragraph, the terms “small skilled nursing care facilities” and “high medicaid volume skilled nursing care facilities” shall ~~have the meanings ascribed thereto~~ *be defined* by the secretary of health and environment by rules and regulations, except that the definition of “small skilled nursing care facility” shall not be ~~lower~~ *fewer* than 40 beds.

(2) Beds licensed after July 1 each year shall pay a prorated amount of the applicable annual assessment so that the assessment applies only for the days such new beds are licensed. The proration shall be calculated by multiplying the applicable assessment by the percentage of days the beds are licensed during the year. Any change ~~which~~ *that* reduces the number of licensed beds in a facility shall not result in a refund being issued to the skilled nursing care facility.

(3) If an entity conducts, operates or maintains more than one licensed skilled nursing care facility, the entity shall pay the nursing facility assessment for each facility separately. No skilled nursing care facility shall create a separate line-item charge for the purpose of passing through the quality care assessment to residents. No skilled nursing care facility shall be guaranteed, expressly or otherwise, that any additional moneys paid to the facility under this section will equal or exceed the amount of its quality care assessment.

(4) The payment of the quality care assessment to the secretary of health and environment shall be an allowable cost for medicaid reim-

bursement purposes. A rate adjustment pursuant to subsection (d)(5) shall be made effective on the date of imposition of the assessment, to reimburse the portion of this cost imposed on medicaid days.

(5) The secretary of health and environment shall seek a waiver from the United States department of health and human services to allow the state to impose varying levels of assessments on skilled nursing care facilities based on specified criteria. It is the intent of the legislature that the waiver sought by the secretary of health and environment be structured to minimize the negative fiscal impact on certain classes of skilled nursing care facilities.

(c) Each skilled nursing care facility shall prepare and submit to the secretary of health and environment any additional information required and requested by the secretary of health and environment to implement or administer the provisions of this section. Each skilled nursing care facility shall prepare and submit quarterly to the secretary for aging and disability services the rate the facility charges to private pay residents, and the secretary shall cause this information to be posted on the web site of the department for aging and disability services.

(d)(1) There is hereby created in the state treasury the quality care fund, ~~which shall~~ to be administered by the secretary of health and environment. All moneys received for the assessments imposed pursuant to subsection (b), including any penalty assessments imposed thereon pursuant to subsection (e), shall be remitted to the state treasurer in accordance with 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 quality care fund. All expenditures from the quality care 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 agent.

(2) All moneys in the 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. No moneys credited to the quality care fund shall be transferred to or otherwise revert to the state general fund at any time. Notwithstanding the provisions of any other law to the contrary, if any moneys credited to the quality care fund are transferred or otherwise revert to the state general fund, 30 days following the transfer or reversion the quality care assessment shall terminate and the secretary of health and environment shall discontinue the imposition, assessment and collection of the assessment. Upon termination of the assessment, all collected assessment revenues, including the moneys inappropriately transferred or reverting to the state general fund, less any amounts expended by the secretary of health and environment, shall be returned on a pro rata basis to skilled nursing care facilities that paid the assessment.

(3) Any moneys received by the state of Kansas from the federal government as a result of federal financial participation in the state medicaid program that are derived from the quality care assessment shall be deposited in the quality care fund and used to finance actions to maintain or increase healthcare in skilled nursing care facilities.

(4) Moneys in the fund shall be used exclusively for the following purposes:

(A) To pay administrative expenses incurred by the secretary of health and environment or the agent in performing the activities authorized by this section, except that such expenses shall not exceed a total of 1% of the aggregate assessment funds collected pursuant to subsection (b) for the prior fiscal year;

(B) to increase nursing facility payments to fund covered services to medicaid beneficiaries within medicare upper payment limits, as may be negotiated;

(C) to reimburse the medicaid share of the quality care assessment as a pass-through medicaid allowable cost;

(D) to restore the medicaid rate reductions implemented January 1, 2010;

(E) to restore funding for fiscal year 2010, including rebasing and inflation to be applied to rates in fiscal year 2011; *and*

(F) the remaining amount, if any, shall be expended first to increase the direct health care costs center limitation up to 150% of the case mix adjusted median, and then, if there are remaining amounts, for other quality care enhancement of skilled nursing care facilities as approved by the quality care improvement panel but shall not be used directly or indirectly to replace existing state expenditures for payments to skilled nursing care facilities for providing services pursuant to the state medicaid program.

(5) Any moneys received by a skilled nursing care facility from the quality care fund shall not be expended by any skilled nursing care facility to provide for bonuses or profit-sharing for any officer, employee or parent corporation but may be used to pay to employees who are providing direct care to a resident of such facility.

(6) Adjustment payments may be paid quarterly or within the daily medicaid rate to reimburse covered medicaid expenditures in the aggregate within the upper payment limits.

(7) On or before the 10th day of each month, the director of accounts and reports shall transfer from the state general fund to the quality care fund interest earnings based on:

(A) The average daily balance of moneys in the quality care fund for the preceding month; and

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

(e) If a skilled nursing care facility fails to pay the full amount of the quality care assessment imposed pursuant to subsection (b), when due and payable, including any extensions of time granted under that subsection, the secretary of health and environment shall assess a penalty in the amount of the lesser of \$500 per day or 2% of the quality care assessment owed for each day the assessment is delinquent. The secretary of health and environment is authorized to establish delayed payment schedules for skilled nursing care facilities that are unable to make installment payments when due under this section because of financial difficulties, as determined by the secretary of health and environment.

(f) (1) The secretary of health and environment shall assess and collect quality care assessments imposed pursuant to subsection (b), including any penalty assessments imposed thereon pursuant to subsection (e), from skilled nursing care facilities on and after July 1, 2010, except that no assessments or penalties shall be assessed under subsections (a) through (h) until:

(A) An amendment to the state plan for medicaid, ~~which that~~ increases the rates of payments made to skilled nursing care facilities for providing services pursuant to the federal medicaid program and ~~which that~~ is proposed for approval for purposes of subsections (a) through (h) is approved by the federal government, in which case the initial assessment is due ~~no~~ not earlier than 60 days after state plan approval; and

(B) the skilled nursing care facilities have been compensated retroactively within 60 days after state plan approval at the increased rate for services provided pursuant to the federal medicaid program for the period commencing on and after July 1, 2010.

(2) The secretary of health and environment shall implement and administer the provisions of subsections (a) through (h) in a manner consistent with applicable federal medicaid laws and regulations. The secretary of health and environment shall seek any necessary approvals by the federal government that are required for the implementation of subsections (a) through (h).

(3) The provisions of subsections (a) through (h) shall be null and void and shall have no force and effect if one of the following occur:

(A) The medicaid plan amendment, ~~which that~~ increases the rates of payments made to skilled nursing care facilities for providing services pursuant to the federal medicaid program and ~~which that~~ is proposed for approval for purposes of subsections (a) through (h) is not approved by the ~~federal~~ United States centers for medicare and medicaid services;

(B) the rates of payments made to skilled nursing care facilities for providing services pursuant to the federal medicaid program are reduced below the rates calculated on December 31, 2009, increased by revenues in the quality care fund and matched by federal financial participation and rebasing as provided for in K.S.A. 75-5958, and amendments thereto;

(C) any funds are utilized to supplant funding for skilled nursing care facilities as required by subsection (g);

(D) any funds are diverted from those purposes set forth in subsection (d)(4); or

(E) upon the governor signing, or allowing to become law without signature, legislation ~~which that~~, by proviso or otherwise, directs any funds from those purposes set forth in subsection (d)(4) or ~~which that~~ would propose to suspend the operation of this section.

(g) On and after July 1, 2010, reimbursement rates for skilled nursing care facilities shall be restored to those in effect during December 2009. No funds generated by the assessments or federal funds generated therefrom shall be utilized for such restoration, but such funds may be used to restore the rate reduction in effect from January 1, 2010, to June 30, 2010.

(h) Rates of reimbursement shall not be limited by private pay charges.

(i) If the provisions of subsections (a) through (h) are repealed, expire or become null and void and have no further force and effect, all moneys in the quality care fund ~~which that~~ were paid under the provisions of subsections (a) through (h) shall be returned to the skilled nursing care facilities ~~which that~~ paid such moneys on the basis on which such payments were assessed and paid pursuant to subsections (a) through (h).

(j) The department of health and environment may adopt rules and regulations necessary to implement the provisions of this section.

(k) For purposes of administering and selecting the reimbursements of moneys in the quality care assessment fund, the quality care improvement panel is hereby established. The panel shall consist of the following members: Two persons appointed by leadingage Kansas; two persons appointed by the Kansas health care association; one person appointed by Kansas advocates for better care; one person appointed by the Kansas hospital association; one person appointed by the governor who is a member of the Kansas adult care executives association; one person appointed by the governor who is a skilled nursing care facility resident or the family member of such a resident; one person appointed by the Kansas foundation for medical care; one person appointed by the governor from the department for aging and disability services; one person appointed by the governor from the department of health and environment; one person appointed by the president of the senate who is affiliated with an organization representing and advocating the interests of retired persons in Kansas; and one person appointed by the speaker of the house of representatives who is a volunteer with the office of the state long-term care ombudsman established by the long-term care ombudsman act. The person appointed by the governor from the department for aging and disability services and the person appointed by the governor from the department

of health and environment shall be nonvoting members of the panel. The panel shall meet as soon as possible subsequent to the effective date of this act and shall elect a chairperson from among the members appointed by the trade organizations specified in this subsection. The members of the quality care improvement panel shall serve without compensation or expenses. The quality care improvement panel shall report annually on or before January 10 to the senate committees on public health and welfare and ways and means, the house committees on appropriations and health and human services and the Robert G. (Bob) Bethell joint committee on home and community based services and KanCare oversight concerning the progress to reduce the incidence of antipsychotic drug use in elders with dementia, participation in the nursing facility quality and efficiency outcome incentive factor, participation in the culture change and person-centered care incentive program, annual resident satisfaction ratings for Kansas skilled nursing care facilities and the activities of the panel during the preceding calendar year and any recommendations ~~which~~ *that* the panel may have concerning the administration of and expenditures from the quality care assessment fund.

(l) The provisions of this section shall expire on July 1, ~~2020~~ 2030.

Sec. 4. K.S.A. 65-6208, 65-6218 and 75-7435 are hereby repealed.

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

Approved April 2, 2020.

Published in the *Kansas Register* April 9, 2020.

CHAPTER 8

House Substitute for SENATE BILL No. 173

AN ACT concerning transportation; providing for the Eisenhower legacy transportation program; amending K.S.A. 68-416, 68-2315, 68-2316, 75-5035, 75-5048, 75-5061, 79-3603 and 79-3703 and repealing the existing sections.

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

New Section 1. (a) In order to plan, develop and operate or coordinate the development and operation of the various modes and systems of transportation within the state, the secretary of transportation is hereby authorized and directed to initiate the Eisenhower legacy transportation program.

(b) (1) The Eisenhower legacy transportation program shall provide for the construction, improvement, reconstruction and maintenance of the state highway system. The program shall provide for the selection of projects that will allow for the flexibility to meet emerging and economic needs. Program expenditures may include, but may not be limited to, the following:

(A) Preservation projects to efficiently maintain a state highway system in its original or improved condition and in a state of good repair. The secretary shall establish targets for the state highway system condition that reflect the reasonable, realistic expectations that have historically existed in providing a safe and efficient state highway system. The secretary shall utilize reasonable, sound and accepted methods to determine the annual preservation investment needed to achieve the state targets and provide optimum cost effectiveness in keeping the long-term state highway system condition meeting such targets. It is the intent of the legislature that the secretary, prior to completion of the transportation program, shall spend or encumber from the state highway fund preservation projects in an amount equal to or exceeding 10 times the determined average annual preservation investment. The secretary shall manage cash-flow and project lettings such that there is reasonable assurance that preservation projects shall be fully funded each year. Pursuant to this subparagraph, preservation projects refer to maintenance, repairs or replacement of existing infrastructure. Federal funding from federal grants or federal stimulus may be used for preservation projects;

(B) preservation plus projects to efficiently maintain a state highway system and include additional safety or technology elements, or both, in the preservation project. Such additional elements may include, but may not be limited to, adding paved shoulders, adding passing lanes, adding traffic signals, adding intelligent transportation system elements or laying broadband fiber or the conduit for broadband fiber. It is the intent of

the legislature that the secretary has the authority to enhance preservation plus projects with the addition of safety or technology improvements, or both. Federal funding from federal grants or federal stimulus may be used for preservation plus projects;

(C) expansion and economic opportunity projects, that include additions to the transportation system, or that improve access, relieve congestion and enhance economic development opportunities. The Kansas department of transportation shall develop and utilize criteria for the selection of expansion and economic opportunity projects. The selection criteria shall include, but shall not be limited to, engineering and traffic data, local consultation, geographic distribution and an economic impact analysis evaluation; and

(D) modernization projects that include improvements to the transportation system by widening lanes or shoulders, making geometric improvements, upgrading interchanges or building rail grade separations to improve the safety, condition or service of the highway system. The Kansas department of transportation shall develop and utilize criteria for the selection of modernization projects. The selection criteria shall include, but shall not be limited to, engineering data, local consultation and geographic distribution.

(2) The department of transportation shall develop criteria for the incorporation of practical improvements into designs of the projects specified in this subsection.

(c) Except as further provided, the Eisenhower legacy transportation program shall provide for the completion of modernization and expansion projects selected for construction under the transportation works for Kansas program pursuant to K.S.A. 68-2314b, and amendments thereto. Such projects shall be let prior to July 1, 2023. The secretary shall let to construction contract at least one phase of each remaining transportation works for Kansas program project before any new modernization or expansion project, or both, under the Eisenhower legacy transportation program are let to construction. A transportation works for Kansas program selected project in Harvey county generally described as an approximate one-mile reconstruction of the I-135 and 36th street interchange may not be constructed. If such project is not constructed, the estimated construction costs for such project shall be used on other construction projects in the Kansas department of transportation's south-central district.

(d) The Eisenhower legacy transportation program shall provide for assistance, including credit and credit enhancements, to cities and counties in meeting their responsibilities for the construction, improvement, reconstruction and maintenance of transportation improvements. Such programs may use criteria developed by the Kansas department of transportation for the incorporation of practical improvements into designs of

projects. Expenditures under this subsection may include, but may not be limited to, the following:

(1) Apportionment of the special city and county highway fund to assist cities and counties with their responsibilities for roads and bridges not on the state highway system;

(2) programs to share federal aid with cities and counties to assist with their responsibilities for roads and bridges not on the state highway system;

(3) programs to assist cities with the maintenance of city connecting links as specified in K.S.A. 68-416, and amendments thereto, and local partnership programs to resurface or geometrically improve city connecting links or to promote economic development;

(4) programs similar to the Kansas department of transportation's local bridge improvement program to aid local public authorities in replacing or repairing bridges not on the state highway system;

(5) programs to assist cities and counties with railroad crossings of roads not on the state highway system; or

(6) programs that allow local governments to exchange federal aid funds for state funds.

(e) The Eisenhower legacy transportation program shall provide for a railroad program to provide assistance in accordance with K.S.A. 75-5040 through 75-5050, and amendments thereto, for the preservation and revitalization of rail service in the state.

(f) The Eisenhower legacy transportation program shall provide for an aviation program to provide assistance for the planning, constructing, reconstructing or rehabilitating the facilities of public use general aviation airports, in accordance with K.S.A. 75-5061, and amendments thereto.

(g) The Eisenhower legacy transportation program shall provide for public transit programs to aid elderly persons, persons with disabilities and the general public, in accordance with K.S.A. 75-5032 through 75-5038 and 75-5051 through 75-5058, and amendments thereto.

(h) The Eisenhower legacy transportation program shall provide for a transportation technology program to provide for multimodal transportation-related projects that support innovative technology, in accordance with section 2, and amendments thereto.

(i) The Eisenhower legacy transportation program shall provide for a multimodal program to provide transportation improvement assistance for bike facilities, pedestrian facilities or other transportation-sensitive economic opportunities on a local or a regional basis.

(j) The Eisenhower legacy transportation program shall allow the secretary to award certain state highway system projects using alternative delivery procurement methods, other than an award of a design-bid-build, as provided for in section 4, and amendments thereto.

(k) The Eisenhower legacy transportation program shall provide for a broadband infrastructure construction program, in accordance with section 3, and amendments thereto.

(l) (1) State highway fund revenues that include, but are not limited to, motor fuel taxes, vehicle registrations, sales and compensating use taxes and eligible federal aid shall be used in the following order of priority:

- (A) To pay bond covenant obligations;
- (B) to pay for agency operations;
- (C) to make city connecting link payments authorized under K.S.A. 68-416, and amendments thereto; and
- (D) to pay for needed preservation projects as set forth in subsection (b)(1).

(2) Any such revenues not spent pursuant to subsection (l)(1)(A) through (D) may be used for other purposes and authority given to the secretary.

(3) All new bonds issued for the purposes of the Eisenhower legacy transportation program shall be paid using all state highway fund revenue, including revenue collected or received pursuant to K.S.A. 79-3620(c) and 79-3710(c), and amendments thereto.

(m) (1) The secretary shall, using the Kansas department of transportation selection methods and criteria, determine the projects to be selected for inclusion under the Eisenhower legacy transportation program. Consideration may be given to additional criteria that may include projects that:

- (A) Remove transportation infrastructure from the state highway system;
- (B) identify priority corridors;
- (C) include local monetary participation; or
- (D) reduce project size.

(2) (A) It is the intent of the legislature that the secretary shall develop a metric-driven process that determines a reasonable and fair minimum amount of state highway fund moneys to be spent on new modernization and expansion projects in each of the Kansas department of transportation's districts over the duration of the Eisenhower legacy transportation program.

(B) The process for determining the minimum amount of modernization and expansion project moneys shall be subject to the following:

(i) Adding together the minimum moneys set for each of the Kansas department of transportation's districts pursuant to paragraph (2)(A), the total shall be at least 50% of the estimated cost of constructing all modernization and expansion projects let to contract in the Eisenhower legacy transportation program.

(ii) If the estimated cost of constructing all modernization and expansion projects in the Eisenhower legacy transportation program increases

or decreases by more than 10%, then the minimum amount will be adjusted accordingly while still satisfying subparagraph (2)(B)(i).

(iii) For each of the Kansas department of transportation's districts, at least 40% of the minimum amounts determined in paragraph (2)(A), or adjusted amounts according to paragraph (2)(B)(ii), shall be let to construction contract by the end of year five of the Eisenhower legacy transportation program, and 100% of the minimum amounts determined in paragraph (2)(A), or adjusted amounts according to paragraph (2)(B)(ii), shall be let to construction contract by year 10 of the Eisenhower legacy transportation program.

(iv) Any modernization or expansion projects remaining from the transportation works for Kansas program pursuant to K.S.A. 68-2314b, and amendments thereto, shall not be considered when determining the minimum amounts in paragraph (2)(A) or (2)(B)(i).

(3) The secretary shall select projects for development every two years. The secretary shall select projects for construction every two years. The secretary is not required to construct every project selected for development. The selection of projects for development and construction shall take place every two years, after consultation with local jurisdictions.

(n) It is the intent of the legislature that the secretary take the actions necessary to have transportation improvement projects ready to let to construction as cash-flow management allows.

(o) The secretary, prior to June 30, 2030, shall develop a long-range transportation plan that examines, but is not limited to, transportation policy, project selection criteria and selection methods used in the Eisenhower legacy transportation program, transportation funding sources and Eisenhower legacy transportation program project categories. The long-range transportation plan shall make recommendations for a new transportation program for the state of Kansas. The long-range transportation plan shall be developed after consultation with the governor of the state of Kansas and state and local elected officials.

New Sec. 2. (a) The secretary of transportation is hereby authorized and empowered to participate in projects or make grants for projects, the purpose of which is the planning, assessment and fielding of new capabilities and innovative technology for all modes of transportation, including, but not limited to, aviation and highway transportation. Such new capabilities should represent increased efficiency for state operations, public cost savings, increased safety or economic development.

(b) There is hereby established in the state treasury the transportation technology development fund. All moneys credited to such fund shall be used to provide assistance with the planning, assessment and fielding of new capabilities for all modes of transportation, including, but not limited to, aviation and highway transportation. All expenditures from such fund

shall be made in accordance with the provisions of appropriation acts and upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary or the secretary's designee.

(c) Grants made by the secretary from the transportation technology development fund shall be made upon such terms and conditions as the secretary may deem appropriate, and such grants shall be made from funds credited to the transportation technology development fund.

(d) On July 1, 2020, and each July 1 thereafter through July 1, 2030, the director of accounts and reports shall transfer \$2,000,000 from the state highway fund to the transportation technology development fund. The secretary is hereby authorized to transfer additional moneys to the transportation technology development fund from the state highway fund, and moneys from the transportation technology development fund to the state highway fund.

New Sec. 3. (a) The secretary of transportation is hereby authorized and empowered to make grants for construction projects, the purpose of which is to expand and improve broadband service in the state of Kansas. The secretary of transportation is authorized to make such grants when working jointly with the office of broadband development within the department of commerce.

(b) There is hereby established in the state treasury the broadband infrastructure construction grant fund. All moneys credited to such fund shall be used to provide grants for the expansion of broadband service in the state of Kansas. All expenditures from such fund shall be made in accordance with the provisions of appropriation acts and upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of transportation or the secretary's designee.

(c) Grants made by the secretary of transportation from the broadband infrastructure construction grant fund shall reimburse grant recipients for up to 50% of actual construction costs in expanding and improving broadband service in the state of Kansas. Such grant reimbursements shall be upon such terms and conditions as the secretary of transportation may deem appropriate, in coordination with the secretary of commerce.

(d) On July 1, 2020, and each July 1 thereafter through July 1, 2022, the director of accounts and reports shall transfer \$5,000,000 from the state highway fund to the broadband infrastructure construction grant fund. On July 1, 2023, and each July thereafter through July 1, 2030, the director of accounts and reports shall transfer \$10,000,000 from the state highway fund to the broadband infrastructure construction grant fund. At the end of each fiscal year, the secretary of transportation is hereby authorized to notify the director of accounts and reports to transfer all remaining and unencumbered funds from the broadband infrastructure construction grant fund to the state highway fund.

New Sec. 4. (a) The Eisenhower legacy transportation program shall allow the secretary of transportation to award certain state highway system projects using alternative delivery procurement methods other than award of a design-bid-build contract to the lowest bidder as provided in K.S.A. 68-410, and amendments thereto, subject to the following:

(1) Projects selected for alternative delivery shall not include preservation projects as described in section 1, and amendments thereto;

(2) alternative delivery may be used on three projects utilizing toll revenues for construction and maintenance of the project. One project utilizing toll revenues may be let to construction once every three years;

(3) not more than 3% of dollars spent in the Eisenhower legacy transportation program shall be used on alternative delivery. An additional 2% of dollars spent in the Eisenhower legacy transportation program shall be available for use on alternative delivery starting in fiscal year 2023. The dollar value of the three projects utilizing toll revenues referenced in paragraph (2) and projects obtained through federal grants or federal stimulus shall not be considered in determining the limits set forth in this paragraph; and

(4) any project utilizing alternative delivery shall equal or exceed \$100,000,000 in costs.

(b) In addition to the requirements in subsection (a), alternative delivery projects in the Eisenhower legacy transportation program shall be subject to the following requirements and restrictions:

(1) Procurement methods for transportation alternative delivery projects may provide for a single contract or multiple contracts that include, but are not limited to, services for preconstruction, design, construction, construction management, maintenance, operation, financing or a combination thereof;

(2) the Kansas department of transportation shall develop and utilize criteria for selecting whether alternative delivery or design-bid-build procurement process is in the best interest of the state. No project will be selected for alternative delivery without having been evaluated under the selection criteria established by the department. The selection criteria shall include, but not be limited to, the need for accelerated schedule, safety needs, project complexity, opportunity for innovation and economic development;

(3) the Kansas department of transportation shall develop and utilize procedures for advertising proposals, receiving proposals, evaluating proposals, awarding contracts and administering contracts in its alternative delivery procurement program, and the procurement procedures in K.S.A. 68-408 through 68-410, 75-430a and 75-5804 through 75-5807, and amendments thereto, shall not apply to transportation alternative delivery projects.

(c) Notwithstanding any requirements set forth in subsections (b) or (c), the alternative delivery procedures shall include:

(1) A two-phase best value competitive selection or contracting process in which the first phase consists of short listing no more than four proposers based on qualifications identified in the request for qualifications and the second phase consists of the submission of price or technical proposals, or both, in response to a request for proposal;

(2) advertisement of requests for qualifications in the Kansas register for at least three consecutive weeks;

(3) prequalification of contractors performing construction and of firms performing professional technical services by the secretary in accordance with existing state statutes, regulations, and department procedures governing prequalification and licensing;

(4) a bond for performance and payment or alternative security guaranteeing contract performance and payment obligations for supplies, materials and labor furnished for the alternative delivery project; and

(5) a requirement that firms and key personnel identified in the qualifications phase and scored to determine the shortlist may not be replaced during the alternative delivery project without the Kansas department of transportation's written approval.

(d) Notwithstanding any other provision of law to the contrary, a contracting entity selected for an alternative delivery project shall not be in violation of K.S.A. 74-7001 et seq., and amendments thereto, and the contract entered into by such contractor shall not be void if such contractor obtains the professional services by subcontracting with an entity or entities duly licensed or holding a certificate of authorization to perform professional services in accordance with K.S.A. 74-7001 et seq., and amendments thereto.

(e) Notwithstanding the provisions of K.S.A. 68-419a, and amendments thereto, a contracting entity selected for an alternative delivery project that is responsible for preparing or furnishing design plans and specifications, through its own organization or by subcontracting as provided in subsection (d), shall be liable for damages arising out of design defects in such plans and specifications resulting in injury to persons or damage to property, occurring after completion of the contract and acceptance thereof by the Kansas department of transportation, if and to the extent such injury or damage arises out of a failure to exercise the degree of learning and skill ordinarily possessed by a reputable contractor or by a technical professional practicing in Kansas in the same or similar locality and under similar circumstances. Nothing contained in this subsection shall be construed as abrogating, limiting or otherwise affecting any cause of action accruing to the state or any agency or instrumentality thereof that was a party to such contract.

New Sec. 5. (a) There is hereby established in the state treasury the short line rail improvement fund. The short line rail improvement fund shall be administered by the secretary of transportation. Expenditures from the short line rail improvement fund may be made for any qualified railroad track maintenance expenditure constructed by an eligible entity. Qualified railroad track maintenance expenditures shall be matched on a 70% state moneys to 30% eligible entity moneys basis. All expenditures from the short line rail improvement 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 transportation or the secretary's designee.

(b) On July 1, 2020, and each July 1 thereafter through July 1, 2022, the director of accounts and reports shall transfer \$5,000,000 from the state highway fund to the short line rail improvement fund.

(c) For purposes of this section:

(1) "Eligible entity" means:

(A) A class II or class III railroad as defined in 49 C.F.R. § 1201.1-1(a), as in effect on January 1, 2020; or

(B) any owner or lessee industry track located on or adjacent to a class II or class III railroad in the state of Kansas; and

(2) "qualified railroad track maintenance expenditure" means gross expenditures for maintenance, reconstruction or replacement of railroad track, including roadbed, bridges, industrial leads and side track, and related track structures to the extent the expenditures are on track located in the state of Kansas, and the track was owned or leased by an eligible entity as of January 1, 2020.

New Sec. 6. (a) The secretary of transportation is directed to develop a driver's education scholarship grant program to assist qualified individuals to become safe drivers. Subject to the limitations of appropriations therefor, any entity that desires to provide a driver's education program may submit an application for a competitive grant of moneys in an amount to be determined by the secretary for the purpose of paying the costs of scholarships to attend a driver's education program. A scholarship for a qualified individual shall not exceed \$200 and shall be awarded upon completion of the driver's education program. The secretary shall administer the provisions of this section and may adopt rules and regulations establishing additional criteria for qualification for a grant and such other matters deemed necessary by the secretary for the administration of this section.

(b) The provisions of this section shall expire on June 30, 2023. On or before January 9, 2023, the secretary shall provide a report to the house of representatives appropriations and transportation committees and the senate ways and means and transportation committees on the driver's education scholarship grant program.

(c) As used in this section:

(1) “Federal poverty level” means the most recent poverty income guidelines published in the calendar year by the United States department of health and human services.

(2) “Qualified individual” means an individual who resides within the state of Kansas, is under 30 years of age and whose household income is positive and not more than 200% of the federal poverty level for the tax year prior to the year in which the application is submitted.

Sec. 7. K.S.A. 68-416 is hereby amended to read as follows: 68-416. The state highway fund shall be apportioned as follows:

(a) The secretary of transportation annually shall apportion and distribute quarterly, on the first day of January, April, July and October, to cities on the state highway system from the state highway fund moneys at the rate of ~~\$3,000~~ \$5,000 per year per lane per mile for the maintenance of streets and highways in cities designated by the secretary as city connecting links. Unless a consolidated street and highway fund is established pursuant to K.S.A. 12-1,119, and amendments thereto, all moneys distributed by the secretary shall be credited to the street and alley funds of such cities. All moneys so distributed shall be used solely for the maintenance of city connecting links. Maintenance of such city connecting links shall be as prescribed in K.S.A. 68-416a, and amendments thereto. As used in this subsection, “lane” means the portion of the roadway for use of moving traffic of a standard width prescribed by the secretary. In lieu of such apportionment, the secretary, by and with the consent of the governing body of any city within the state of Kansas, may maintain such streets within the city and pay for such maintenance from the highway fund.

(b) All of the remainder of such highway fund shall be used by the secretary of transportation for:

(1) The construction, improvement, reconstruction and maintenance of the state highway system;

(2) improvements in transportation programs to aid elderly persons, persons with disabilities and the general public;

(3) for any purpose specified in K.S.A. 68-2314b, and amendments thereto;

(4) *for any purpose specified in section 1, and amendments thereto;*

(5) the support and maintenance of the department of transportation;

~~(5)(6)~~ the expenses of administering the motor vehicle registration and drivers’ license laws; and

~~(6)(7)~~ the payment of losses to department of transportation employees authorized by K.S.A. 75-5062, and amendments thereto.

Sec. 8. K.S.A. 68-2315 is hereby amended to read as follows: 68-2315.

(a) Annually, prior to the 10th day of each regular session of the legislature, the secretary of transportation shall submit a written report to the governor and each member of the legislature providing:

~~(a)(1)~~ Summary financial information and a statement of assurance that the department of transportation has prepared a comprehensive financial report of all funds for the preceding year which includes a report by independent public accountants attesting that the financial statements present fairly the financial position of the Kansas department of transportation in conformity with generally accepted accounting principles and a notification that the complete comprehensive financial report, including the auditor's report is available upon request;

~~(b)(2)~~ *for the report due in 2021, a detailed explanation of the methods or criteria employed in the selection of transportation projects under K.S.A. 68-2314b(b), and amendments thereto, and in the awarding of assistance to cities, counties or other transportation providers;*

(3) a detailed explanation of the methods or criteria employed in the selection of transportation projects under ~~subsection (b) of K.S.A. 68-2314b~~ *section 1(b) and (d)(1) through (d)(6), and amendments thereto, and in the awarding of assistance to cities, counties or other transportation providers, including an explanation of the amounts expended and projects selected for construction, projects selected for development and when and where the next local consults are to take place;*

~~(c) the proposed allocation and expenditure of moneys and proposed work plan for the current fiscal year and at least the next five years;~~

~~(d) information concerning construction work completed in the preceding fiscal year and construction work in progress;~~

(4) *anticipated annual payouts of construction projects already under contract and any proposed construction projects for the next three fiscal years. Such payouts shall be listed separately for those payouts for preservation projects from payouts for modernization and expansion projects;*

(5) *proposed construction projects to be let to contract in the current fiscal year and anticipated breakdown of anticipated annual payouts for the next three fiscal years for those projects;*

(6) *a detailed breakdown of anticipated annual expenditures for the next three fiscal years on remaining agency debt service, programs and operations;*

(7) *annual expenditures from paragraphs (4) through (6);*

(8) *a comparison of annual revenue expected into the state highway fund, including state highway fund ending balance carryovers, for the next three fiscal years;*

(9) *for any construction project let in the Eisenhower legacy transportation program that is more than \$5,000,000, an explanation of all initial bids submitted for such project and the actual final cost of construction for such project;*

(10) *all revenue available for the state highway fund, including, but not limited to, the state highway fund balance from the previous year;*

motor fuel taxes, registration fees, sales and compensating use taxes and bond proceeds;

(11) all committed expenditures identified by the program, including, but not limited to, debt service payments, agency operations, aviation, transit, rail, cost-share, innovative technology, local bridge, project development costs by category, including, but not limited to, right-of-way purchases, engineering and utility relocation costs and construction payouts by program category, including, but not limited to, preservation, modernization and expansion;

(12) a report of remaining outstanding projects that have been let but have not been paid out and how those projects have been identified to achieve state highway system condition targets. If such targets are not achieved with current projects or identified future projects, a report on additional funding necessary to achieve state highway system condition targets;

~~(e)~~ *(13) information concerning the operation and financial condition of the transportation revolving fund;*

~~(f)~~ *(14) the annual allocation and expenditure of moneys from the coordinated public transportation assistance fund under K.S.A. 75-5035, and amendments thereto;*

~~(g)~~ *(15) the annual allocation and expenditure of moneys from the rail service improvement fund under K.S.A. 75-5048, and amendments thereto, including specific information relating to any grants or loans made under such program;*

~~(h)~~ *(16) the annual allocation and expenditure of moneys from the public use general aviation airport development fund under K.S.A. 75-5061, and amendments thereto, including specific information relating to grants made under such program;*

(17) the annual allocation and expenditure of moneys from the transportation technology development fund under section 2, and amendments thereto, including specific information relating to grants made pursuant to section 2, and amendments thereto;

(18) the annual allocation and expenditure of moneys from the broadband infrastructure construction grant fund under section 3, and amendments thereto, including specific information relating to grants made pursuant to section 3, and amendments thereto;

(19) information concerning funding shifts between the state highway fund and the funds specified in subsections (a)(14) through (a)(17);

(20) for the report due in 2021, specific recommendations for any statutory changes necessary for the successful completion of the transportation program specified in K.S.A. 68-2314b, and amendments thereto, or efficient and effective operation of the Kansas department of transportation;

(i)(21) specific recommendations for any statutory changes necessary for the successful completion of the transportation program specified in ~~K.S.A. 68-2314b~~ *section 1*, and amendments thereto, or efficient and effective operation of the Kansas department of transportation; ~~and~~

(22) *information concerning the condition and performance of the state highway system; and*

(i)(23) an explanation of any material changes from the previous annual report.

(b) *In addition to the governor and each member of the legislature, the secretary shall post the report on the official internet page for the Kansas department of transportation and shall provide notice of the online posting to all persons or entities requesting such notice. Persons or entities requesting notice shall provide the secretary an email address via the Kansas department of transportation's official internet page.*

Sec. 9. K.S.A. 68-2316 is hereby amended to read as follows: 68-2316. (a) For the period beginning July 1, 2010, through June 30, 2020, the secretary of transportation shall expend or commit to expend, from the revenue provided under the provisions of the transportation works for Kansas program, at least \$8,000,000 for projects or programs authorized under K.S.A. 68-2314b, and amendments thereto, in each county of the state.

(b) *For the period beginning July 1, 2020, through June 30, 2030, the secretary shall expend or commit to expend, from the revenue provided under the provisions of the Eisenhower legacy transportation program, at least \$8,000,000 for projects or programs authorized under section 1, and amendments thereto, in each county of the state.*

Sec. 10. K.S.A. 75-5035 is hereby amended to read as follows: 75-5035. (a) There is hereby established in the state treasury the coordinated public transportation assistance fund. Any expenditures from the fund shall be for the coordinated development, improvement or maintenance of transportation systems for elderly persons, persons with disabilities or the general public under this act and shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of transportation or by a person designated by the secretary.

(b) (1) On July 1, 1999, and each July 1 thereafter through July 1, 2012, the director of accounts and reports shall transfer \$6,000,000 from the state highway fund to the coordinated public transportation assistance fund.

(2) On July 1, 2013, and each July 1, thereafter, the director of accounts and reports shall transfer \$11,000,000 from the state highway fund to the coordinated public transportation assistance fund. *The secretary is hereby authorized to transfer additional moneys to the coordinated public transportation assistance fund from the state highway fund and moneys*

from the coordinated public transportation assistance fund to the state highway fund. In no event shall the amount remaining in the fund and the amount spent or dedicated for grants or projects for public transportation in each fiscal year fall below \$11,000,000.

Sec. 11. K.S.A. 75-5048 is hereby amended to read as follows: 75-5048. (a) The secretary of transportation is hereby authorized to make loans or grants to a qualified entity for the purpose of facilitating the financing, acquisition or rehabilitation of railroads and rolling stock in the state of Kansas.

(b) Such loans or grants shall be made upon such terms and conditions as the ~~secretary of transportation~~ may deem appropriate, and such loans or grants shall be made from funds credited to the rail service improvement fund.

(c) The rail service improvement fund is hereby established in the state treasury which shall be for the purpose of facilitating the financing, acquisition and rehabilitation of railroads pursuant to subsection (a) of this section and for the refinancing thereof. ~~The secretary of transportation shall administer the rail service improvement fund. All expenditures from the rail service improvement 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 transportation or by a person or persons designated by the secretary.~~

(d) All moneys received from the federal government, pursuant to K.S.A. 75-5026, and amendments thereto, 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 rail service improvement fund.

(e) The management and investment of the rail service improvement fund shall be in accordance with K.S.A. 68-2324, and amendments thereto. Notwithstanding anything to the contrary, all interest or other income of the investments, after payment of any management fees, shall be considered income of the rail service improvement fund.

(f) On July 1, 2013, and each July 1 thereafter, the director of accounts and reports shall transfer \$5,000,000 from the state highway fund to the rail service improvement fund. ~~(g) — The secretary of transportation is hereby authorized to transfer moneys from the state highway fund to the rail service improvement fund or from the rail service improvement fund to the state highway fund. In transferring moneys from the rail service improvement fund, the secretary of transportation shall not diminish the moneys transferred under subsection (f) In no event shall the amount remaining in the rail service fund and the amount spent or dedicated for loans or grants in each fiscal year be less than \$5,000,000.~~

~~(h)~~(g) As used in this section, “qualified entity” means any interstate commerce commission certificated railroad, a port authority established in accordance with Kansas laws, or any entity meeting the rules and regulations established by K.S.A. 75-5050, and amendments thereto.

Sec. 12. K.S.A. 75-5061 is hereby amended to read as follows: 75-5061. (a) The secretary of transportation is hereby authorized and empowered to: (1) Solicit and receive moneys from any public or private sources; and (2) establish and administer a grant program for public use general aviation airports for the purpose of planning, constructing, reconstructing or rehabilitating the facilities of such public use general aviation airports.

(b) Such grants shall be made upon such terms and conditions as the ~~secretary of transportation~~ deems appropriate, and such grants shall be made from funds credited to the public use general aviation airport development fund.

(c) The public use general aviation airport development fund is hereby established in the state treasury which shall be for the purpose of planning, constructing, reconstructing or rehabilitating the facilities of public use general aviation airports pursuant to subsection (a) of this section. All moneys received pursuant to subsection (a) shall be remitted to the state treasurer at least monthly and deposited in the state treasury to the credit of the public use general aviation airport development fund. The ~~secretary of transportation~~ shall administer the public use general aviation airport development fund. All expenditures from the public use general aviation airport development 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 transportation~~ or by a person or persons designated by the secretary.

(d) (1) On July 1, 1999, and each July 1 thereafter through July 1, 2012, the director of accounts and reports shall transfer \$3,000,000 from the state highway fund to the public use general aviation airport development fund.

(2) On July 1, 2013, and each July 1, thereafter, the director of accounts and reports shall transfer \$5,000,000 from the state highway fund to the public use general aviation airport development fund. *The secretary is hereby authorized to transfer additional moneys to the public use general aviation airport development fund from the state highway fund, and moneys from the public use general aviation airport development fund to the state highway fund. In no event shall the amount remaining in the public use general aviation airport development fund and the amount spent or dedicated for grants in each fiscal year be less than \$5,000,000.*

(e) As used in this section, “public use general aviation airport” means any airport available for use by the general public for the landing and tak-

ing off of aircraft, but shall not include any airport classified as a primary airport by the federal aviation administration.

(f) The secretary of transportation may adopt rules and regulations for the purpose of implementing the provisions of this section.

Sec. 13. K.S.A. 79-3603 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 6.5%. On and after July 1, 2021, 16.154% of the 6.5% rate imposed shall be levied for the state highway fund, the state highway fund purposes and those purposes specified in K.S.A. 68-416, and amendments thereto, and all revenue collected and received from such tax levy shall be deposited in the state highway fund.~~ 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. 79-3673, and amendments thereto, except that telecommunications service does not include: (1) Any interstate or international 800 or 900 service; (2) any interstate or international private communications service as defined in K.S.A. 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 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 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 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 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 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 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 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 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 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. 79-3673, and amendments thereto;

(v) all sales of bingo cards, bingo faces and instant bingo tickets by licensees under K.S.A. 75-5171 et seq., and amendments thereto, shall be exempt from taxes imposed pursuant to this section; and

(w) all sales of charitable raffle tickets in accordance with K.S.A. 75-5171 et seq., and amendments thereto, shall be exempt from taxes imposed pursuant to this section.

Sec. 14. K.S.A. 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 6.5%. *On and after July 1, 2021, 16.154% at the 6.5% rate imposed shall be levied for the state highway fund, the state highway fund purposes and those purposes specified in K.S.A. 68-416, and amendments thereto, and all revenue collected and received from such tax levy shall be deposited in the state highway fund.* 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. 15. K.S.A. 68-416, 68-2315, 68-2316, 75-5035, 75-5048, 75-5061, 79-3603 and 79-3703 are hereby repealed.

Sec. 16. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 2, 2020.

CHAPTER 9

Senate Substitute for HOUSE BILL No. 2034

AN ACT concerning crimes, punishment and criminal procedure; relating to restitution; time of payment; amending K.S.A. 2019 Supp. 21-6604 and 21-6607 and repealing the existing sections.

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

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

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

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

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

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

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

(6) assign the defendant to a house arrest program pursuant to K.S.A. 2019 Supp. 21-6609, and amendments thereto;

(7) order the defendant to attend and satisfactorily complete an alcohol or drug education or training program as provided by K.S.A. 2019 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 that

materially aided in the apprehension or conviction of the defendant; repay the amount of any costs and expenses incurred by any law enforcement agency in the apprehension of the defendant, if one of the current crimes of conviction of the defendant includes escape from custody or aggravated escape from custody, as defined in K.S.A. 2019 Supp. 21-5911, and amendments thereto; repay expenses incurred by a fire district, fire department or fire company responding to a fire that has been determined to be arson or aggravated arson as defined in K.S.A. 2019 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 that leads to the defendant's conviction; or repay the amount of any medical costs and expenses incurred by any law enforcement agency or county. Such repayment of the amount of any such costs and expenses incurred by a county, law enforcement agency, fire district, fire department or fire company or any public funds utilized by a law enforcement agency shall be deposited and credited to the same fund from which the public funds were credited to prior to use by the county, law enforcement agency, fire district, fire department or fire company;

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

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

(11) if the defendant is convicted of a misdemeanor or convicted of a felony specified in K.S.A. 2019 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. *Restitution shall be due immediately unless: (A) The court orders that the defendant*

be given a specified time to pay or be allowed to pay in specified installments; or (B) the court finds compelling circumstances that would render a plan of restitution unworkable, either in whole or in part. In regard to a violation of K.S.A. 2019 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. 2019 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, *either in whole or in part*, 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~~ *that* 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 order~~, 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~~ *judicial administrator* pursuant to K.S.A. ~~75-719~~ 20-169, 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.

(3) *If a restitution order entered prior to the effective date of this act does not give the defendant a specified time to pay or set payment in specified installments, the defendant may file a motion with the court prior to December 31, 2020, proposing payment of restitution in specified installments. The court may recall the restitution order from the agent assigned pursuant to K.S.A. 20-169, and amendments thereto, until the court rules on such motion. If the court does not order payment in specified installments or if the defendant does not file a motion prior to December 31, 2020, the restitution shall be due immediately.*

(c) In addition to or in lieu of any of the above, the court shall order the defendant to submit to and complete an alcohol and drug evaluation, and pay a fee therefor, when required by K.S.A. 2019 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 that sentenced the defendant to waive payment of such sum or any unpaid portion thereof. If it appears to the satisfaction of the court that payment of the amount due will impose manifest hardship on the defendant or the defendant's immediate family, the court may waive payment of all or part of the amount due or modify the method of payment.

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

(f) (1) When a new felony is committed while the offender is incarcerated and serving a sentence for a felony, or while the offender is on probation, assignment to a community correctional services program, parole, conditional release or postrelease supervision for a felony, a new sentence shall be imposed consecutively pursuant to the provisions of K.S.A. 2019 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 when the defendant would have been on probation, assignment to a community correctional services program, parole, conditional release or postrelease supervision for a felony had the defendant not been granted release by the court pursuant to K.S.A. 2019 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. 2019 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. 2019 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. 2019 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. 2019 Supp. 21-6824, and amendments thereto, or prior to revocation of a nonprison sanction of a defendant whose offense is classified in the presumptive nonprison grid block of either sentencing guideline grid or grid blocks 5-H, 5-I or 6-G of the sentencing guidelines grid for nondrug crimes, in grid blocks 3-E, 3-F, 3-G, 3-H or 3-I of the sentencing guidelines grid for

drug crimes committed prior to July 1, 2012, or in grid blocks 4-E, 4-F, 4-G, 4-H or 4-I of the sentencing guidelines grid for drug crimes committed on or after July 1, 2012, the court shall consider placement of the defendant in the Labette correctional conservation camp, conservation camps established by the secretary of corrections pursuant to K.S.A. 75-52,127, and amendments thereto, or a community intermediate sanction center. Pursuant to this subsection the defendant shall not be sentenced to imprisonment if space is available in a conservation camp or community intermediate sanction center and the defendant meets all of the conservation camp's or community intermediate sanction center's placement criteria unless the court states on the record the reasons for not placing the defendant in a conservation camp or community intermediate sanction center.

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

(i) In addition to any of the above, the court shall order the defendant to reimburse the state general fund for all or part of the expenditures by the state board of indigents' defense services to provide counsel and other defense services to the defendant. In determining the amount and method of payment of such sum, the court shall take account of the financial resources of the defendant and the nature of the burden that payment of such sum will impose. A defendant who has been required to pay such sum and who is not willfully in default in the payment thereof may at any time petition the court that sentenced the defendant to waive payment of such sum or any unpaid portion thereof. If it appears to the satisfaction of the court that payment of the amount due will impose manifest hardship on the defendant or the defendant's immediate family, the court may waive payment of all or part of the amount due or modify the method of payment. The amount of attorney fees to be included in the court order for reimbursement shall be the amount claimed by appointed counsel on the payment voucher for indigents' defense services or the amount prescribed by the board of indigents' defense services reimbursement tables as provided in K.S.A. 22-4522, and amendments thereto, whichever is less.

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

(k) An application for or acceptance of probation or assignment to a community correctional services program shall not constitute an acquiescence in the judgment for purpose of appeal, and any convicted person

may appeal from such conviction, as provided by law, without regard to whether such person has applied for probation, suspended sentence or assignment to a community correctional services program.

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

(1) Has been sentenced to the secretary for a probation revocation, as a departure from the presumptive nonimprisonment grid block of either sentencing grid, for an offense that is classified in grid blocks 5-H, 5-I or 6-G of the sentencing guidelines grid for nondrug crimes, in grid blocks 3-E, 3-F, 3-G, 3-H or 3-I of the sentencing guidelines grid for drug crimes committed prior to July 1, 2012, in grid blocks 4-E, 4-F, 4-G, 4-H or 4-I of the sentencing guidelines grid for drug crimes committed on or after July 1, 2012, or for an offense that is classified in grid blocks 4-E or 4-F of the sentencing guidelines grid for drug crimes committed prior to July 1, 2012, or in grid blocks 5-C, 5-D, 5-E or 5-F of the sentencing guidelines grid for drug crimes committed on or after July 1, 2012, and such offense does not meet the requirements of K.S.A. 2019 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. 2019 Supp. 21-6608, and amendments thereto.

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

(n) (1) Except as provided by K.S.A. 2019 Supp. 21-6630 and 21-6805(f), and amendments thereto, in addition to any of the above, for felony violations of K.S.A. 2019 Supp. 21-5706, and amendments thereto, the court shall require the defendant who meets the requirements established in K.S.A. 2019 Supp. 21-6824, and amendments thereto, to participate in a certified drug abuse treatment program, as provided in K.S.A. 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 find-

ing, 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. 2019 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 K.S.A. 22-3716(c), and amendments thereto, or whose underlying prison term expires while serving a sanction pursuant to K.S.A. 22-3716(c)(1), 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. 2019 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 that places conditions on such person's privilege of operating a motor vehicle on the highways of this state, a certified copy of which such person shall be required to carry any time such person is operating a motor vehicle on the highways of this state. Any such order shall prescribe the duration of the conditions imposed, which in no event shall be for a period of more than one year.

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

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

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

(p) In addition to any of the above, for any criminal offense that includes the domestic violence designation pursuant to K.S.A. 2019 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. 2019 Supp. 21-6627, and amendments thereto, for crimes committed on or after July 1, 2006, the court shall order that the defendant be electronically monitored upon release from imprisonment for the duration of the defendant's natural life and that the defendant shall reimburse the state for all or part of the cost of such monitoring as determined by the prisoner review board.

(s) Whenever the court has released the defendant on probation pursuant to subsection (a)(3), the defendant's supervising court services officer, with the concurrence of the chief court services officer, may impose the violation sanctions as provided in K.S.A. 22-3716(c)(1)(B), and amendments thereto, without further order of the court, unless the defendant, after being apprised of the right to a revocation hearing before the court pursuant to K.S.A. 22-3716(b), and amendments thereto, refuses to waive such right.

(t) Whenever the court has assigned the defendant to a community correctional services program pursuant to subsection (a)(4), the defendant's community corrections officer, with the concurrence of the

community corrections director, may impose the violation sanctions as provided in K.S.A. 22-3716(c)(1)(B), and amendments thereto, without further order of the court unless the defendant, after being apprised of the right to a revocation hearing before the court pursuant to K.S.A. 22-3716(b), and amendments thereto, refuses to waive such right.

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

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

Sec. 2. K.S.A. 2019 Supp. 21-6607 is hereby amended to read as follows: 21-6607. (a) Except as required by subsection (c), nothing in this section shall be construed to limit the authority of the court to impose or modify any general or specific conditions of probation, suspension of sentence or assignment to a community correctional services program. The court services officer or community correctional services officer may recommend, and the court may order, the imposition of any conditions of probation, suspension of sentence or assignment to a community correctional services program. For crimes committed on or after July 1, 1993, in presumptive nonprison cases, the court services officer or community correctional services officer may recommend, and the court may order, the imposition of any conditions of probation or assignment to a community correctional services program. The court may at any time order the modification of such conditions, after notice to the court services officer or community correctional services officer and an opportunity for such officer to be heard thereon. The court shall cause a copy of any such order to be delivered to the court services officer and the probationer or to the community correctional services officer and the community corrections participant, as the case may be. The provisions of K.S.A. 75-5291, and amendments thereto, shall be applicable to any assignment to a community correctional services program pursuant to this section.

(b) The court may impose any conditions of probation, suspension of sentence or assignment to a community correctional services program that the court deems proper, including, but not limited to, requiring that the defendant:

(1) Avoid such injurious or vicious habits, as directed by the court, court services officer or community correctional services officer;

(2) avoid such persons or places of disreputable or harmful character, as directed by the court, court services officer or community correctional services officer;

(3) report to the court services officer or community correctional services officer as directed;

- (4) permit the court services officer or community correctional services officer to visit the defendant at home or elsewhere;
- (5) work faithfully at suitable employment insofar as possible;
- (6) remain within the state unless the court grants permission to leave;
- (7) pay a fine or costs, applicable to the offense, in one or several sums and in the manner as directed by the court;
- (8) support the defendant's dependents;
- (9) reside in a residential facility located in the community and participate in educational, counseling, work and other correctional or rehabilitative programs;
- (10) perform community or public service work for local governmental agencies, private corporations organized not for profit, or charitable or social service organizations performing services for the community;
- (11) perform services under a system of day fines whereby the defendant is required to satisfy fines, costs or reparation or restitution obligations by performing services for a period of days, determined by the court on the basis of ability to pay, standard of living, support obligations and other factors;
- (12) participate in a house arrest program pursuant to K.S.A. 2019 Supp. 21-6609, and amendments thereto;
- (13) order the defendant to pay the administrative fee authorized by K.S.A. 22-4529, and amendments thereto, unless waived by the court; or
- (14) in felony cases, except for violations of K.S.A. 8-1567, and amendments thereto, be confined in a county jail not to exceed 60 days, which need not be served consecutively.

(c) In addition to any other conditions of probation, suspension of sentence or assignment to a community correctional services program, the court shall order the defendant to comply with each of the following conditions:

(1) The defendant shall obey all laws of the United States, the state of Kansas and any other jurisdiction to the laws of which the defendant may be subject;

(2) make reparation or restitution to the aggrieved party for the damage or loss caused by the defendant's crime, ~~in an amount and manner determined by the court and to the person specified by the court, unless the court finds compelling circumstances which would render a plan of restitution unworkable. If the court finds a plan of restitution unworkable, the court shall state on the record in detail the reasons therefor in accordance with K.S.A. 2019 Supp. 21-6604(b), and amendments thereto;~~

(3) (A) pay a correctional supervision fee of \$60 if the person was convicted of a misdemeanor or a fee of \$120 if the person was convicted of a felony. In any case the amount of the correctional supervision fee

specified by this paragraph may be reduced or waived by the judge if the person is unable to pay that amount;

(B) the correctional supervision fee imposed by this paragraph shall be charged and collected by the district court. The clerk of the district court shall remit all revenues received under this paragraph from correctional supervision fees to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state general fund, a sum equal to 41.67% of such remittance, and to the correctional supervision fund, a sum equal to 58.33% of such remittance;

(C) this paragraph shall apply to persons placed on felony or misdemeanor probation or released on misdemeanor parole to reside in Kansas and supervised by Kansas court services officers under the interstate compact for offender supervision; and

(D) this paragraph shall not apply to persons placed on probation or released on parole to reside in Kansas under the uniform act for out-of-state parolee supervision;

(4) reimburse the state general fund for all or a 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 of 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;

(5) be subject to searches of the defendant's person, effects, vehicle, residence and property by a court services officer, a community correctional services officer and any other law enforcement officer based on reasonable suspicion of the defendant violating conditions of probation or criminal activity; and

(6) be subject to random, but reasonable, tests for drug and alcohol consumption as ordered by a court services officer or community correctional services officer.

(d) Any law enforcement officer conducting a search pursuant to subsection (c)(5) shall submit a written report to the appropriate court services officer or community correctional services officer no later than the close of the next business day after such search. The written report shall include the facts leading to such search, the scope of such search and any findings resulting from such search.

(e) There is hereby established in the state treasury the correctional supervision fund. All moneys credited to the correctional supervision fund shall be used for: (1) The implementation of and training for use of a statewide, mandatory, standardized risk assessment tool or instrument as specified by the Kansas sentencing commission, pursuant to K.S.A. 75-5291, and amendments thereto; (2) the implementation of and training for use of a statewide, mandatory, standardized risk assessment tool or instrument for juveniles adjudicated to be juvenile offenders; and (3) evidence-based adult and juvenile offender supervision programs by judicial branch personnel. If all expenditures for the program have been paid and moneys remain in the correctional supervision fund for a fiscal year, remaining moneys may be expended from the correctional supervision fund to support adult and juvenile offender supervision by court services officers. All expenditures from the correctional supervision 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 chief justice of the Kansas supreme court or by a person or persons designated by the chief justice.

Sec. 3. K.S.A. 2019 Supp. 21-6604 and 21-6607 are hereby repealed.

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

Approved June 1, 2020.

Published in the *Kansas Register* June 11, 2020.

CHAPTER 10

HOUSE BILL No. 2246

TO

SEC.

Wichita state university.....10

AN ACT concerning state agencies; relating to the oversight, administration and regulation of certain duties, responsibilities and activities of such state agencies; authorizing the insurance department to approve the conversion plan of a reciprocal to a mutual insurance company; allowing the insurance department flexibility in assessing certain penalties from excess lines; updating the version of risk-based capital instructions adopted by the insurance department; updating the definition of long-term care insurance utilized by the insurance department in the long-term care insurance act; revising the commissioner of insurance's authority concerning the appointment and removal of the securities commissioner; creating the cancer research and public information trust fund for the university of Kansas medical center; authorizing transfers to such fund; changing the rate of the hospital provider assessment subject to approval by the healthcare access improvement panel and imposed by the Kansas department of health and environment; concerning appropriations for the fiscal year ending June 30, 2021, for Wichita state university; granting Wichita state university bonding authority for certain capital improvement projects; amending K.S.A. 40-1622, 40-2227, 65-6208, as amended by section 1 of 2019 House Bill No. 2168, and 75-6301 and K.S.A. 2019 Supp. 40-246c, 40-2c01 and 40-1621 and repealing the existing sections.

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

New Section 1. (a) A reciprocal may convert to a Kansas mutual insurance company in accordance with the terms of a conversion plan filed with and approved by the commissioner.

(b) The commissioner may establish reasonable requirements and procedures for the submission and approval of a conversion plan required by subsection (a).

(c) No conversion plan shall be approved under this section unless such conversion plan includes:

(1) A provision for converting the existing subscriber interests in the reciprocal into policyholder interests in the resulting Kansas mutual insurance company so that each policyholder's interest in the mutual insurance company shall be fairly proportionate to such subscriber's interest in the reciprocal;

(2) a provision amending the existing subscriber's agreement to articles of incorporation that complies with the provisions of K.S.A. 40-1202, 40-1206 and 40-1215, and amendments thereto;

(3) a copy of the proposed articles of incorporation;

(4) proof of the approval or adoption of the conversion plan by not less than $\frac{2}{3}$ of the subscriber interests entitled to vote, represented either in person or by proxy, at a duly called regular or special meeting of subscribers of the reciprocal at which a quorum, as determined by the

subscriber's agreement or other chartering documents of the reciprocal, is present, or, in the absence of any quorum requirement, 10% of outstanding subscribers;

(5) a transition plan for the change of governance of the reciprocal from an attorney-in-fact to a board of directors and officers that shall be governed by article 12 of chapter 40 of the Kansas Statutes Annotated, and amendments thereto; and

(6) any other information required by the commissioner.

(d) The commissioner shall approve the conversion plan if the commissioner finds that the proposed conversion will not:

(1) Be detrimental to the interests of subscribers of the reciprocal;

(2) be detrimental to the interests of the state of Kansas; and

(3) render the insurer incapable of fulfilling the insurer's contractual obligations.

(e) Upon approval of a conversion plan under this section, the commissioner shall issue a new or amended certificate of authority, which shall be deemed to be the final act of conversion at which time the reciprocal shall concurrently become a mutual insurance company. The mutual insurance company shall be deemed to be a continuation of the reciprocal and deemed to have been organized at the time the converted reciprocal was organized.

(f) Each mutual insurance company created pursuant to this section shall comply with all provisions of article 12, article 40 and such other articles of chapter 40 of the Kansas Statutes Annotated, and amendments thereto, that are otherwise applicable to mutual insurance companies.

(g) As used in this section:

(1) "Conversion plan" means a document detailing the process and requirements that a reciprocal shall undertake and satisfy to convert from a reciprocal company to a mutual insurance company.

(2) "Mutual insurance company" means a mutual insurance company that is organized under the provisions of K.S.A. 40-1201, and amendments thereto, except that the provisions of K.S.A. 40-1201(a), and amendments thereto, shall not apply.

(3) "Reciprocal" has the same meaning as set forth in K.S.A. 40-1623, and amendments thereto.

Sec. 2. K.S.A. 2019 Supp. 40-246c is hereby amended to read as follows: 40-246c. (a) On March 1 of each year, each licensed agent shall collect and pay to the commissioner a tax of 6% on the total gross premiums charged, less any return premiums, for surplus lines insurance transacted by the licensee pursuant to the license for insureds whose home state is this state.

(b) The tax on any portion of the premium unearned at termination of insurance, if any, having been credited by the state to the licensee shall be returned to the policyholder directly by the surplus lines licensee or

through the producing broker. The surplus lines licensee is prohibited from rebating any part of the tax for any reason.

(c) The individual responsible for filing the statement shall be the agent who signs the policy or the agent of record with the company. The commissioner of insurance ~~shall collect~~ *may assess a penalty up to double the amount of tax herein provided prescribed in subsection (a) from any licensee or other responsible individual responsible for filing the statement as herein described in this subsection who shall fail, refuse or neglect fails, refuses or neglects to transmit the required affidavit or statement or shall fail fails to pay the tax imposed by this section; to the commissioner within the period specified.*

Sec. 3. K.S.A. 2019 Supp. 40-2c01 is hereby amended to read as follows: 40-2c01. As used in this act:

(a) “Adjusted RBC report” means an RBC report ~~which that~~ has been adjusted by the commissioner in accordance with K.S.A. 40-2c04, and amendments thereto.

(b) “Corrective order” means an order issued by the commissioner specifying corrective actions ~~which that~~ the commissioner has determined are required to address an RBC level event.

(c) “Domestic insurer” means any insurance company or risk retention group ~~which that~~ is licensed and organized in this state.

(d) “Foreign insurer” means any insurance company or risk retention group not domiciled in this state ~~which that~~ is licensed or registered to do business in this state pursuant to article 41 of chapter 40 of the Kansas Statutes Annotated, and amendments thereto, or K.S.A. 40-209, and amendments thereto.

(e) “NAIC” means the national association of insurance commissioners.

(f) “Life and health insurer” means any insurance company licensed under article 4 or 5 of chapter 40 of the Kansas Statutes Annotated, and amendments thereto, or a licensed property and casualty insurer writing only accident and health insurance.

(g) “Property and casualty insurer” means any insurance company licensed under articles 9, 10, 11, 12, 12a, 15 or 16 of chapter 40 of the Kansas Statutes Annotated, and amendments thereto, but shall not include monoline mortgage guaranty insurers, financial guaranty insurers and title insurers.

(h) “Negative trend” means, with respect to a life and health insurer, a negative trend over a period of time, as determined in accordance with the “trend test calculation” included in the RBC instructions defined in subsection (j).

(i) “RBC” means risk-based capital.

(j) “RBC instructions” means the risk-based capital instructions promulgated by the NAIC, ~~which that~~ are in effect on December 31, ~~2018~~ 2019,

or any later version promulgated by the NAIC as may be adopted by the commissioner under K.S.A. 2019 Supp. 40-2c29, and amendments thereto.

(k) “RBC level” means an insurer’s company action level RBC, regulatory action level RBC, authorized control level RBC, or mandatory control level RBC where:

(1) “Company action level RBC” means, with respect to any insurer, the product of 2.0 and its authorized control level RBC;

(2) “regulatory action level RBC” means the product of 1.5 and its authorized control level RBC;

(3) “authorized control level RBC” means the number determined under the risk-based capital formula in accordance with the RBC instructions; and

(4) “mandatory control level RBC” means the product of 0.70 and the authorized control level RBC.

(l) “RBC plan” means a comprehensive financial plan containing the elements specified in K.S.A. 40-2c06, and amendments thereto. If the commissioner rejects the RBC plan, and it is revised by the insurer, with or without the commissioner’s recommendation, the plan shall be called the “revised RBC plan.”

(m) “RBC report” means the report required by K.S.A. 40-2c02, and amendments thereto.

(n) “Total adjusted capital” means the sum of:

(1) An insurer’s capital and surplus or surplus only if a mutual insurer; and

(2) such other items, if any, as the RBC instructions may provide.

(o) “Commissioner” means the commissioner of insurance.

Sec. 4. K.S.A. 2019 Supp. 40-1621 is hereby amended to read as follows: 40-1621. Within 15 days of the date of the commissioner’s approval or denial of ~~the a~~ conversion plan submitted in accordance with K.S.A. 40-1620, and amendments thereto, ~~or section 1, and amendments thereto,~~ the insurance company ~~or reciprocal~~ shall have the right to request a hearing by filing a written request with the commissioner. The commissioner shall conduct the hearing in accordance with the provisions of the Kansas administrative procedure act within 30 days after such request is filed. Any action of the commissioner pursuant to this section is subject to review in accordance with the provisions of the Kansas judicial review act.

Sec. 5. K.S.A. 40-1622 is hereby amended to read as follows: 40-1622. The provisions of K.S.A. 40-1620 ~~and 40-1621, and 40-1623, 40-1624, 40-1625, 40-1626, 40-1627, 40-1628, 40-1629 and through 40-1630,~~ and amendments thereto, ~~and section 1, and amendments thereto,~~ shall be a ~~part of~~ and supplemental to article 16 of chapter 40 of the Kansas Statutes Annotated, and amendments thereto.

Sec. 6. K.S.A. 40-2227 is hereby amended to read as follows: 40-2227. As used in this act, unless the context requires otherwise:

(a) “Long-term care insurance” means any insurance policy primarily advertised, marketed, offered or designed to provide coverage ~~for not less than 12 consecutive months~~ for each covered person on an expense incurred, indemnity, prepaid, or other basis, for one or more necessary or diagnostic, preventive, therapeutic, rehabilitative, maintenance, custodial, residential or personal care services, provided in a setting other than an acute care unit of a hospital. ~~Such term~~ “Long-term care insurance” includes group and individual policies or riders whether issued by insurers, fraternal benefit societies, nonprofit medical and hospital service corporations, prepaid health plans, health maintenance organizations, or any similar organization. “Long-term care insurance” shall not include any insurance policy ~~which~~ *that* is offered primarily to provide basic medicare supplement coverage, basic hospital expense coverage, basic medical-surgical expense coverage, hospital confinement indemnity coverage, major medical expense coverage, disability income protection coverage, accident-only coverage, specified disease or specified accident coverage, or limited benefit health coverage, but the inclusion or attachment of long-term care insurance coverage to one of the foregoing products shall not exempt it from the requirements of this act.

(b) “Applicant” means:

(1) In the case of an individual long-term care insurance policy, the person who seeks to contract for such benefits; and

(2) in the case of a group long-term care insurance policy, the proposed certificateholder.

(c) “Certificate” means any certificate issued under a group long-term care insurance policy, ~~which policy~~ *that* has been delivered or issued for delivery in this state.

(d) “Commissioner” means the ~~insurance commissioner of this state~~ *commissioner of insurance*.

(e) “Group long-term care insurance” means a long-term care insurance policy delivered or issued for delivery in this state and issued to a group as defined in K.S.A. 40-2209, and amendments thereto. No group long-term care insurance coverage may be offered to a resident of this state under a group policy issued in another state to a group defined in K.S.A. 40-2209, and amendments thereto, unless this state, or another state having statutory and regulatory long-term care insurance requirements substantially similar to those adopted in this state, has made a determination that such requirements have been met.

(f) “Policy” means, except as otherwise provided in subsection (e) ~~of this section~~, any individual or group policy, contract, subscriber agreement, rider or endorsement delivered or issued for delivery in this state by an insurer, fraternal benefit society, nonprofit medical and hospital ser-

vice corporation, prepaid health plan, health maintenance organization or any similar organization.

Sec. 7. K.S.A. 75-6301 is hereby amended to read as follows: 75-6301. (a) There is hereby established under the jurisdiction of the commissioner of insurance a division to be known as the office of the securities commissioner of Kansas. The office shall be administered by the securities commissioner of Kansas who shall be in the unclassified service under the Kansas civil service act. The securities commissioner shall be appointed by the commissioner of insurance, *and be* subject to confirmation by the senate as provided in K.S.A. 75-4315b, and amendments thereto. *The securities commissioner shall have special training and qualifications for such position and, shall receive such compensation as may be fixed by the commissioner of insurance. The commissioner of insurance may remove the securities commissioner for official misconduct and shall serve at the pleasure of the commissioner of insurance.* Except as provided by ~~subsection (b) and~~ K.S.A. 46-2601, and amendments thereto, no person appointed as securities commissioner shall exercise any power, duty or function as securities commissioner until confirmed by the senate.

~~(b)(1) The insurance commissioner shall appoint a person as securities commissioner no later than September 1, 2017, subject to confirmation by the senate as provided in K.S.A. 75-4315b, and amendments thereto, to serve an initial term ending on January 14, 2019. Upon the expiration of the initial term under this section, and upon the expiration of each term thereafter, the commissioner of insurance shall appoint a person as securities commissioner, subject to confirmation by the senate as provided in K.S.A. 75-4315b, and amendments thereto, to serve a four-year term running concurrently with the term of such commissioner of insurance as provided by K.S.A. 40-106, and amendments thereto. Upon occurrence of a vacancy in the office of securities commissioner, the commissioner of insurance shall appoint a successor. If the vacancy occurs before the expiration of a term of office, the appointment shall be for the unexpired term and shall be subject to confirmation by the senate as provided in K.S.A. 75-4315b, and amendments thereto.~~

~~(2) The securities commissioner shall devote full time to the performance of the duties of the office of the securities commissioner.~~

(c) The securities commissioner may appoint directors and other employees within the office of the securities commissioner as determined necessary by the securities commissioner to effectively carry out the mission of the office. All directors appointed after the effective date of this act shall be in the unclassified service under the Kansas civil service act, shall have special training and qualifications for such positions, shall serve at the pleasure of the securities commissioner and shall receive compensation fixed by the securities commissioner and approved by the commissioner of insurance.

(d) Nothing in subsection (c) shall affect the classified status of any person employed in the office of the securities commissioner on the day immediately preceding the effective date of this act. The provisions of this subsection shall not be construed to limit the powers of the securities commissioner pursuant to K.S.A. 75-2948, and amendments thereto.

(e) The office of the securities commissioner of Kansas shall cooperate with the insurance department to consolidate administrative functions and cross-appoint such employees as deemed necessary to provide efficiency. The commissioner of insurance and the securities commissioner are hereby authorized to enter into agreements and adopt rules and regulations as necessary to administer the provisions of this subsection.

New Sec. 8. (a) There is hereby established in the state treasury the cancer research and public information trust fund, to be administered by the university of Kansas medical center. All moneys credited to the fund shall be used to enhance research at the university of Kansas cancer center in the areas of laboratory, clinical and population-based research; and to recruit and retain cancer researchers and clinicians to conduct cancer research, education and outreach programs for Kansans. All expenditures from the cancer research and public information trust fund shall be approved by the director of the university of Kansas cancer center or the director's designee.

(b) On July 1, 2021, and on July 1 of each year thereafter, the director of accounts and reports shall transfer \$10,000,000 from the state general fund to the cancer research and public information trust fund.

(c) On January 1, 2022, and on January 1 of each year thereafter, the director of the university of Kansas cancer center shall submit a report to the legislature detailing the manner that such appropriated moneys are used to enhance cancer research, cancer education and outreach programs.

Sec. 9. K.S.A. 65-6208, as amended by section 1 of 2019 House Bill No. 2168, is hereby amended to read as follows: 65-6208. (a) Subject to the provisions of K.S.A. 65-6209, and amendments thereto, an annual assessment on services is imposed on each hospital provider in an amount ~~equal to~~ *not less than 1.83% of each hospital's net inpatient operating revenue and not greater than 3% of each hospital's net inpatient and outpatient operating revenue, as determined by the healthcare access improvement panel in consultation with the department of health and environment*, for the hospital's fiscal year three years prior to the assessment year. In the event that a hospital does not have a complete 12-month fiscal year in such third prior fiscal year, the assessment under this section shall be \$200,000 until such date that such hospital has completed the hospital's first 12-month fiscal year. Upon completing such first ~~twelve-month~~ *12-month* fiscal year, such hospital's assessment under this section shall be

the amount ~~equal to~~ *not less than 1.83% of each hospital's net inpatient operating revenue and not greater than 3% of such hospital's net inpatient and outpatient operating revenue, as determined by the healthcare access improvement panel in consultation with the department of health and environment*, for such first completed 12-month fiscal year.

(b) Nothing in this act shall be construed to authorize any home rule unit or other unit of local government to license for revenue or impose a tax or assessment upon hospital providers or a tax or assessment measured by the income or earnings of a hospital provider.

(c) (1) The department of health and environment shall submit to the United States centers for medicare and medicaid services any approval request necessary to implement the amendments made to subsection (a) by *section 1 of 2019 House Bill No. 2168 and this act*. If the department has submitted such a request pursuant to section 80(l) of chapter 68 of the 2019 Session Laws of Kansas *or section 1 of 2019 House Bill No. 2168*, then the department may continue such request, or modify such request to conform to the amendments made to subsection (a) by *section 1 of 2019 House Bill No. 2168 and this act*, to fulfill the requirements of this paragraph.

(2) The secretary of health and environment shall certify to the secretary of state the receipt of such approval and cause notice of such approval to be published in the Kansas register.

(3) The amendments made to subsection (a) by *section 1 of 2019 House Bill No. 2168 and this act* shall take effect on and after January 1 or July 1 immediately following such publication of such approval.

Sec. 10.

WICHITA STATE UNIVERSITY

(a) In addition to the other purposes for which expenditures may be made by Wichita state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2021 as authorized by 2019 Senate Bill No. 66 or other appropriation act of the 2020 regular session of the legislature, expenditures may be made by Wichita state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2021 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project for the construction and equipment of a new school of business building on the innovation campus of Wichita state university: *Provided*, That such capital improvement project is hereby approved for Wichita state university for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Wichita state university may make expenditures from the moneys received from the issuance of any such

bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$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 project shall be financed by appropriations from any appropriate special revenue fund or funds: *And provided further*, That any such bonds and interest thereon shall be an obligation only of the Kansas development finance authority, shall not constitute a debt of the state of Kansas within the meaning of section 6 or 7 of article 11 of the constitution of the state of Kansas and shall not pledge the full faith and credit or the taxing power of the state of Kansas: *And provided further*, That Wichita state university shall make provisions for the maintenance of the school of business building on the innovation campus.

Sec. 11. K.S.A. 40-1622, 40-2227, 65-6208, as amended by section 1 of 2019 House Bill No. 2168, and 75-6301 and K.S.A. 2019 Supp. 40-246c, 40-2c01 and 40-1621 are hereby repealed.

Sec. 12. This act shall take effect and be in force from and after its publication in the Kansas register.

Approved June 1, 2020.

Published in the *Kansas Register* June 11, 2020.

CHAPTER 11

Senate Substitute for Substitute for HOUSE BILL No. 2018

AN ACT concerning telecommunications; relating to the video competition act; video service providers; provision of communications service; definitions; restricting cities and counties from imposing certain regulations and fees; amending K.S.A. 2019 Supp. 12-2022 and 12-2023 and repealing the existing sections.

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

Section 1. K.S.A. 2019 Supp. 12-2022 is hereby amended to read as follows: 12-2022. For purposes of the video competition act:

- (a) “Cable service” is defined as set forth in 47 U.S.C. § 522~~(6)~~.
- (b) “Cable operator” is defined as set forth in 47 U.S.C. § 522~~(5)~~.
- (c) “Cable system” is defined as set forth in 47 U.S.C. § 522~~(7)~~.
- (d) “*Communications service*” means *information service or telecommunications service as defined in 47 U.S.C. § 153*.

(e) “Competitive video service provider” means an entity providing video service that is not franchised as a cable operator in the state of Kansas as of the effective date of this act and is not an affiliate, successor or assign of such cable operator.

~~(e)~~(f) “Franchise” means an initial authorization, or renewal of an authorization, issued by a municipality, regardless of whether the authorization is designed as a franchise, permit, license, resolution, contract, certificate, agreement or otherwise, that authorizes the construction and operation of a cable system.

~~(f)~~(g) “*Micro wireless facility*” means *equipment at a fixed location that is:*
(1) *Installed on cables that are owned and operated by a video service provider between utility poles as defined in K.S.A. 66-2019, and amendments thereto;*

(2) *used to provide communications service; and*

(3) *not larger in dimension than 24 inches in length, 15 inches in width and 12 inches in height and does not have any associated exterior antenna longer than 11½ inches.*

(h) “Municipality” means a city or county.

~~(g)~~(i) “Video programming” means programming provided by, or generally considered comparable to programming provided by, a television broadcast station, as set forth in 47 U.S.C. § 522~~(20)~~.

~~(h)~~(j) “Video service” means video programming services provided through wireline facilities located at least in part in the public rights-of-way without regard to delivery technology, including internet protocol technology. This definition does not include any video programming provided by a commercial mobile service provider defined in 47 U.S.C. § 332(d), *unless such programming is determined by the federal communications commission to be cable service.*

~~(i)~~(k) “Video service authorization” means the right of a video service provider to offer video programming to any subscribers anywhere in the state of Kansas.

~~(j)~~(l) “Video service provider” means a cable operator or a competitive video service provider.

~~(k)~~(m) “Video service provider fee” means the fee imposed upon video service providers pursuant to K.S.A. 2019 Supp. 12-2024, *and amendments thereto*.

Sec. 2. K.S.A. 2019 Supp. 12-2023 is hereby amended to read as follows: 12-2023. (a) An entity or person seeking to provide cable service or video service in this state on or after July 1, 2006, shall file an application for a state-issued video service authorization with the state corporation commission as required by this section. The state corporation commission shall promulgate regulations to govern the state-issued video service authorization application process. The state, through the state corporation commission, shall issue a video service authorization permitting a video service provider to provide video service in the state, or amend a video service authorization previously issued, within 30 calendar days after receipt of a completed affidavit submitted by the video service applicant and signed by an officer or general partner of the applicant affirming:

(1) The location of the applicant’s principal place of business and the names of the applicant’s principal executive officers;

(2) that the applicant has filed or will timely file with the federal communications commission all forms required by that agency in advance of offering video service in this state;

(3) that the applicant agrees to comply with all applicable federal and state statutes, *taxes* and regulations;

(4) that the applicant agrees to comply with all lawful and applicable municipal regulations regarding the use and occupation of public rights-of-way in the delivery of the video service, including the police powers of the municipalities in which the service is delivered;

(5) the description of the service area footprint to be served within the state of Kansas, including any municipalities or parts thereof, and which may include certain designations of unincorporated areas, which description shall be updated by the applicant prior to the expansion of video service to a previously undesignated service area and, upon such expansion, notice to the state corporation commission of the service area to be served by the applicant, including:

(A) The period of time it shall take applicant to become capable of providing video programming to all households in the applicant’s service area footprint, which may not exceed five years from the date the authorization, or amended authorization, is issued; and

(B) a general description of the type or types of technologies the applicant will use to provide video programming to all households in its service area footprint, which may include wireline, wireless, satellite or any other alternative technology.

(b) The certificate of video service authorization issued by the state corporation commission shall contain:

(1) A grant of authority to provide video service as requested in the application; *and*

(2) a statement that the grant of authority is subject to lawful operation of the video service by the applicant or its successor in interest.

(c) The certificate of video service authorization issued by the state corporation commission is fully transferable to any successor in interest to the applicant to which it is initially granted. A notice of transfer shall be filed with the state corporation commission and any relevant municipalities within 30 business days of the completion of such transfer.

(d) The certificate of video service authorization issued by the state corporation commission may be terminated by the video service provider by submitting notice to the state corporation commission.

(e) To the extent required by applicable law, any video service authorization granted by the state through the state corporation commission shall constitute a “franchise” for purposes of 47 U.S.C. § 541(b)(1). To the extent required for purposes of 47 U.S.C. §§ 521-561, only the state of Kansas shall constitute the exclusive “franchising authority” for video service providers in the state of Kansas.

(f) (1) *For the holder of a state-issued video service authorization, a municipality shall not be required to comply:*

(A) *Require compliance with any mandatory facility build-out provisions nor provide;*

(B) *require that video service be provided to any customer using any specific technology. Additionally, no municipality of the state of Kansas may;*

~~(1)(C)~~ *require a video service provider to obtain a separate franchise to provide video service;*

~~(2)~~ *impose any fee, license or gross receipts tax on video service providers, other than the fee specified in subsections (b) through (e) of K.S.A. 2019 Supp. 12-2024, and amendments thereto;*

~~(3)(D)~~ *impose any fee, tax or charge other than any applicable federal and state taxes and the video service provider fee specified in K.S.A. 2019 Supp. 12-2024, and amendments thereto;*

(E) *require such holder to obtain any additional authorization or license for the provision of communications service over such holder's network;*

(F) *impose any provision regulating rates charged by video service providers; or*

(4)(G) impose any other franchise or service requirements or conditions on video service providers, except that a video service provider must submit the agreement specified in ~~subsection (a)~~ of K.S.A. 2019 Supp. 12-2024(a), and amendments thereto; and

(H) *require a video service provider to make an application or pay any fee, license, tax or rent for the installation, placement, maintenance, operation or replacement of a micro wireless facility;*

(2) *notwithstanding any provision to the contrary, a municipality may require the holder of a state-issued video service authorization to comply with the national electrical safety code and all industry recognized engineering safety standards; and*

(3) *except as provided in subparagraph (H), this subsection shall not prohibit a municipality from assessing any fees or rates or enforcing any regulations pursuant to K.S.A. 66-2019, and amendments thereto, on a video service provider.*

(g) K.S.A. 12-2006 through 12-2011, and amendments thereto, shall not apply to video service providers.

(h) Not later than 120 days after a request by a municipality, the holder of a state-issued video service authorization shall provide the municipality with capacity over its video service to allow public, educational and governmental (PEG) access channels for noncommercial programming, according to the following:

(1) A video service provider shall not be required to provide more than two PEG access channels;

(2) the operation of any PEG access channel provided pursuant to this section shall be the responsibility of the municipality receiving the benefit of such channel, and the holder of a state-issued video service authorization bears only the responsibility for the transmission of such channel; and

(3) the municipality must ensure that all transmissions, content, or programming to be transmitted over a channel or facility by a holder of a state-issued video service authorization are provided or submitted to such video service provider in a manner or form that is capable of being accepted and transmitted by a provider, without requirement for additional alteration or change in the content by the provider, over the particular network of the video service provider, which is compatible with the technology or protocol utilized by the video service provider to deliver video services.

(i) In order to alert customers to any public safety emergencies, a video service provider shall offer the concurrent rebroadcast of local television broadcast channels, or utilize another economically and technically feasible process for providing an appropriate message through the provider's video service in the event of a public safety emergency issued over the emergency broadcast system.

(j) (1) Valid cable franchises in effect prior to July 1, 2006, shall remain in effect subject to this section. Nothing in this act is intended to abrogate, nullify or adversely affect in any way any franchise or other contractual rights, duties and obligations existing and incurred by a cable operator or competitive video service provider before the enactment of this act. A cable operator providing video service over a cable system pursuant to a franchise issued by a municipality in effect on July 1, 2006, shall comply with the terms and conditions of such franchise until such franchise expires, is terminated pursuant to its terms or until the franchise is modified as provided in this section.

(2) Whenever two or more video service providers are providing service within the jurisdiction of a municipality, a cable operator with an existing municipally issued franchise agreement may request that the municipality modify the terms of the existing franchise agreement to conform to the terms and conditions of a state-issued video service authorization. The cable operator requesting a modification shall identify in writing the terms and conditions of its existing franchise that are materially different from the state-issued video service authorization, whether such differences impose greater or lesser burdens on the cable operator. Upon receipt of such request from a cable operator, the cable operator and the municipality shall negotiate the franchise modification terms in good faith for a period of 60 days. If within 60 days, the municipality and the franchised cable operator cannot reach agreeable terms, the cable operator may file a modification request pursuant to paragraph (3).

(3) Whenever two or more video service providers are providing service within the jurisdiction of a municipality, a cable operator may seek a modification of ~~its~~ *the operator's* existing franchise terms and conditions to conform to the terms and conditions of a state-issued video service authorization pursuant to 47 U.S.C. § 545; ~~provided, however, that,~~ *and* a municipality's review of such request shall conform to this section. In its application for modification, a franchised cable operator shall identify the terms and conditions of its municipally issued franchise that are materially different from the terms and conditions of the state-issued video service authorization, whether such differences impose greater or lesser burdens on the cable operator. The municipality shall grant the modification request within 120 days for any provisions where there are material differences between the existing franchise and the state-issued video service authorization. No provisions shall be exempt. A cable operator that is denied a modification request pursuant to this paragraph may appeal the denial to a court of competent jurisdiction which shall perform a de novo review of the municipality's denial consistent with this section.

(4) Nothing in this act shall preclude a cable operator with a valid municipally issued franchise from seeking enforcement of franchise pro-

visions that require the equal treatment of competitive video service providers and cable operators within a municipality, but only to the extent such cable franchise provisions may be enforced to reform or modify such existing cable franchise. For purposes of interpreting such cable franchise provisions, a state-issued video service authorization shall be considered equivalent to a municipally issued franchise; provided, however, that the enforcement of such cable franchise provisions shall not affect the state-issued video service authorization in any way.

(k) Upon ~~90 days~~ *days*' notice, a municipality may require a video service provider to comply with customer service requirements consistent with 47 C.F.R. § 76.309(c) ~~for its~~ *the provider's* video service with such requirements to be applicable to all video services and video service providers on a competitively neutral basis.

(l) A video service provider may not deny access to service to any group of potential residential subscribers because of the income of the residents in the local area in which such group resides.

(m) Within 180 days of providing video service in a municipality, the video service provider shall implement a process for receiving requests for the extension of video service to customers that reside in such municipality, but for which video service is not yet available from the provider to the residences of the requesting customers. The video service provider shall provide information regarding this request process to the municipality, who may forward such requests to the video service provider on behalf of potential customers. Within 30 days of receipt, a video service provider shall respond to such requests as it deems appropriate and may provide information to the requesting customer about its video products and services and any potential timelines for the extension of video service to the customers area.

(n) A video service provider shall implement an informal process for handling municipality or customer inquiries, billing issues, service issues and other complaints. In the event an issue is not resolved through this informal process, a municipality may request a confidential, non-binding mediation with the video service provider, with the costs of such mediation to be shared equally between the municipality and provider. Should a video service provider be found by a court of competent jurisdiction to be in noncompliance with the requirements of this act, the court shall order the video service provider, within a specified reasonable period of time, to cure such noncompliance. Failure to comply shall subject the holder of the state-issued franchise of franchise authority to penalties as the court shall reasonably impose, up to and including revocation of the state-issued video service authorization. A municipality within which the video service provider offers video service may be an appropriate party in any such litigation.

(o) *Nothing in this act shall be construed to prohibit the owner of a utility pole from setting the rates, fees, terms and conditions of any pole attachment agreement with an authorized video service provider.*

Sec. 3. K.S.A. 2019 Supp. 12-2022 and 12-2023 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 1, 2020.

CHAPTER 12

Senate Substitute for HOUSE BILL No. 2137

AN ACT concerning open records; relating to the open records act, exceptions to the disclosure of public records; legislative review of expiring sections, continuing such exceptions; eliminating a photograph record requirement in the scrap metal theft reduction act; amending K.S.A. 2018 Supp. 50-6,110, as amended by section 6 of chapter 66 of the 2019 Session Laws of Kansas, and K.S.A. 2019 Supp. 9-1810, 40-223j, 45-229 and 50-6a11 and repealing the existing sections.

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

Section 1. K.S.A. 2019 Supp. 9-1810 is hereby amended to read as follows: 9-1810. (a) The commissioner may enter into any informal agreement with any bank or trust company for a plan of action to address possible safety or soundness concerns, violations of law or any weakness displayed by the bank or trust company if the commissioner determines that the bank or trust company displays:

(1) Possible safety and soundness concerns or is violating, has violated or is about to violate any law, rule and regulation or order of the commissioner or the state banking board resulting in a less than satisfactory condition, but not to a degree requiring formal administrative action; or

(2) any weakness that if not properly addressed and corrected would reasonably be expected to result in future safety and soundness concerns, violations of applicable laws, rules and regulations and further deterioration in the condition of the bank or trust company.

(b) The adoption of an informal agreement authorized by this section shall not be subject to the provisions of K.S.A. 77-501 et seq., and amendments thereto, or K.S.A. 77-601 et seq., and amendments thereto. Any informal agreement authorized by this section shall not be considered an order or other agency action and shall be considered confidential examination material pursuant to K.S.A. 9-1712, 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, prior to July 1, 2020.~~

Sec. 2. K.S.A. 2019 Supp. 40-223j is hereby amended to read as follows: 40-223j. (a) The statement of actuarial opinion shall be provided with the annual statement in accordance with the appropriate NAIC property and casualty annual statement instructions and shall be treated as a public document.

(b) (1) Any document, material or other information, in the control or possession of the department that is furnished to the commissioner pursuant to this act or obtained by the commissioner in an investigation pursuant to this section shall be kept confidential by the commissioner. Such information shall not be made public or subject to subpoena, other

than by the commissioner and then only for the purpose of enforcement actions taken by the commissioner pursuant to this act or any other provision of the insurance laws of this state.

(2) (A) This subsection shall not be construed to limit the commissioner's authority to release the documents to the actuarial board for counseling and discipline so long as the material is required for the purpose of professional disciplinary proceedings and that the actuarial board for counseling and discipline establishes procedures satisfactory to the commissioner for preserving the confidentiality of the documents.

(B) This subsection shall not be construed to limit the commissioner's authority to use the documents, materials or other information in furtherance of any regulatory or legal action brought as part of the commissioner's official duties.

(3) Neither the commissioner nor any person who received documents, materials or other information while acting under the authority of the commissioner shall be required to testify in any private civil action concerning any confidential documents, materials or information subject to paragraph (1).

(4) The commissioner may share or exchange any documents, materials or other information, including confidential and privileged documents referred to in paragraph (1), received in the performance of the commissioner's duties under this act, with:

(A) The NAIC and its affiliates and subsidiaries;

(B) the actuarial board for counseling and discipline or any other entity which regulates actuaries;

(C) other state, federal or international regulatory agencies; and

(D) other state, federal or international law enforcement authorities.

(5) (A) The sharing or exchanging of documents, materials or other information under this subsection shall be conditioned upon the recipient's authority and agreement to maintain the confidential and privileged status, if any, of the documents, materials or other information being shared or exchanged.

(B) No waiver of an existing privilege or claim of confidentiality in the documents, materials or information shall occur as a result of disclosure to the commissioner under this section or as a result of sharing such documents, materials or information as authorized by this subsection.

(6) The commissioner of insurance is hereby authorized to adopt such rules and regulations establishing protocols governing the exchange of information as may be necessary to implement and carry out the provisions of this act.

~~(c) The provisions of subsection (b)(2) shall expire on July 1, 2020, unless the legislature acts to reenact such provision. The provisions of subsection (b)(2) shall be reviewed by the legislature prior to July 1, 2020.~~

(d)—For the purposes of this section:

- (1) “Commissioner” ~~shall mean~~ *means* the commissioner of insurance.
- (2) “NAIC” ~~shall mean~~ *means* the national association of insurance commissioners.

Sec. 3. K.S.A. 2019 Supp. 45-229 is hereby amended to read as follows: 45-229. (a) It is the intent of the legislature that exceptions to disclosure under the open records act shall be created or maintained only if:

- (1) The public record is of a sensitive or personal nature concerning individuals;
- (2) the public record is necessary for the effective and efficient administration of a governmental program; or
- (3) the public record affects confidential information.

The maintenance or creation of an exception to disclosure must be compelled as measured by these criteria. Further, the legislature finds that the public has a right to have access to public records unless the criteria in this section for restricting such access to a public record are met and the criteria are considered during legislative review in connection with the particular exception to disclosure to be significant enough to override the strong public policy of open government. To strengthen the policy of open government, the legislature shall consider the criteria in this section before enacting an exception to disclosure.

(b) Subject to the provisions of subsections (g) and (h), any new exception to disclosure or substantial amendment of an existing exception shall expire on July 1 of the fifth year after enactment of the new exception or substantial amendment, unless the legislature acts to continue the exception. A law that enacts a new exception or substantially amends an existing exception shall state that the exception expires at the end of five years and that the exception shall be reviewed by the legislature before the scheduled date.

(c) For purposes of this section, an exception is substantially amended if the amendment expands the scope of the exception to include more records or information. An exception is not substantially amended if the amendment narrows the scope of the exception.

(d) This section is not intended to repeal an exception that has been amended following legislative review before the scheduled repeal of the exception if the exception is not substantially amended as a result of the review.

(e) In the year before the expiration of an exception, the revisor of statutes shall certify to the president of the senate and the speaker of the house of representatives, by July 15, the language and statutory citation of each exception that will expire in the following year that meets the criteria of an exception as defined in this section. Any exception that is not identified and certified to the president of the senate and the speaker of

the house of representatives is not subject to legislative review and shall not expire. If the revisor of statutes fails to certify an exception that the revisor subsequently determines should have been certified, the revisor shall include the exception in the following year's certification after that determination.

(f) "Exception" means any provision of law that creates an exception to disclosure or limits disclosure under the open records act pursuant to K.S.A. 45-221, and amendments thereto, or pursuant to any other provision of law.

(g) A provision of law that creates or amends an exception to disclosure under the open records law shall not be subject to review and expiration under this act if such provision:

- (1) Is required by federal law;
- (2) applies solely to the legislature or to the state court system;
- (3) has been reviewed and continued in existence twice by the legislature; or
- (4) has been reviewed and continued in existence by the legislature during the 2013 legislative session and thereafter.

(h) (1) The legislature shall review the exception before its scheduled expiration and consider as part of the review process the following:

- (A) What specific records are affected by the exception;
- (B) whom does the exception uniquely affect, as opposed to the general public;

- (C) what is the identifiable public purpose or goal of the exception;
- (D) whether the information contained in the records may be obtained readily by alternative means and how it may be obtained;

(2) an exception may be created or maintained only if it serves an identifiable public purpose and may be no broader than is necessary to meet the public purpose it serves. An identifiable public purpose is served if the legislature finds that the purpose is sufficiently compelling to override the strong public policy of open government and cannot be accomplished without the exception and if the exception:

- (A) Allows the effective and efficient administration of a governmental program that would be significantly impaired without the exception;

(B) protects information of a sensitive personal nature concerning individuals, the release of such information would be defamatory to such individuals or cause unwarranted damage to the good name or reputation of such individuals or would jeopardize the safety of such individuals. Only information that would identify the individuals may be excepted under this paragraph; or

- (C) protects information of a confidential nature concerning entities, including, but not limited to, a formula, pattern, device, combination of devices, or compilation of information that is used to protect or further a

business advantage over those who do not know or use it, if the disclosure of such information would injure the affected entity in the marketplace.

(3) Records made before the date of the expiration of an exception shall be subject to disclosure as otherwise provided by law. In deciding whether the records shall be made public, the legislature shall consider whether the damage or loss to persons or entities uniquely affected by the exception of the type specified in paragraph (2)(B) or (2)(C) would occur if the records were made public.

(i) (1) Exceptions contained in the following statutes as continued in existence in section 2 of chapter 126 of the 2005 Session Laws of Kansas and that have been reviewed and continued in existence twice by the legislature as provided in subsection (g) are hereby continued in existence: 1-401, 2-1202, 5-512, 9-1137, 9-1712, 9-2217, 10-630, 11-306, 12-189, 12-1,108, 12-1694, 12-1698, 12-2819, 12-4516, 16-715, 16a-2-304, 17-1312e, 17-2227, 17-5832, 17-7511, 17-7514, 17-76,139, 19-4321, 21-2511, 22-3711, 22-4707, 22-4909, 22a-243, 22a-244, 23-605, 23-9,312, 25-4161, 25-4165, 31-405, 34-251, 38-2212, 39-709b, 39-719e, 39-934, 39-1434, 39-1704, 40-222, 40-2,156, 40-2c20, 40-2c21, 40-2d20, 40-2d21, 40-409, 40-956, 40-1128, 40-2807, 40-3012, 40-3304, 40-3308, 40-3403b, 40-3421, 40-3613, 40-3805, 40-4205, 44-510j, 44-550b, 44-594, 44-635, 44-714, 44-817, 44-1005, 44-1019, 45-221(a)(1) through (43), 46-256, 46-259, 46-2201, 47-839, 47-844, 47-849, 47-1709, 48-1614, 49-406, 49-427, 55-1,102, 58-4114, 59-2135, 59-2802, 59-2979, 59-29b79, 60-3333, 60-3336, 65-102b, 65-118, 65-119, 65-153f, 65-170g, 65-177, 65-1,106, 65-1,113, 65-1,116, 65-1,157a, 65-1,163, 65-1,165, 65-1,168, 65-1,169, 65-1,171, 65-1,172, 65-436, 65-445, 65-507, 65-525, 65-531, 65-657, 65-1135, 65-1467, 65-1627, 65-1831, 65-2422d, 65-2438, 65-2836, 65-2839a, 65-2898a, 65-3015, 65-3447, 65-34,108, 65-34,126, 65-4019, 65-4922, 65-4925, 65-5602, 65-5603, 65-6002, 65-6003, 65-6004, 65-6010, 65-67a05, 65-6803, 65-6804, 66-101c, 66-117, 66-151, 66-1,190, 66-1,203, 66-1220a, 66-2010, 72-996, 72-4311, 72-4452, 72-5214, 72-53,106, 72-5427, 72-8903, 73-1228, 74-2424, 74-2433f, 74-4905, 74-4909, 74-50,131, 74-5515, 74-7308, 74-7338, 74-8104, 74-8307, 74-8705, 74-8804, 74-9805, 75-104, 75-712, 75-7b15, 75-1267, 75-2943, 75-4332, 75-4362, 75-5133, 75-5266, 75-5665, 75-5666, 75-7310, 76-355, 76-359, 76-493, 76-12b11, 76-3305, 79-1119, 79-1437f, 79-3234, 79-3395, 79-3420, 79-3499, 79-34,113, 79-3614, 79-3657, 79-4301 and 79-5206.

(2) Exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) and that have been reviewed during the 2015 legislative session and continued in existence by the legislature as provided in subsection (g) are hereby continued in existence: 17-2036, 40-5301, 45-221(a)(45), (46) and (49), 48-16a10, 58-4616, 60-3351, 72-972a, 74-50,217 and 75-53,105.

(j) (1) Exceptions contained in the following statutes as continued in existence in section 1 of chapter 87 of the 2006 Session Laws of Kansas and that have been reviewed and continued in existence twice by the legislature as provided in subsection (g) are hereby continued in existence: 1-501, 9-1303, 12-4516a, 39-970, 65-525, 65-5117, 65-6016, 65-6017 and 74-7508.

(2) Exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) during 2015 and that have been reviewed during the 2016 legislative session are hereby continued in existence: 12-5611, 22-4906, 22-4909, 38-2310, 38-2311, 38-2326, 40-955, 44-1132, 45-221(a)(10)(F) and (a)(50), 60-3333, 65-4a05, 65-445(g), 65-6154, 71-218, 75-457, 75-712c, 75-723 and 75-7c06.

(k) Exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) and that have been reviewed during the 2014 legislative session and continued in existence by the legislature as provided in subsection (g) are hereby continued in existence: 1-205, 2-2204, 8-240, 8-247, 8-255c, 8-1324, 8-1325, 12-17, 150, 12-2001, 17-12a607, 38-1008, 38-2209, 40-5006, 40-5108, 41-2905, 41-2906, 44-706, 44-1518, 45-221(a)(44), (45), (46), (47) and (48), 50-6a11, 56-1a610, 56a-1204, 65-1,243, 65-16,104, 65-3239, 74-50,184, 74-8134, 74-99b06, 77-503a and 82a-2210.

(l) Exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) during 2016 and that have been reviewed during the 2017 legislative session are hereby continued in existence: 12-5711, 21-2511, 22-4909, 38-2313, 45-221(a)(51) and (52), 65-516, 65-1505, 74-2012, 74-5607, 74-8745, 74-8752, 74-8772, 75-7d01, 75-7d05, 75-5133, 75-7427 and 79-3234.

(m) Exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) during 2012 and that have been reviewed during the 2013 legislative session and continued in existence by the legislature as provided in subsection (g) are hereby continued in existence: 12-5811, 40-222, 40-223j, 40-5007a, 40-5009a, 40-5012a, 65-1685, 65-1695, 65-2838a, 66-1251, 66-1805, 72-60c01, 75-712 and 75-5366.

(n) Exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) and that have been reviewed during the 2018 legislative session are hereby continued in existence: 9-513c(c)(2), 39-709, 45-221(a)(26), (53) and (54), 65-6832, 65-6834, 75-7c06 and 75-7c20.

(o) Exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) that have been reviewed during the 2019 legislative session are hereby continued in existence: 21-2511(h)(2), 21-5905(a)(7), 22-2302(b) and (c), 22-2502(d) and (e), 40-222(k)(7), 44-714(e), 45-221(a)(55), 46-1106(g) regarding 46-1106(i), 65-2836(i), 65-2839a(c), 65-2842(d), 65-28a05(n), article 6(d) of 65-6230, 72-6314(a) and 74-7047(b).

(p) *Exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) that have been reviewed during the 2020 legislative session are hereby continued in existence: 38-2310(c), 40-409(j)(2), 40-6007(a), 45-221(a)(52), 46-1129, 59-29a22(b)(10) and 65-6747.*

Sec. 4. K.S.A. 2018 Supp. 50-6,110, as amended by section 6 of chapter 66 of the 2019 Session Laws of Kansas, is hereby amended to read as follows: 50-6,110. (a) 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 to such scrap metal dealer, or employee or agent of such dealer, at or before the time of sale, the following: The seller's name, address, sex, date of birth and the seller's driver's license, military identification card, passport or personal identification license. An official governmental document for a country other than the United States may be used to meet this requirement.

(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:

(A) The identifying number from the seller's driver's license, military identification card, passport or personal identification license; or

(B) the identifying number from the seller's official governmental document for a country other than the United States;

(3) a copy of the identification card or document containing such identifying number, unless the dealer has a copy of the card or document in the dealer's register from a prior transaction;

(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 price paid for, traded for or dealt for in a transaction for the junk vehicle or other regulated scrap metal property;

(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 take one photograph of the item or lot of items being sold ~~and one photograph of the vehicle in which the junk vehicle or other regulated scrap metal property is delivered~~ 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).

(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 information required by the Kansas bureau of investigation for each transaction to the database described in K.S.A. 2018 Supp. 50-6,109a, and amendments thereto, in the manner prescribed by the bureau within 72 hours after the transaction occurs. The Kansas bureau of investigation shall promulgate rules and regulations providing which information and photographs required to be collected by scrap metal dealers by subsections (b) and (c) shall be entered into the database and prescribing the manner for submitting such information and photographs to the bureau.

(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. 5. K.S.A. 2019 Supp. 50-6a11 is hereby amended to read as follows: 50-6a11. (a) The director is authorized to disclose to the attorney general any information received under this act, as requested by the attorney general for purposes of determining compliance with or enforcing the provisions of this act. The director and attorney general shall share with each other information received under this act and the director and the attorney general may share such information with federal agencies, attorneys general of other states or directors of taxation or their equivalents of other states, for purposes of enforcement of this act, the corresponding federal laws or the corresponding laws of other states. The director and attorney general may share the information specified under this subsection with any of the following:

(1) Federal, state or local agencies for the purposes of enforcement of corresponding laws of other states.

(2) A court, arbitrator, data clearinghouse or similar entity for the purpose of assessing compliance with or making calculations required by the master settlement agreement or agreements regarding disputes under the master settlement agreement, and with counsel for the parties or expert witnesses in any such proceeding, if the information otherwise remains confidential.

(b) Except as otherwise provided, any information provided to the attorney general or director for purposes of enforcement of this act may be shared between the attorney general and the director and shall not be disclosed publicly by the attorney general or the director except when necessary to facilitate compliance with and enforcement of this act.

(c) On a quarterly basis, and upon request made in writing by a tobacco product manufacturer, the attorney general or the director may provide the name of any stamping agent who reports selling the tobacco product manufacturer's products.

(d) On a quarterly basis, and upon request made in writing by a tobacco product manufacturer, a stamping agent shall provide to the requesting

tobacco product manufacturer the total number of cigarettes, by brand family, which the stamping agent reported to the attorney general or director pursuant to K.S.A. 2019 Supp. 50-6a10, and amendments thereto, provided that such information provided by the stamping agent to a tobacco product manufacturer shall be limited to the brand families of that manufacturer as listed in the directory established in K.S.A. 50-6a04(b), and amendments thereto.

(e) Unless disclosure is authorized under this section, all information obtained by the director and disclosed to the attorney general or shared with federal agencies, attorneys general of other states or directors of taxation or their equivalents of other states for purposes of enforcement of this act, the corresponding federal laws or the corresponding laws of other states, shall be confidential. The penalties provided under K.S.A. 75-5133, and amendments thereto, shall not apply when information is lawfully disclosed pursuant to this section.

(f) Any tobacco sales data provided to the director, attorney general or data clearinghouse for the purpose of assessing compliance with or making calculations required by the master settlement agreement or related agreements, shall be confidential. ~~The provisions of this subsection shall expire on July 1, 2020, unless the legislature reviews this provision pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2020.~~

Sec. 6. K.S.A. 2018 Supp. 50-6,110, as amended by section 6 of chapter 66 of the 2019 Session Laws of Kansas, and K.S.A. 2019 Supp. 9-1810, 40-223j, 45-229 and 50-6a11 are hereby repealed.

Sec. 7. This act shall take effect and be in force from and after its publication in the statute book.

Approved June 1, 2020.

CHAPTER 13

Senate Substitute for HOUSE BILL No. 2585

AN ACT concerning utilities; relating to the state corporation commission; approval of certain contract and reduced electric rates; approval of cost recovery from rate classes; report to the legislature; income taxation; exemption from income taxation, certain public utilities; income tax expenses, exclusion from retail electric rates; amending K.S.A. 79-32,113 and repealing the existing section.

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

New Section 1. (a) Notwithstanding the provisions of K.S.A. 66-101b and 66-109, and amendments thereto, the commission shall have the authority to approve a contract rate, outside a general rate proceeding, that is not based on the electric public utility's cost of service for a facility, if the commission:

(1) (A) Determines that the facility would not continue operations, or resume operations that had previously been suspended, in the state of Kansas without such contract rate; and

(B) determines that the contract rate is in the interest of the state of Kansas based on:

(i) The interests of the customers of the electric public utility serving the facility;

(ii) an evaluation of the incremental cost to serve the facility; and

(iii) the interests of the citizens of the state generally in promoting economic development, retaining the tax base, keeping employment opportunities in the state and promoting such other benefits to the state as the commission may determine are created by approval of the contract rate;

(2) allocates the reduced revenues from the contract rate, as determined by a comparison of the contract rate to the revenues that would have been generated at the retail rate the facility would have paid without such contract rate, to the electric public utility's other non-contract customers through a uniform percentage adjustment. Such reduced revenues shall be applied in each general rate proceeding of the electric public utility serving the facility to all components of the base rates of all customer classes, except the rates for service provided to customers under any contract rate approved by the commission pursuant to subsection (a) or (b) or the commission's general rate making authority; and

(3) (A) approves a tracking mechanism to track reductions in revenue experienced by the electric public utility serving the facility as a result of the contract rate from the date the contract rate becomes effective; and

(B) such reductions in revenue shall be deferred to a regulatory asset and shall accrue interest at the weighted average cost of capital used by the commission to set the electric public utility's rates in its most recently concluded general rate proceeding with the balance of such regulatory as-

set to be included in the rate base and revenue requirement of the electric public utility in each of its general rate proceedings through an amortization of the balance over a reasonable period until fully collected from the electric public utility's non-contract rate customers.

(b) Notwithstanding the provisions of K.S.A. 66-101b and 66-109, and amendments thereto, the commission shall have the authority to approve a contract rate, outside a general rate proceeding, that is based on the electric public utility's incremental cost of service for a facility, if the commission:

(1) (A) Determines that the facility would not commence or expand operations in the state of Kansas without such contract rate;

(B) determines that the contract rate recovers the incremental cost of providing service to the facility; and

(C) determines that the contract rate is in the interest of the state of Kansas based on:

(i) The interests of the customers of the electric public utility serving the facility;

(ii) the incremental cost of serving the facility; and

(iii) the interests of the citizens of the state generally in promoting economic development, expanding the tax base, increasing employment opportunities in the state and promoting such other benefits to the state as the commission may determine are created by approval of the contract rate; and

(2) uses the reduction in revenues that result from any contract rate approved by the commission pursuant to this subsection that will be in effect during the effective period of the rate for the purposes of determining the electric utility's revenue requirement in each general rate proceeding concluded after the effective date of this section.

(c) The contract rates authorized by this section may be approved by the commission for a term of up to 10 years, and an electric public utility may apply for reapproval of such contract rates for a facility that the commission has granted approval under this section.

(d) The provisions of this section shall not affect any contract rates approved by the commission prior to, and in effect on, the effective date of this section. This section shall not:

(1) Affect or diminish the authority of the commission to approve just and reasonable contract rates filed pursuant to the commission's general ratemaking authority according to custom and practice of the commission in place prior to the effective date of this section; or

(2) establish standards for approval of such contract rates.

(e) If the commission approves a contract rate pursuant to this section, the commission shall not have the authority to modify or eliminate any such rate during the specified term, subject to the conditions established by this section.

(f) Starting in January 2023, the commission shall biennially provide a status report to the legislature about any contract rates authorized pursuant to this section. Such report shall include the:

- (1) Number of entities with such contract rates;
- (2) number of entities with increased load;
- (3) number of entities with decreased load;
- (4) aggregate load and change in aggregate load on an annual basis;
- (5) total subsidy and the subsidy for each individual contract;
- (6) annual and cumulative rate increase on non-contract rate customers; and

(7) estimated economic development impact of entities with contract rates that occurred as a result of such contract rates through an evaluation of the annual: (A) Total employment for such entities; (B) change in employment for such entities; and (C) tax revenue generated by such entities.

(g) As used in this section:

(1) “Electric public utility” means the same as prescribed in K.S.A. 66-101a, and amendments thereto, but does not include any such utility that is a cooperative as defined in K.S.A. 66-104d, and amendments thereto, or owned by one or more such cooperatives; and

(2) “facility” means an existing or proposed building or buildings of an existing or potential electric customer with existing or expected load equal to, or in excess of, a monthly demand of 50 megawatts, and such load may represent the aggregate demand of multiple meter accounts.

New Sec. 2. (a) Notwithstanding the provisions of K.S.A. 66-101b or 66-109, and amendments thereto, the commission shall authorize an electric public utility to implement economic development rate schedules that provide discounts from otherwise applicable standard rates for electric service for new or expanded facilities of industrial or commercial customers that are not in the business of selling or providing goods or services directly to the general public. To be eligible for such discounts, such customer shall:

(1) Have incentives from one or more local, regional, state or federal economic development agencies to locate such new or expanded facilities in the electric public utility’s certified service territory;

(2) qualify for service under the electric public utility’s non-residential and non-lighting rate schedules for such new or expanded facility; and

(3) not receive the discount together with service provided by the electric public utility pursuant to any other special contract agreements.

(b) The discount authorized by this section shall only be applicable to new facilities or expanded facilities that have:

(1) A peak demand that is reasonably projected to be at least 200 kilowatts within two years of the date the customer first receives service un-

der the discounted rate and is not the result of shifting existing demand from other facilities of the customer in the electric public utility's certified service territory and:

(A) Has an annual load factor that is reasonably projected to equal or exceed the electric public utility's annual system load factor within two years of the date the customer first receives service under the discounted rate; or

(B) otherwise warrants a discounted rate based on any of the following factors:

(i) The number of new permanent full-time jobs created or the percentage increase in existing permanent full-time jobs created;

(ii) the level of capital investment;

(iii) additional off-peak usage;

(iv) curtailable or interruptible load;

(v) new industry or technology; or

(vi) competition with existing industrial customers; or

(2) a peak demand that is reasonably projected to be at least 300 kilowatts within two years of the date the customer first receives service under the discounted rate and is not the result of shifting existing demand from other facilities of the customer in the electric public utility's certified service territory and:

(A) An annual load factor that is reasonably projected to be at least 55% within two years of the date the customer first receives service under the discounted rate; and

(B) the facility shall, once first achieved, maintain the peak demand and load factor for the remaining duration of the discounted rate.

(c) The discount authorized by this section shall be determined by reducing otherwise applicable charges associated with the rate schedule applicable to the new or expanded existing facility by a fixed percentage for each year of service under the discount for a period of up to five years. The average of the annual discount percentages shall not:

(1) Exceed 20% for discounts that qualify pursuant to subsection (b) (1), but may be between 5% to 30% in any year; and

(2) exceed 40% for discounts that qualify pursuant to subsection (b) (2), but may be between 20% to 50% in any year.

(d) In each general rate proceeding concluded after the effective date of this section, the commission shall allocate the reduced level of revenues arising from the discounted rates provided for in this section through the application of a uniform percentage adjustment to the revenue requirement responsibility for all customer classes of the electric public utility providing such discounted rate, including the classes with customers that qualify for discounts under this section, except for rates for service provided to customers under contract rates either approved

by the commission pursuant to section 1, and amendments thereto, or the commission's general ratemaking authority.

(e) (1) The commission shall approve a tracking mechanism to track reductions in revenue experienced by the electric public utility serving the facility as a result of the discount rate from the date the discount rate becomes effective; and

(2) such reductions in revenue shall be deferred to a regulatory asset and shall accrue interest at the weighted average cost of capital used by the commission to set the electric public utility's rates in its most recently concluded general rate proceeding with the balance of such regulatory asset to be included in the rate base and revenue requirement of the electric public utility in each of the utility's general rate proceedings through an amortization of the balance over a reasonable period until fully collected from the utility's non-contract rate customers.

(f) The provisions of this section shall not apply to rates for service provided to customers under contract rates approved by the commission pursuant to section 1, and amendments thereto, or the commission's general ratemaking authority according to custom and practice of the commission in place prior to the effective date of this section.

(g) Starting in January 2023, the commission shall biennially provide a status report to the legislature about any discounts from tariffed rates authorized pursuant to this section. Such report shall include the:

- (1) Number of entities with such discounts;
- (2) number of entities with increased load;
- (3) number of entities with decreased load;
- (4) aggregate load and change in aggregate load on an annual basis;
- (5) total subsidy and the subsidy for each individual contract;
- (6) annual and cumulative rate impact on non-contract rate customers; and

(7) estimated economic development impact of entities with discounted rates that occurred as a result of such discounts through an evaluation of the annual: (A) Total employment for such entities; (B) change in employment for such entities; and (C) tax revenue generated by such entities.

(h) For the purposes of this section:

(1) "Electric public utility" means the same as prescribed in K.S.A. 66-101a, and amendments thereto, but does not include any such utility that is a cooperative as defined in K.S.A. 66-104d, and amendments thereto, or owned by one or more such cooperatives;

(2) "expanded facility" means a separately metered facility of the customer, unless the utility determines that the additional costs of separate metering of such facility would exceed the associated benefits or that it would be difficult or impractical to install or read the meter, that has not

received service in the electric utility's certified service territory in the previous 12 months; and

(3) "new facility" means a building of the customer that has not received electric service in the electric utility's certified service territory in the previous 12 months.

New Sec. 3. (a) If a public utility as defined in K.S.A. 66-104, and amendments thereto, includes expenses related to income taxes as a component of its retail rates, the utility shall track and defer into a regulatory asset or liability, as appropriate, any overcollection or undercollection of income tax expense if the income tax rates assessed on such utility are adjusted as a result of any changes in state or federal law.

(b) When any change in state or federal law either increases or decreases the income tax rates assessed on a utility and results in an overcollection or undercollection of income tax expenses that is equal to or exceeds 0.25% of such utility's base revenue level approved by the state corporation commission in the utility's most recent general rate proceeding, such utility shall file an application for new retail rates reflecting the adjusted income taxation rates with the commission within 60 days of the enactment of such change in state or federal law. The utility shall either refund the tracked overcollected amounts to, or recover the tracked undercollected amounts from, such utility's retail customers in a manner approved by the commission.

(c) A filing required pursuant to subsection (b) shall not:

(1) Require the utility to file a full general rate proceeding;

(2) require the utility to update any component of such utility's retail rates other than the income tax expense component; or

(3) constitute a violation of any existing rate moratorium agreement if such filing only updates the income tax expense component of a utility's rates.

(d) The state corporation commission shall issue an order addressing the application filed under subsection (b):

(1) That, if requested by the utility, gives due consideration to the common interests of the public utility and its customers, including, but not limited to, use of a two-year implementation of current period rate changes to maintain the credit quality of the utility by ensuring that any such change in retail rates will not cause the utility's credit metrics that are traditionally considered by the credit rating agencies to deteriorate to a level that could impair the utility's current credit rating. To the extent a retail rate change to address adjusted income taxes is implemented over a period of time, as provided in this paragraph, the utility shall: (A) Track and defer any overcollection or undercollection of income tax expenses as a regulatory liability or asset, as appropriate, that will accrue interest at the utility's weighted average cost of capital, as determined by the commission in the utility's most recent general rate proceeding; and (B)

refund or collect the balance of such amounts in its next full general rate proceeding; and

(2) within 120 days of the date of such filing.

(e) If a utility has a full general rate proceeding pending before the commission, or has provided notice to the commission of its intent to file a full general rate proceeding application, at the time any adjusted income tax rates become effective, upon a showing by the utility that the public interest would be promoted, the commission may issue an order finding that such adjusted state or federal income tax rates should not be reflected in such utility's retail rates until the utility's new retail rates become effective following such utility's full general rate proceeding.

(f) Excess accumulated deferred income tax balances resulting from income taxes adjusted due to changes in state or federal law shall remain unamortized on the public utility's books of account until new retail rates from such utility's next full general rate proceeding after the adjusted income tax rates take effect. Such balances shall be amortized and reflected in retail rates at such time. If requested by the utility, excess accumulated deferred income tax balances resulting from changes in state law effective January 2021, shall be amortized over a period of not less than 30 years in retail rates for such utility by order of the commission. Excess accumulated deferred income tax balances resulting from any other changes in state or federal law shall be amortized in retail rates for such utility by order of the commission in a manner consistent with requirements of state and federal tax law and implementing regulations and in a manner that will not impair the utility's credit rating.

(g) The provisions of this section shall not apply to any:

(1) Municipal electric utility or natural gas utility; or

(2) utility that is a cooperative as defined in K.S.A. 66-104d, and amendments thereto, or owned by one or more such cooperatives.

(h) For the purposes of this section, "overcollection or undercollection of income tax expense" means the portion of utility revenue representing the difference between the cost of service as approved by the state corporation commission in the utility's most recent base rate proceeding and the cost of service that would have resulted had the provision for state or federal income taxes been based upon the adjusted corporate income tax rate. "Overcollection or undercollection of income tax expense" does not include the effects of accumulated deferred income taxes or excess accumulated deferred income taxes.

Sec. 4. K.S.A. 79-32,113 is hereby amended to read as follows: 79-32,113. (a) A person or organization exempt from federal income taxation under the provisions of the federal internal revenue code shall also be exempt from the tax imposed by this act in each year in which such person or organization satisfies the requirements of the federal internal revenue code

for exemption from federal income taxation. If the exemption applicable to any person or organization under the provisions of the federal internal revenue code is limited or qualified in any manner, the exemption from taxes imposed by this article shall be limited or qualified in a similar manner.

(b) Notwithstanding the provisions of subsection (a) ~~of this section~~, the unrelated business taxable income, as computed under the provisions of the federal internal revenue code, of any person or organization otherwise exempt from the tax imposed by this act and subject to the tax imposed on unrelated business income by the federal internal revenue code shall be subject to the tax which would have been imposed by this act but for the provisions of subsection (a) ~~of this section~~.

(c) In addition to the persons or organizations exempt from federal income taxation under the provision of the federal internal revenue code, there shall also be exempt from the tax imposed by this act, insurance companies, banks, trust companies, savings and loan associations, credit unions and any other organizations, entities or persons specifically exempt from Kansas income taxation under the laws of the state of Kansas.

(d) *Notwithstanding the provisions of K.S.A. 79-32,110, and amendments thereto, the following entities shall be exempt from the tax imposed by the Kansas income tax act pursuant to K.S.A. 79-32,110, and amendments thereto:*

(1) *Any utility that is a cooperative as defined in K.S.A. 66-104d, and amendments thereto, or owned by one or more such cooperatives; and*

(2) *effective for tax years ending on or after January 1, 2021, every electric and natural gas public utility as defined in K.S.A. 66-104, and amendments thereto, that is subject to rate regulation by the state corporation commission.*

(e) *Every electric and natural gas public utility as defined in K.S.A. 66-104, and amendments thereto, not including any such utility that is a cooperative as defined in K.S.A. 66-104d, and amendments thereto, or owned by one or more such cooperatives shall:*

(1) *Not be permitted to be included in a consolidated or unitary combined return; and*

(2) *except as provided in section 3, and amendments thereto, not collect, as a component of such utility's retail rates, Kansas income tax expenses.*

Sec. 5. K.S.A. 79-32,113 is hereby repealed.

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

Approved June 1, 2020.

CHAPTER 14

HOUSE CONCURRENT RESOLUTION No. 5017

A CONCURRENT RESOLUTION providing for the appointment of 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 House of Representatives of the State of Kansas, the Senate 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 13, 2020.

Adopted by the Senate January 13, 2020.

CHAPTER 15

HOUSE CONCURRENT RESOLUTION No. 5018

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 House of Representatives meet in joint session in Representative Hall at 6:00 p.m. on January 15, 2020, for the purpose of hearing a message from the Governor; and

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; and

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 13, 2020.

Adopted by the Senate January 13, 2020.

CHAPTER 16

HOUSE CONCURRENT RESOLUTION No. 5023

A CONCURRENT RESOLUTION relating to the adjournment of the senate and house of representatives for a period of time during the 2020 regular session of the legislature.

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the legislature shall adjourn at the close of business of the daily session convened on February 27, 2020, and shall reconvene on March 4, 2020, pursuant to adjournment of the daily session convened on February 27, 2020; and

Be it further resolved: That the chief clerk of the house of representatives and the secretary of the senate and employees specified by the director of legislative administrative services for such purpose shall attend to their duties each day during periods of adjournment, Sundays excepted, for the purpose of receiving messages from the governor and conducting such other business as may be required; and

Be it further resolved: That members of the legislature shall not receive the per diem compensation and subsistence allowances provided for in K.S.A. 46-137a(a) and (b), and amendments thereto, for any day within a period in which both houses of the legislature are adjourned for more than two days, Sundays excepted; and

Be it further resolved: That members of the legislature attending a legislative meeting of whatever nature when authorized pursuant to law, or by the legislative coordinating council, the president of the senate or the speaker of the house of representatives, and members of a conference committee attending a meeting of the conference committee authorized by the president of the senate and the speaker of the house of representatives during any period of adjournment for which members are not authorized compensation and allowances pursuant to K.S.A. 46-137a, and amendments thereto, shall receive compensation, subsistence allowances, mileage and other expenses in amounts prescribed under K.S.A. 75-3212, and amendments thereto.

Adopted by the House February 26, 2020.

Adopted by the Senate February 27, 2020.

CHAPTER 17

HOUSE CONCURRENT RESOLUTION No. 5025

A CONCURRENT RESOLUTION ratifying the March 12, 2020, State of Disaster Emergency declaration, subject to limitations, issued by Governor Laura Kelly and providing for the continuation thereof for the entire 105 counties of Kansas through May 1, 2020, subject to additional extensions of time.

WHEREAS, On March 12, 2020, Governor Laura Kelly issued a State of Disaster Emergency declaration in response to confirmed cases of novel coronavirus (COVID-19) in the state of Kansas and considers that a public health emergency exists within the state of Kansas. The United States Centers for Disease Control and Prevention (CDC) identifies the potential public health threat posed by COVID-19 both globally and in the United States as “high,” and the United States Department of Health & Human Services declared a public health emergency for COVID-19 beginning January 27, 2020. The World Health Organization (WHO) declared a global pandemic on March 11, 2020: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the State of Disaster Emergency declaration issued on March 12, 2020, for the entire 105 counties of Kansas in accordance with K.S.A. 48-924 is hereby ratified and continued in force and effect on and after March 12, 2020, through May 1, 2020, subject to additional extensions by concurrent resolution of the Legislature or as further provided in this concurrent resolution. If the Legislature is not in session:

(1) As described in K.S.A. 48-924(b)(3), upon specific application by the Governor to the State Finance Council, the State Finance Council may authorize once an extension of such state of disaster emergency by affirmative vote of a majority of the legislative members thereof for a specified period not to exceed 30 days; and

(2) following such State Finance Council action, the Legislative Coordinating Council, representing the Legislature when the Legislature is not in session pursuant to K.S.A. 46-1202:

(A) Is authorized to ratify a declaration, terminate a state of disaster emergency, revoke an order or proclamation or assume any other power granted to the legislature pursuant to K.S.A. 48-924 or K.S.A. 2019 Supp. 48-925;

(B) may authorize additional extensions of such state of disaster emergency by a majority vote of five members thereof for specified periods not to exceed 30 days each;

(C) shall meet not less than every 30 days to:

(i) Review the state of disaster emergency;

(ii) consider any orders or proclamations issued since the last Legislative Coordinating Council meeting; and

(iii) consider whether such orders or proclamations, if any, are an exercise of any power listed in K.S.A. 2019 Supp. 48-925(c)(2), (c)(4), (c)(7), (c)(8) or (c)(11); and

(D) shall have the authority to review and revoke all orders and proclamations issued by the governor pursuant to K.S.A. 2019 Supp. 48-925(b). The chairperson of the Legislative Coordinating Council, in consultation with the attorney general, adjutant general and any other parties the chairperson deems necessary, shall determine if an order or proclamation that is an exercise of a power listed in K.S.A. 2019 Supp. 48-925(c)(2), (c)(4), (c)(7), (c)(8) or (c)(11) has been issued. If the chairperson determines that the order or proclamation is an exercise of such power, the Legislative Coordinating Council shall meet to consider such order or proclamation within three calendar days. At such meeting, the Legislative Coordinating Council may revoke such order or proclamation; and

Be it further resolved: That, for the purposes of this ratification, the Governor shall not have the power or authority to temporarily or permanently seize, or authorize seizure of, any ammunition or to suspend or limit the sale, dispensing or transportation of firearms or ammunition pursuant to K.S.A. 2019 Supp. 48-925(c)(8) or any other executive authority.

Adopted by the House March 19, 2020.

Adopted by the Senate March 19, 2020.

CHAPTER 18

SENATE CONCURRENT RESOLUTION No. 1615

A CONCURRENT Resolution relating to the adjournment of the senate and the house of representatives for a period during the 2020 regular session of the legislature; extending such session beyond 90 calendar days.

Be it resolved by the Senate of the State of Kansas, the House of Representatives concurring therein: That the 2020 regular session of the legislature shall be extended beyond 90 calendar days; and

Be it further resolved: Except as otherwise provided by the provisions of this concurrent resolution or other legislative action, that the legislature shall adjourn at the close of business of the daily session convened on March 19, 2020, and except as otherwise provided herein, shall reconvene on April 27, 2020, pursuant to adjournment of the daily session convened on March 19, 2020; and

Be it further resolved: That the second house bill consideration deadline established in 2019 Senate Concurrent Resolution No. 1603, Joint Rule 4(f), for the 2020 regular session is hereby extended to May 1, 2020; and the bill consideration deadline established in 2019 Senate Concurrent Resolution No. 1603, Joint Rule 4(k), for the 2020 regular session is hereby extended to May 8, 2020; and

Be it further resolved: That if the legislative coordinating council determines it is necessary to secure the health and safety of the public, legislative staff and legislators, the legislative coordinating council may reconvene the legislature before April 27, 2020, or may postpone the reconvening of the legislature past April 27, 2020, by a majority vote of five members of the legislative coordinating council, except that such postponement shall not be later than May 21, 2020; and

Be it further resolved: That the legislature may adjourn and reconvene at any time during the period on and after April 27, 2020, or such other date on which the legislature reconvenes as determined by the legislative coordinating council, to May 21, 2020, but the legislature shall reconvene on May 21, 2020, at which time the legislature shall continue in session and shall adjourn sine die at the close of business of the daily session convened on May 21, 2020; and

Be it further resolved: That the secretary of the senate and the chief clerk of the house of representatives and employees specified by the director of legislative administrative services for such purpose shall attend to their duties each day during such period 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 19, 2020.

Adopted by the Senate March 19, 2020.

CHAPTER 19

HOUSE RESOLUTION No. 6031

A RESOLUTION disapproving Executive Reorganization Order No. 46, establishing the Kansas energy office and transferring the powers, duties and functions of the energy division of the state corporation commission as described in K.S.A. 74-616(a) through (d), 74-617, 74-622, 75-37,125 and 75-37,129 to the Kansas energy office.

Be it resolved by the House of Representatives of the state of Kansas: That Executive Reorganization Order No. 46 is hereby disapproved in accordance with Section 6 of Article 1 of the Constitution of the State of Kansas; and

Be it further resolved: That the chief clerk of the house of representatives shall transmit a copy of this resolution to the governor and the secretary of state; and

Be it further resolved: That the secretary of state shall cause this resolution to be published in the session laws to show permanently the disapproval of Executive Reorganization Order No. 46 by the House of Representatives.

Adopted by the House March 18, 2020.

CHAPTER 20

HOUSE RESOLUTION No. 6032

A RESOLUTION disapproving Executive Reorganization Order No. 44, renaming the Kansas department for children and families the Kansas department of human services; abolishing the Kansas department for aging and disability services and transferring powers, duties and functions to the Kansas department of human services; and transferring the powers, duties and functions of the department of corrections regarding the juvenile services program and certain juvenile facilities and institutions to the Kansas department of human services.

Be it resolved by the House of Representatives of the State of Kansas: That Executive Reorganization Order No. 44 is hereby disapproved in accordance with Section 6 of Article 1 of the Constitution of the State of Kansas; and

Be it further resolved: That the chief clerk of the house of representatives shall transmit a copy of this resolution to the governor and the secretary of state; and

Be it further resolved: That the secretary of state shall cause this resolution to be published in the session laws to show permanently the disapproval of Executive Reorganization Order No. 44 by the House of Representatives.

Adopted by the House March 18, 2020.

CHAPTER 21

EXECUTIVE REORGANIZATION ORDER No. 45

Section 1. (a) There is hereby established, within the department of administration, the division of the state employee health benefits plan. The head of the division shall be the director of the state employee health benefits plan, who shall be appointed by and serve under the direction of the secretary of administration. The director shall be in the unclassified service under the Kansas civil service act and shall receive an annual salary fixed by the secretary of administration and approved by the governor.

(b)(1) The secretary of administration shall appoint, in accordance with the provisions of the Kansas civil service act, such employees as maybe needed, in the judgment of the secretary and director, to carry out the powers and duties of the state employee health benefits plan.

(2) All officers and employees of the division of the state employee health benefits plan shall act for and exercise the powers of the director of the state employee health benefits plan to the extent that authority to do so is delegated by the secretary and director. Subject to the provisions of K.S.A. 75-3702j, and amendments thereto, the secretary and director may organize the division of the state employee health benefits plan in the manner deemed most efficient.

Sec. 2. All powers, duties and functions of the staff of the division of health care finance of the department of health and environment established in K.S.A. 65-1,252 through 65-1,258, and amendments thereto, K.S.A. 75-7405(c)(7) and (8), and K.S.A. 75-6501 through 75-6523 and amendments thereto involving the administration of the state employee health benefits plan are hereby transferred to and imposed upon the department of administration, under the direction of the secretary of administration, and its division of the state employee health benefits plan, under the direction of the director of the state employee health benefits plan.

Sec. 3. (a) The department of administration and the division of the state employee health benefits plan shall be the successor in every way to the powers, duties and functions of the division of health care finance of the department of health and environment involving the administration of the state employee health benefits plan in which the same were vested pursuant to K.S.A. 65-1,252 through 65-1,258, and amendments thereto, and that are transferred pursuant to this order.

(b) Every act performed in the exercise of such transferred powers, duties and functions by or under the authority of the department of administration and the division of the state employee health benefits plan, the secretary of administration or the director of the state employee health benefits plan, involving the administration of the state employee health

benefits plan, shall be deemed to have the same force and effect as if performed by the division of health care finance of the department of health and environment in which the same were vested pursuant to K.S.A. 65-1,252 through 65-1,258, and amendments thereto, in which such powers, duties and functions were vested prior to the effective date of this order.

(c) Whenever the division of health care finance of the department of health and environment or words of like effect are referred to or designated by a statute, contract, memorandum of agreement or other document and such reference is in regard to any of the powers, duties or functions transferred to the department of administration and its division of the state employee health benefits plan, such reference or designation shall be deemed to apply to the department of administration and the division of the state employee health benefits plan.

(d) All rules and regulations, orders and directives of the division of health care finance of the department of health and environment that relate to the functions transferred by this order and that 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 administration until revised, amended, repealed or nullified pursuant to law.

Sec. 4. (a) The balances of all funds or accounts thereof appropriated or re-appropriated for the division of health care finance of the department of health and environment or any state agency, department, board, commission or council, relating to the powers, duties and functions involving the administration of the state employee health benefits plan by K.S.A. 65-1,252 through 65-1,258, and amendments thereto, are hereby transferred within the state treasury to the department of administration for the division of the state employee health benefits plan and shall be used only for the purpose for which the appropriation was originally made.

(b) Liability for all accrued compensation or salaries of officers and employees who are transferred to the department of administration and the division of the state employee health benefits plan pursuant to this order shall be assumed and paid by the division of the state employee health benefits plan of the department of administration.

Sec. 5. (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 this order, such conflict shall be resolved by the governor, whose decision shall be final.

(b) The division of the state employee health benefits plan in the department of administration shall succeed to all property, property rights, contracts and records that were used for or pertain to the performance of powers, duties and functions involving the administration of the state employee health benefits plan that were transferred to the division of health care finance in the department of health and environment pursuant to

K.S.A. 65-1,252 through 65-1,258, and amendments thereto. Any conflict as to the proper disposition of property, personnel or records arising under the provisions of this order, shall be determined by the governor, whose decision shall be final.

Sec. 6. (a) No suit, action or other proceeding, judicial or administrative, lawfully commenced, or that could have been commenced, by or against any state agency or program mentioned in K.S.A. 65-1,252 through 65-1,258, and amendments thereto, 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 that could have been commenced by the state shall abate by the taking effect of this order.

Sec. 7. (a) All officers and employees of the division of health care finance of the 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 involving the administration of the state employee health benefits plan and transferred by this order, as well as all officers and employees of the department of health and environment who are determined by the secretary of administration 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 division of the state employee health benefits plan of the department of administration. All classified officers and employees so transferred shall retain their status as classified employees.

(b) Officers and employees of the division of health care finance of the department of health and environment transferred by this order shall retain all retirement benefits and leave balances and rights that had accrued or vested prior to the date of transfer. The service of each such officer employee so transferred shall be deemed to have been continuous. Any subsequent transfers, layoffs or abolition of classified service positions under the 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 the division of health care finance of the department of health and environment prior to the date of transfer.

(c) Notwithstanding the effective date of this order, the provisions of this order prescribing the transfer of officers and employees from the division of health care finance of the department of health and environment to the division of the state employee health benefits plan of the department of administration shall commence at the start of a payroll period.

Sec. 8. (a) All powers, duties and functions of the staff of the department of health and environment established in K.S.A. 44-575 through 44-580, and amendments thereto, involving the administration of the state workers compensation self-insurance fund are hereby transferred to and imposed upon the department of administration, under the direction of the secretary of administration, and its division of the state employee health benefits plan, under the direction of the director of the state employee health benefits plan.

(b) The secretary of administration shall administer the state workers compensation self-insurance fund and all payments from such fund shall be upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of administration or a person or persons designated by the secretary. The director of accounts and reports may issue warrants pursuant to vouchers approved by the secretary for payments from the state workers compensation self-insurance fund notwithstanding the fact that claims for such payments were not submitted or processed for payment from money appropriated for the fiscal year in which the state workers compensation self-insurance fund first became liable to make such payments.

(c) The secretary of administration shall remit all moneys received by or for the secretary in the capacity as administrator of the state workers compensation self-insurance fund, 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 workers compensation self-insurance fund.

(d) The balances of all funds or accounts thereof appropriated or re-appropriated for the division of health care finance of the department of health and environment or any state agency, department, board, commission or council, relating to the powers, duties and functions involving the administration of the state workers compensation self-insurance fund are hereby transferred within the state treasury to the department of administration for the division of the state employee health benefits plan and shall be used only for the purpose for which the appropriation was originally made. Liability for all accrued compensation or salaries of officers and employees who are transferred to the department of administration and the division of the state employee health benefits plan pursuant to this order shall be assumed and paid by the division of the state employee health benefits plan of the department of administration.

(e) There is hereby established the state workplace health and safety program within the state workers compensation self-insurance program of the department of administration. The secretary of administration shall implement and the division of industrial health and safety of the Kan-

sas department of labor shall assist in administering the state workplace health and safety program for state agencies. The state workplace health and safety program shall include, but not be limited to:

- (1) Workplace health and safety hazard surveys in all state agencies, including onsite interviews with employees;
- (2) workplace health and safety hazard prevention services, including inspection and consultation services;
- (3) procedures for identifying and controlling workplace hazards;
- (4) development and dissemination of health and safety informational materials, plans, rules and work procedures; and
- (5) training for supervisors and employees in healthful and safe work practices.

(f) Except as provided in this order, the secretary of administration shall be the successor in every way to the powers, duties and functions of the secretary of health and environment that relate to the state workers compensation self-insurance fund, in which the same were vested prior to the effective date of this order.

(g) All orders and directives of the secretary of health and environment that relate to the state workers compensation self-insurance fund in existence immediately prior to the effective date of this order shall continue to be effective and shall be deemed to be the orders or directives of the secretary of administration, until revised, amended, repealed or nullified pursuant to law.

(h) The secretary of administration shall succeed to all property, property rights, contracts and records that were used for or pertain to the performance of the powers, duties and functions transferred to the secretary of administration from the division of the state workers compensation self-insurance fund of the department of health and environment pursuant to this order. Any conflicts as to the proper disposition of property, property rights, contracts and records arising under this section shall be resolved by the governor, whose decision shall be final.

(i) All officers and employees of the division of the state workers compensation self-insurance fund of the 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 involving the administration of the state workers compensation self-insurance fund and transferred by this order, as well as all officers and employees of the department of health and environment who are determined by the secretary of administration 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 administration, under the direction of the secretary of administration, and its division of

the state employee health benefits plan. All classified officers and employees so transferred shall retain their status as classified employees.

(j) Officers and employees of the division of the state workers compensation self-insurance fund of the department of health and environment transferred by this order shall retain all retirement benefits and leave balances and rights that 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 abolition of classified service positions under the 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 the division of the state workers compensation self-insurance fund of the department of health and environment prior to the date of transfer.

Sec. 9. (a) All claims for compensation under the workers compensation act against any state agency for claims arising on and after July 1, 1974, and claims for compensation remaining from the self-insurance program which existed prior to July 1, 1974, for institutional employees of the commission of community services and programs of the Kansas department for aging and disability services shall be made against the state workers compensation self-insurance fund. Such claims shall be served upon the secretary of administration in the secretary's capacity as administrator of the state workers compensation self-insurance fund in the manner provided for claims against other employers under the workers compensation act. The chief attorney for the department administration, or another attorney of the department of administration designated by the chief attorney, shall represent and defend the state workers compensation self-insurance fund in all proceedings under the workers compensation act.

(b) The secretary of administration shall investigate, or cause to be investigated, each claim for compensation against the state workers compensation self-insurance fund. For the purposes of such investigations, the secretary of administration is authorized to obtain expert medical advice regarding the injuries, occupational diseases and disabilities involved in such claims. If, based upon such investigation and any other available information, the secretary of administration finds that there is no material dispute as to any issue involved in the claim, that the claim is valid and that the claim should be settled by agreement, the secretary of administration may proceed to enter into such an agreement with the claimant, for the state workers compensation self-insurance fund. Any such agreement may provide for lump-sum settlements subject to approval by the director and all such agreements shall be filed in the office of the director for approval as provided in K.S.A. 44-527, and amendments thereto. All other claims for compensation against such fund shall be paid in accor-

dance with the workers compensation act pursuant to final awards or orders of an administrative law judge or the board or pursuant to orders and findings of the director under the workers compensation act.

(c) For purposes of the workers compensation act, a volunteer member of a regional emergency medical response team as provided in K.S.A. 48-928, and amendments thereto, shall be considered a person in the service of the state in connection with authorized training and upon activation for emergency response, except when such duties arise in the course of employment or as a volunteer for an employer other than the state.

Sec. 10. The secretary of administration may adopt rules and regulations necessary for the administration of the state workers compensation self-insurance fund, including the processing and settling of claims for compensation made against such fund.

Sec. 11. All provisions of this order shall take effect and have force of general law on July 1, 2020, unless disapproved by either house of the Kansas legislature as provided by subsection (c) of section 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 statutes of this state.

Laura Kelly, *Governor*

Approved January 30, 2020.

MESSAGES FROM THE GOVERNOR**EXECUTIVE REORGANIZATION ORDER No. 45**

Pursuant to Article 1, Section 6, of the Constitution of the State of Kansas, today I transmit Executive Reorganization Order No. 45 to the Kansas Legislature along with this message to the House of Representatives.

Effective July 1, 2020, this reorganization moves the State Employee Health Plan (“SEHP”) and the State Self Insurance Fund (“SSIF”) from the Department of Health and Environment to the Department of Administration. The new reporting structure will align the office with other employee-focused services and will improve administrative efficiencies and support. Current management at the SEHP and SSIF will continue to manage those programs under the leadership of the Secretary of Administration. None of the responsibilities, duties, or functions of the SEHP or SSIF will be abolished.

Through this reorganization we can better coordinate and support the missions of SEHP and SSIF, which will allow us to focus on delivering more affordable, higher quality health care for employees across the state and will also increase our ability to effectively manage and deliver workers compensation benefits for state employees.

I look forward to working with the House of Representatives to continue to improve important benefits and support for our state employees.

Laura Kelly, *Governor*

Dated January 30, 2020.

HOUSE BILL No. 2054

AN ACT concerning governmental response to the 2020 COVID-19 pandemic in Kansas; providing certain relief related to health, welfare, property and economic security during this public health emergency; making and concerning appropriations for the fiscal years ending June 30, 2020, and June 30, 2021, for the legislative coordinating council and the governor's department; relating to the state of disaster emergency; powers of the governor and executive officers; providing certain limitations and restrictions; business and commercial activities, local health officials; violations of the emergency management act; enacting the COVID-19 response and reopening for business liability protection act; relating to limitations on liability associated with the COVID-19 public health emergency; providing immunity from civil liability for healthcare providers during the COVID-19 public health emergency; validating certain notarial acts performed while the requirements that a person must appear before a notary public are suspended; requiring county health officers to share certain information with first responder agencies and 911 call centers; imposing requirements on the Kansas department for aging and disability services related to infection prevention and control practices and recommendations, infection control inspections and providing personal protective equipment; authorizing the expanded use of telemedicine in response to the COVID-19 public health emergency and imposing requirements related thereto; suspending certain requirements related to medical care facilities and expiring such provisions; providing for temporary suspension of certain healthcare professional licensing and practice requirements; delegation and supervision requirements; conditions of licensure and renewal and reinstatement of licensure; relating to authorized use of two-way electronic audio-visual communication by courts to secure the health and safety of court users, staff and judicial officers; authorizing the temporary sale of alcoholic liquor for consumption off of certain licensed premises; relating to changes in the employment security law in response to the COVID-19 public health emergency; eligibility for benefits; contribution rates; federal reimbursement; employer notifications; shared work plan eligibility; authorizing counties to adopt orders relating to public health that are less stringent than statewide executive orders; requiring the board of county commissioners to approve orders of a local health officer; requiring city governing bodies to approve local disaster orders of the mayor; providing for severability of this act; amending Section 1 of 2020 House Substitute for Senate Bill No. 102, K.S.A. 48-924, 48-932, 48-939, 65-201, 65-202 and 65-468 and K.S.A. 2019 Supp. 19-101a, 41-2653, 44-702, 44-705, as amended by section 2 of 2020 Senate Bill No. 27, 44-709, 44-710, 44-757 and 48-925 and repealing the existing sections.

Message to the Legislature of the State of Kansas:

House Bill 2054 is a sweeping piece of legislation that would have long-lasting consequences for the people of Kansas as we continue to mitigate the impact of COVID-19 in our state.

I support provisions of House Bill 2054 that extend a crucial emergency declaration upon which Kansas' entire COVID-19 response effort is based. With no emergency declaration in place, critical federal support through FEMA, in addition to all Executive Orders issued under the previous act, will expire. Months of sacrifice and work on the part of Kansas families, local officials, public health leaders, and emergency response teams to limit the harm inflicted by this global public health pandemic will be lost.

Unfortunately, this legislation comes attached to policy provisions I cannot support.

1. **House Bill 2054 politicizes and hampers the ability of the Executive Branch to act swiftly on behalf of Kansans in the face of an emergency.** I am willing to accept changes to Kansas Emergency Management Act (KEMA) that extend additional legislative oversight during times of emergency, within reason. Unfortunately, House Bill 2054 goes beyond reasonable legislative oversight and fails to make appropriate amendments to the law. First, the legislation demands that a supermajority of legislative leaders on the State Finance Council approve emergency actions. The bill also needlessly and dangerously hamstringing the government's ability to respond to future threats from COVID-19. Finally, House Bill 2054 fails to provide a reasonable mechanism for the extension of emergency declarations during the many months each year that the Legislature is not in session.
2. **House Bill 2054 creates unnecessary, unprecedented bureaucracy that will impede on the timely distribution of federal coronavirus relief.** I am willing to engage the Kansas Legislature in the proper, efficient distribution of federal Coronavirus Relief Funds. This is why I included both Republican legislative leaders and Republican budget committee chairs on the Strengthening People and Revitalizing Kansas (SPARK) Taskforce for the newly established Recovery Office. However, House Bill 2054 goes beyond collaboration to add unwarranted, unprecedented bureaucracy to the process. It will inevitably delay and confuse efforts for providing relief to Kansas communities and businesses. Kansas accepts billions of dollars in aid each year from the federal government. Kansas law provides the Executive Branch authority to not only accept federal funds, but to expend such funds. This legislative overreach is not only unprecedented, it will delay the process to an extent that will endanger our ability to disperse funds by December 31, 2020, as required by federal law.
3. **House Bill 2054 undermines a thoughtful compromise originally reached on liability protections to protect both individuals and responsible business owners.** My administration engaged key stakeholders in a thorough discussion to amend COVID-19-related civil liability protections in a responsible manner. After weeks of negotiation, a compromise was reached. House Bill 2054 fails to honor this compromise and discards all of the progress made in prior negotiations.

House Bill 2054 was debated, voted on, and written while most Kansans were asleep and was never intended to address reasonable concerns and bring KEMA in line with our present circumstances. Rather, it was

designed to trigger a high-stakes game of political chicken, combining provisions that are essential to COVID-19 response with a wide ranging, special interest “wish-list” of unrelated and unnecessary provisions. I call on the Kansas Legislature to send a clean proposal to my desk that will provide clarity and legal certainty for all elements of our emergency response moving forward.

Therefore, under Article 2, Section 14(a) of the Kansas Constitution, I hereby veto House Bill 2054.

Laura Kelly, *Governor*

Dated May 26, 2020.

HOUSE BILL 2510

AN ACT concerning education; creating the Kansas promise scholarship act; requiring a Kansas foster care children annual academic report card; authorizing the state board of regents on behalf of Kansas state university to sell certain real property in Saline county; authorizing school districts to pay tuition and fees for concurrent and dual enrollment of students; requiring tuition waiver for dual or concurrently enrolled foster students; authorizing the practice of the healing arts by healing arts school clinics; providing ACT college entrance exams and work keys assessments to nonpublic school students; amending K.S.A. 65-2877a, as amended by section 5 of chapter 52 of the 2019 Session Laws of Kansas, 72-3220, 72-3221, 72-3222, 72-3223, 72-3224 and 75-53,112 and K.S.A. 2019 Supp. 17-2707, 17-7668 and 72-5179 and repealing the existing sections.

Message to the Legislature of the State of Kansas:

House Bill 2510 includes valuable provisions—such as free ACT exams for high school students and a foster care report card—that I would sign into law if they were presented in a standalone bill. The Kansas Promise Scholarship is also a laudable effort to make higher education more accessible to vulnerable Kansans who come of age in the foster care system, and to incentivize Kansas graduates to establish their careers here.

Although well-intentioned, House Bill 2510 as a whole would annually deplete millions from state funds at a time when Kansas faces a \$1.3 billion budget shortfall. I cannot in good conscience sign a bill establishing a new discretionary spending program that is unrelated to Kansas COVID-19 response efforts when such severe financial strain looms in the months ahead. I have made Kansas children in foster care one of the top priorities of my administration. At this time of fiscal crisis we must focus on preserving the foster care programs and services already in place.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto House Bill 2510.

Laura Kelly, *Governor*

Dated June 1, 2020.

Senate Substitute for HOUSE BILL No. 2619

AN ACT concerning financial institutions; enacting the Kansas economic recovery loan deposit program; relating to credit unions, field of membership; banks, trust companies and savings and loan institutions, privilege tax, deduction of net interest received from certain agricultural real estate loans and single family residence loans; amending K.S.A. 75-4237 and 79-1109 and K.S.A. 2019 Supp. 17-2205 and repealing the existing sections.

Message to the Legislature of the State of Kansas:

House Bill 2619 establishes a new Economic Recovery Linked Deposit Loan Program for businesses in response to the economic downturn caused by the COVID-19 pandemic. This 10-year program would make up to \$60 million available for low-interest loans to businesses and agricultural producers through the Pooled Money Investment Board.

I support efforts to provide economic relief to Kansas small businesses and agricultural producers who have been hard hit by the COVID-19 pandemic. However, federal funding made available to Kansas through the CARES Act is a more appropriate funding source for this effort. With a \$1.3 billion budget shortfall looming, we must protect every state resource at our disposal to make ends meet in the months ahead, including earnings from the state's investment portfolio.

House Bill 2619 also grants authority to the Kansas State Treasurer to administer the loan program. These programs have historically been administered by the Kansas Department of Commerce, and that should continue in our COVID-19 response effort.

Finally, this bill includes a problematic income tax exemption for for-profit banks. While the efforts of Kansas banks and credit unions to reach a compromise on this legislation are laudable, I cannot in good conscience agree to providing tax breaks for banks in light of the looming budget shortfall. Additionally, the CARES Act already provides relief for banks that will far exceed the benefits of this legislation.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto House Bill 2619.

Laura Kelly, *Governor*

Dated June 1, 2020.

HOUSE BILL No. 2702

AN ACT concerning taxation; relating to income tax, enacting the Kansas taxpayer protection act regulating paid tax return preparers, extending certain return filing and tax payment deadlines; property taxation, rates, truth in taxation and establishing notice and public hearing requirements prior to approval to exceed revenue neutral rate, discontinuing the city and county tax lid, time for payment of real property and personal property taxes, providing for waiver of interest and fees for late property tax payments for a certain period of time, extending the time for listing and publication of delinquent real estate subject to sale, prohibiting valuation increase of real property solely as the result of normal repair, replacement or maintenance, establishment of a payment plan for the payment of delinquent or nondelinquent taxes; amending K.S.A. 79-1110, 79-1460, 79-1801, 79-2024, 79-2302, 79-2303, 79-2925c, 79-3221 and 79-3225 and repealing the existing sections.

Message to the Legislature of the State of Kansas:

During the COVID-19 pandemic our local governments have risen to the challenge of providing services to citizens when COVID-19 threatens the normal operations of businesses and government agencies alike. I am keenly aware of the challenges facing Kansas taxpayers, especially those facing unemployment or decreased income as a result of the COVID-19 pandemic.

However, the COVID-19 pandemic has also required our local governments to do more with less. Local governments rely heavily on property taxes to fund essential programs and services, but by allowing property tax payments to be made as late as August 10, 2020, with no penalties or interest, House Bill 2702 would potentially deprive local governments of essential funding at a time it is needed the most. Local governments cannot meet increased demand for police, fire, emergency medical, and other services if a primary funding source for local governments is withdrawn. Additionally, HB 2702 places significant administrative burdens on local governments when local officials should be focused on addressing the threats and challenges of COVID-19 in their communities.

I have long supported responsible property tax relief, but the provisions of HB 2702 cause more problems than they solve. Now is not the time to create more problems and burdens for local governments.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto House Bill 2702.

Laura Kelly, Governor

Dated June 1, 2020.

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STATE OF KANSAS

2020 SPECIAL SESSION LAWS OF KANSAS

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

PASSED DURING THE 2020 SPECIAL SESSION
OF THE LEGISLATURE OF THE STATE OF KANSAS

OFFICIAL DIRECTORY

ELECTIVE STATE OFFICERS

<i>Office</i>	<i>Name</i>	<i>Residence</i>	<i>Party</i>
Governor	Laura Kelly	Topeka	Dem.
Lieutenant Governor	Lynn W. Rogers	Wichita	Dem.
Secretary of State	Scott Schwab	Olathe	Rep.
State Treasurer	Jacob LaTurner	Pittsburg	Rep.
Attorney General.....	Derek Schmidt	Independence	Rep.
Commissioner of Insurance.....	Vicki Schmidt	Topeka	Rep.

STATE BOARD OF EDUCATION

<i>Dist.</i>	<i>Name and residence</i>	<i>Dist.</i>	<i>Name and residence</i>
1	Janet Waugh , Kansas City	6	Deena Horst , Salina
2	Steve Roberts , Overland Park	7	Ben Jones , Sterling
3	Michelle Dombrosky , Olathe	8	Kathy Busch , Wichita
4	Ann E. Mah , Topeka	9	Jim Porter , Fredonia
5	Jean Clifford , Garden City	10	Jim, McNiece , Wichita

UNITED STATES SENATORS

<i>Name and residence</i>	<i>Party</i>	<i>Term</i>
Pat Roberts , Dodge City	Republican.....	term expires Jan. 3, 2021
Jerry Moran , Hays	Republican.....	term expires Jan. 3, 2023

UNITED STATES REPRESENTATIVES

(Terms expire January 3, 2023)

<i>District</i>	<i>Name</i>	<i>Residence</i>	<i>Party</i>
First.....	Roger Marshall , MD	Salina.....	Rep.
Second.....	Steve Watkins	Topeka.....	Rep.
Third.....	Sharice Davids	Overland Park	Dem.
Fourth.....	Ron Estes	Wichita	Rep.

LEGISLATIVE DIRECTORY

STATE SENATE

<i>Name and residence</i>	<i>Party</i>	<i>Dist.</i>
Alley, Larry , 517 Quail Nest Rd., Winfield 67156.....	Rep.	32
Baumgardner, Molly , 29467 Masters Ct., Louisburg 66053.....	Rep.	37
Berger, Edward E. , 2501 Briarwood, Hutchinson 67502.....	Rep.	34
Billinger, Richard (Rick) , Box 594, Goodland 67735.....	Rep.	40
Bollier, Barbara , 6910 Overhill Rd., Mission Hills 66208.....	Dem.	7
Bowers, Elaine , 1326 N. 150th Rd., Concordia 66901.....	Rep.	36
Braun, Kevin , 4315 N. 110th Terr., Kansas City 66109.....	Rep.	5
Denning, Jim , 8416 W. 115th St., Overland Park 66210.....	Rep.	8
Doll, John , 2927 Cliff Pl., Garden City 67846.....	Rep.	39
Estes, Bud , 1405 Elbow Bend, Dodge City 67801.....	Rep.	38
Faust Goudeau, Oletha , PO Box 20335, Wichita 67208.....	Dem.	29
Francisco, Marci , 1101 Ohio, Lawrence 66044.....	Dem.	2
Givens, Bruce , 1525 Country Club Rd., El Dorado 67042.....	Rep.	14
Goddard, Dan , 3420 Mosher Rd., Parsons 67357.....	Rep.	15
Haley, David , 936 Cleveland Ave., Kansas City 66101.....	Dem.	4
Hardy, Randall , 816 Highland Ave., Salina 67401.....	Rep.	24
Hawk, Tom , 2600 Woodhaven Ct., Manhattan 66502.....	Dem.	22
Hensley, Anthony , 4240 SE Wisconsin Ave., Topeka 66609.....	Dem.	19
Hilderbrand, Richard , 10337 SE 107th Terr., Galena 66739.....	Rep.	13
Holland, Tom , 961 E. 1600 Rd., Baldwin City 66006.....	Dem.	3
Kerschen, Dan , 645 S. 263 West, Garden Plain 67050.....	Rep.	26
Longbine, Jeff , 2801 Lakeridge Rd., Emporia 66801.....	Rep.	17
Lynn, Julia , 18837 W. 115th Terr., Olathe 66061.....	Rep.	9
Masterson, Ty , 1539 Phyllis Ln., Andover 67002.....	Rep.	16
McGinn, Carolyn , PO Box A, Sedgwick 67135.....	Rep.	31
Miller, Vic , 1174 SW Fillmore, Topeka 66604.....	Dem.	18
Olson, Rob , 15944 S. Clairborne St., Olathe 66062.....	Rep.	23
Petersen, Mike , 2608 S. Southeast Dr., Wichita 67216.....	Rep.	28
Petty, Pat , 5316 Lakewood St., Kansas City 66106.....	Dem.	6
Pyle, Dennis , 2979 Kingfisher Rd., Hiawatha 66434.....	Rep.	1
Rucker, Eric , 7061 SW Queens Ct., Topeka 66614.....	Rep.	20
Skubal, John , 6503 W. 134th Terr., Overland Park 66209.....	Rep.	11
Suellentrop, Gene , 6813 W. Northwind Cir., Wichita 67205.....	Rep.	27
Sykes, Dinah H. , 10227 Theden Cir., Lenexa 66220.....	Dem.	21
Taylor, Mary Jo , 114 N. Union, Stafford 67578.....	Rep.	33
*Thompson, Mike , Shawnee 66216.....	Rep.	10
Tyson, Caryn , PO Box 191, Parker 66072.....	Rep.	12
Wagle, Susan , 4 N. Sagebrush St., Wichita 67230.....	Rep.	30
Ware, Mary , 1444 N. Perry, Wichita 67203.....	Dem.	25
Wilborn, Richard E. , 1504 Heritage Pl., McPherson 67460.....	Rep.	35

*Mike Thompson sworn in January 21, 2020 to replace Mary Pilcher-Cook

HOUSE OF REPRESENTATIVES

<i>Name and residence</i>	<i>Party</i>	<i>Dist.</i>
Alcala, John , 520 NE Lake St., Topeka 66616.....	Dem.	57
Amyx, Mike , 501 Lawrence Ave., Lawrence 66049.....	Dem.	45
Arnberger, Tory Marie , PO Box 103, Great Bend 67530.....	Rep.	112
Awerkamp, Francis , 807 W. Linn St., St. Marys 66536	Rep.	61
Baker, Dave , 278 Lake Rd., Council Grove 66846.....	Rep.	68
Ballard, Barbara W. , 1532 Alvamar Dr., Lawrence 66047.....	Dem.	44
Barker, John E. , 103 Wassinger Ave., Abilene 67410.....	Rep.	70
Bergquist, Emil , 6430 N. Hydraulic, Park City 67219	Rep.	91
Bishop, Elizabeth , 8518 E. Longlake St., Wichita 67207	Dem.	88
Blex, Doug , 3131 CR 2600, Independence 67301.....	Rep.	12
Burris, Jesse , 1545 E. 119th St., Mulvane 67110	Rep.	82
Burroughs, Tom , 3131 S. 73rd Terr., Kansas City 66106	Dem.	33
Capps, Michael , 10202 E. Bronco St., Wichita 67206	Rep.	85
Carlin, Sydney , 1650 Sunnyslope Ln., Manhattan 66502.....	Dem.	66
Carlson, Suzi , 1741 Berglund Dr., Clay Center 67432	Rep.	64
Carmichael, John , 1475 N. Lieunett, Wichita 67203	Dem.	92
Carpenter, Blake , PO Box 350, Derby 67037.....	Rep.	81
Carpenter, Will , 6965 SW 18th, El Dorado 67042	Rep.	75
Claeys, J.R. , 2157 Redhawk Ln., Salina 67401	Rep.	69
Clark, Lonnie G. , 1221 Country Club Ln., Junction City 66441	Rep.	65
Clayton, Stephanie Sawyer , 9825 Woodson Dr., Overland Park 66207	Dem.	19
Collins, Ken , 102 E. 1st St., Mulberry 66756.....	Rep.	2
Concannon, Susan , 921 N. Mill St., Beloit 67420	Rep.	107
Corbet, Ken , 10351 SW 61st St., Topeka 66610	Rep.	54
Cox, Tom , 13510 W. 72nd St., Shawnee 66216.....	Rep.	17
Croft, Chris , 8909 W. 148th Terr., Overland Park 66221	Rep.	8
Curtis, Pam , 322 N. 16th St., Kansas City 66102.....	Dem.	32
*Day, Jennifer , 11941 Perry St., Overland Park 66213.....	Dem.	48
Delperdang, Leo G. , 2103 N. Pintail St., Wichita 67235	Rep.	94
Dierks, Diana , 1221 Sunrise Dr., Salina 67401.....	Rep.	71
Dietrich, Brenda S. , 6110 SW 38th Terr., Topeka 66610.....	Rep.	52
Donohoe, Owen , 6265 Arapahoe St., Shawnee 66226.....	Rep.	39
Dove, Willie , 14715 Timber Ln., Bonner Springs 66012.....	Rep.	38
Ellis, Ronald B. , 9199 K-4 Highway, Meriden 66512	Rep.	47
Eplee, John R. , 163 Deer Run, Atchison 66002	Rep.	63
Erickson, Renee , 26 N. Cypress Dr., Wichita 67206.....	Rep.	87
Esau, Charlotte , 11702 S. Winchester St., Olathe 66061.....	Rep.	14
Finch, Blaine , 5 SW Fairview Dr., Ottawa 66067	Rep.	59
Finney, Gail , 1754 N. Madison Ave., Wichita 67214	Dem.	84
Francis, Shannon , 1501 Tucker Ct., Liberal 67901	Rep.	125
French, David , 950 Holiday Dr., Lansing 66043.....	Rep.	40
Frownfelter, Stan S. , 5225 Crest Dr., Kansas City 66106.....	Dem.	37
Garber, Randy , 2424 Timberline Terr., Sabetha 66534	Rep.	62
Gartner, Jim , 928 SW Woodbridge Ct., Topeka 66606	Dem.	53
Hawkins, Daniel , 9406 Harvest Ln., Wichita 67212	Rep.	100
Helgersen, Henry , 12 E. Peach Tree Ln., Eastborough 67207	Dem.	83
Helmer, Cheryl , 1066 E. 130th Avenue North, Mulvane 67110.....	Rep.	79

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<i>Name and residence</i>	<i>Party</i>	<i>Dist.</i>
Henderson, Broderick , 2710 N. 8th St., Kansas City 66101	Dem.	35
Highberger, Dennis (Boog) , 1024 New York, Lawrence 66044	Dem.	46
Highland, Ron , 27487 Wells Creek Rd., Wamego 66547	Rep.	51
Hineman, Don , 116 S. Longhorn Rd., Dighton 67839	Rep.	118
Hodge, Tim , 2727 N. Main, North Newton 67117	Dem.	72
Hoffman, Kyle D. , 1318 Avenue T, Coldwater 67029	Rep.	116
Hoheisel, Nick J. , 3130 S. Richmond, Wichita 67217	Rep.	97
Holscher, Cindy , 12345 Westgate St., Overland Park 66213	Dem.	16
Horn, Eileen , 2121 Vermont St., Lawrence 66046	Dem.	10
Houser, Michael , 6891 SW 10th St., Columbus 66725	Rep.	1
Howard, Ron , 2719 E. Timberlane St., Wichita 67216	Rep.	98
Huebert, Steve , 619 N. Birch, Valley Center 67147	Rep.	90
Humphries, Susan , 8 Sagebrush St., Wichita 67230	Rep.	99
Jacobs, Trevor , 1927 Locust Rd., Fort Scott 66701	Rep.	4
Jennings, J. Russell , PO Box 295, Lakin 67860	Rep.	122
Johnson, Steven C. , 10197 S. Hopkins Rd., Assaria 67416	Rep.	108
Kaleskint, Jim , 24542 Cantrell Rd., Tonganoxie 66086	Rep.	42
Kelly, Jim , 309 S. 5th St., Independence 67301	Rep.	11
Kessinger, Jan H. , 12605 Walmer St., Overland Park 66209	Rep.	20
Kuether, Annie , 1346 SW Wayne Ave., Topeka 66604	Dem.	55
Landwehr, Brenda K. , 2611 N. Bayside Ct., Wichita 67205	Rep.	105
Long, Martin , 817 N. Joyce St., Ulysses 67880	Rep.	124
Lusk, Nancy , 7700 W. 83rd St., Overland Park 66204	Dem.	22
Lynn, Megan , 14430 W. 139th Pl., Olathe 66063	Rep.	49
Mason, Les , 108 Arcadian Ct., McPherson 67460	Rep.	73
Mastroni, Leonard A. , 102 Fairway Dr., La Crosse 67548	Rep.	117
Moore, J.C. (Jesse C.) , 717 W. 49th St., Haysville 67060	Rep.	93
Murnan, Monica , 1313 Mallory Ct., Pittsburg 66762	Dem.	3
Neighbor, Cindy , 10405 W. 52nd Terr., Shawnee 66203	Dem.	18
Newland, Joe , 6395 Trego Rd., Neodesha 66757	Rep.	13
Ohaebosim, KC , PO Box 21271, Wichita 67208	Dem.	89
Orr, Boyd , 30111 H Rd., Fowler 67844	Rep.	115
Ousley, Jarrod , 6800 Farley St., Merriam 66203	Dem.	24
Owens, Stephen , PO Box 606, Hesston 67062	Rep.	74
Pannbacker, Bill , 210 E. College, Washington 66968	Rep.	106
Parker, Brett , 8323 W. 108th St., Apt. F, Overland Park 66210	Dem.	29
Patton, Fred C. , 339 NE 46th, Topeka 66617	Rep.	50
Phillips, Tom , 1530 Barrington Dr., Manhattan 66503	Rep.	67
Pittman, Jeff , 1108 S. Broadway, Leavenworth 66048	Dem.	41
Probst, Jason , PO Box 3262, Hutchinson 67504	Dem.	102
Proehl, Rich , 510 Pine Ridge Rd., Parsons 67357	Rep.	7
Rahjes, Ken , 1798 E. 900 Rd., Agra 67621	Rep.	110
Ralph, Brad , 103A Corral Way, Dodge City 67801	Rep.	119
Resman, John , 434 N. Persimmon Dr., Olathe 66061	Rep.	121
Rhiley Sr., Bill , Wellington 67152	Rep.	80
Ruiz, Louis E. , 2914 W. 46th Ave., Kansas City 66103	Dem.	31
Ruiz, Susan , 7306 Bond St., Shawnee 66203	Dem.	23
Ryckman Jr., Ron , 14234 W. 158th St., Olathe 66062	Rep.	78
Samsel, Mark , 508 E. 4th St., Wellsville 66092	Rep.	5

<i>Name and residence</i>	<i>Party</i>	<i>Dist.</i>
Sawyer, Tom , 1041 S. Elizabeth St., Wichita 67213.....	Dem.	95
Schreiber, Mark , 1722 Yucca Ln., Emporia 66801.....	Rep.	60
Seiwert, Joe , 1111 E. Boundary Rd., Pretty Prairie 67570.....	Rep.	101
Smith, Adam , 1970 Road 3, Weskan 67762.....	Rep.	120
Smith, Eric L. , 627 Kennebec St., Burlington 66839.....	Rep.	76
Stogsdill, Jerry W. , 4414 Tomahawk Rd., Prairie Village 66208.....	Dem.	21
Straub, Alicia , 401 S. Kennedy Ave., Ellinwood 67526.....	Rep.	113
Sutton, William M. , 215 W. Park St., Gardner 66030.....	Rep.	43
Tarwater Sr., Sean E. , 16006 Meadow Ln., Stilwell 66085.....	Rep.	27
Thimesch, Jack , 11716 SW 80th St., Spivey 67142.....	Rep.	114
Thomas, Adam , 16272 S. Sunset St., Olathe 66062.....	Rep.	26
Thompson, Kent L. , 1816 2800 St., LaHarpe 66751.....	Rep.	9
Toplikar, John , 507 E. Spruce St., Olathe 66061.....	Rep.	15
Vickrey, Jene , 502 S. Countryside Dr., Louisburg 66053.....	Rep.	6
Victors, Ponka-We , PO Box 48081, Wichita 67201.....	Dem.	103
Waggoner, Paul , PO Box 3184, Hutchinson 67504.....	Rep.	104
Ward, Jim , 3100 E. Clark, Wichita 67211.....	Dem.	86
Warfield, Freda , 774 SE Ridgeview Dr., Topeka 66609.....	Dem.	58
Warren, Kellie , 14505 Falmouth St., Leawood 66224.....	Rep.	28
Wasinger, Barbara , 1602 Elm St., Hays 67601.....	Rep.	111
Waymaster, Troy L. , 3528 192nd St., Bunker Hill 67626.....	Rep.	109
Weigel, Virgil , 1900 SW Briarwood Dr., Topeka 66611.....	Dem.	56
Wheeler Jr., John P. , 902 Anderson St., Garden City 67846.....	Rep.	123
Williams, Kristey , 506 Stone Lake Ct., Augusta 67010.....	Rep.	77
Winn, Valdenia C. , PO Box 12327, Kansas City 66112.....	Dem.	34
Wolfe Moore, Kathy , 3209 N. 131st St., Kansas City 66109.....	Dem.	36
Woodard, Brandon , 9051 Renner Blvd., Apt. 3002, Lenexa 66219.....	Dem.	30
Xu, Rui , 4724 Belinder Ave., Westwood 66205.....	Dem.	25
**Yeager, Stephanie , 4480 S. Meridian #94, Wichita 67217.....	Dem.	96

* Jennifer Day sworn in on June 3, 2020 to replace David Benson

** Stephanie Yeager sworn in on January 13, 2020 to replace Brandon Whipple

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Jeff Longbine Vice President
Jim Denning Majority Leader
Anthony HensleyMinority Leader

OFFICERS OF THE HOUSE

Ron Ryckman Speaker
Blaine FinchSpeaker Pro Tem
Dan HawkinsMajority Leader
Tom SawyerMinority Leader

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2020 SPECIAL SESSION

LAWS OF KANSAS

CHAPTER 1

HOUSE BILL No. 2016

(Amends Regular Session Chapters 2 and 4)

TO	SEC.
Governor's department.....	1, 2

AN ACT concerning governmental response to the 2020 COVID-19 pandemic in Kansas; providing certain relief related to health, welfare, property and economic security during this public health emergency; making and concerning appropriations for the fiscal years ending June 30, 2020, and June 30, 2021, for the governor's department; requiring the state finance council's approval for certain expenditures; relating to the state of disaster emergency; powers of the governor and executive officers; providing certain limitations and restrictions; business and commercial activities; violations of the Kansas emergency management act; relating to the closure of schools by executive order; requiring state board of education approval prior to any such closure; enacting the COVID-19 response and reopening for business liability protection act; relating to limitations on liability associated with the COVID-19 public health emergency; providing immunity from civil liability for certain healthcare providers during the COVID-19 public health emergency; providing an affirmative defense for adult care homes; enacting the COVID-19 contact tracing privacy act; relating to privacy of persons whose information is collected through contact tracing and the confidentiality of contact data; authorizing the secretary of health and environment and local health officers to establish and operate systems of contact tracing during the COVID-19 pandemic; validating certain notarial acts performed while the requirements that a person must appear before a notary public are suspended; requiring local health officers to share certain information with first responder agencies and 911 call centers; imposing requirements on the Kansas department for aging and disability services related to infection prevention and control practices and recommendations, infection control inspections and providing personal protective equipment; authorizing the expanded use of telemedicine in response to the COVID-19 public health emergency and imposing requirements related thereto; suspending certain requirements related to medical care facilities and expiring such provisions; providing for temporary suspension of certain healthcare professional licensing and practice requirements; delegation and supervision requirements; conditions of licensure and renewal and reinstatement of licensure; relating to authorized use of two-way electronic audiovisual communication by courts to secure the health and safety of court users, staff and judicial officers; authorizing the temporary sale of alcoholic liquor for consumption off of certain licensed premises; relating to changes in the employment security law in response to the COVID-19 public health emergency; eligibility for benefits; contribution rates; federal reimbursement; employer notifications; shared work plan eligibility; authorizing counties to adopt orders relating to public health that are less stringent than statewide executive orders; relating to review, amendment or revocation of local disaster orders by the board of county commissioners; review, amendment or revocation of local disaster orders of a mayor by a

city governing body; relating to local health officers; appointment, removal, powers and duties; providing for severability of this act; amending section 1 of 2020 House Substitute for Senate Bill No. 102, K.S.A. 48-924, 48-932, 48-939, 65-201, 65-202 and 65-468 and K.S.A. 2019 Supp. 19-101a, 41-2653, 44-702, 44-705, as amended by section 2 of 2020 Senate Bill No. 27, 44-709, 44-710, 44-757, 48-925 and 48-925, as amended by section 33 of this act, and repealing the existing sections.

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

Section 1.

GOVERNOR'S DEPARTMENT

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2020, 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:

Coronavirus relief fund—federal fund (252-00-3753) No limit
Provided, That all moneys in the coronavirus relief fund—federal fund shall be used for the purposes of relief for the effects of coronavirus in the state of Kansas as set forth in such federal grant or receipt: *Provided further*, That, notwithstanding any law to the contrary, during the fiscal year ending June 30, 2020, no moneys shall be disbursed or expended from the coronavirus relief fund—federal fund by the above agency without the approval of the governor and a majority of the legislative members of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, except that such disbursements and expenditures may also be approved while the legislature is in session: *And provided further*, That the state finance council is hereby authorized to approve the disbursement and expenditure of moneys from the coronavirus relief fund—federal fund for such purposes.

Sec. 2.

GOVERNOR'S DEPARTMENT

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, 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:

Coronavirus relief fund—federal fund (252-00-3753) No limit
Provided, That all moneys in the coronavirus relief fund—federal fund shall be used for the purposes of relief for the effects of coronavirus in the state of Kansas as set forth in such federal grant or receipt: *Provided further*, That, notwithstanding any law to the contrary, during the fiscal year ending June 30, 2021, no moneys shall be disbursed or expended from

the coronavirus relief fund—federal fund by the above agency without the approval of the governor and a majority of the legislative members of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, except that such disbursements and expenditures may also be approved while the legislature is in session: *And provided further*, That the state finance council is hereby authorized to approve the disbursement and expenditure of moneys from the coronavirus relief fund—federal fund for such purposes.

Sec. 3. (a) On the effective date of this act, notwithstanding the provisions of section 189 of chapter 68 of the 2019 Session Laws of Kansas for fiscal year 2020 and section 179 of 2020 Senate Bill No. 66 for fiscal year 2021, for fiscal year 2020 and fiscal year 2021 concerning each federal grant or other federal receipt that is received by a state agency named in chapter 68 of the 2019 Session Laws of Kansas or 2020 Senate Bill No. 66, that concerns moneys from the federal government for aid to the state of Kansas for coronavirus relief as appropriated in section 601(c)(2)(A) of the federal CARES act, public law 116-136, and that is not otherwise appropriated to that state agency for fiscal year 2020 or 2021 by chapter 68 of the 2019 Session Laws of Kansas, 2020 Senate Bill No. 66 or this appropriation act of the 2020 special session of the legislature, such federal grant or other federal receipt is hereby appropriated for fiscal year 2020 and fiscal year 2021 to the coronavirus relief fund—federal fund (252-00-3753) of the governor's department for the purpose set forth in such federal grant or receipt and subject to the provisions of section 1 and 2: *Provided, however*, That if the provisions of a federal grant or receipt require the related federal moneys to be placed in a separate special revenue fund or an existing special revenue fund, such federal moneys shall be credited to such fund, but any such disbursement and expenditure of such federal moneys shall be subject to the provisions of sections 1 and 2, including any existing special revenue fund that was appropriated as a no-limit fund in chapter 68 of the 2019 Session Laws of Kansas for fiscal year 2020 and 2020 Senate Bill No. 66 for fiscal year 2021.

(b) On the effective date of this act, the provisions of section 189 of chapter 68 of the 2019 Session Laws of Kansas for fiscal year 2020 and section 179 of 2020 Senate Bill No. 66 for fiscal year 2021, for fiscal year 2020 and fiscal year 2021 concerning each federal grant or other federal receipt that is received by a state agency named in chapter 68 of the 2019 Session Laws of Kansas or 2020 Senate Bill No. 66 and that concerns moneys from the federal government for aid to the state of Kansas for coronavirus relief as appropriated in section 601(c)(2)(A) of the federal CARES act, public law 116-136, shall be null and void and shall have no force and effect.

Sec. 4. (a) On the effective date of this act, notwithstanding the provisions of section 189 of chapter 68 of the 2019 Session Laws of Kansas for fiscal year 2020 and section 179 of 2020 Senate Bill No. 66 for fiscal year 2021, in addition to the other purposes for which expenditures may be made by any state agency that is named in chapter 68 of the 2019 Session Laws of Kansas or 2020 Senate Bill No. 66, expenditures may be made by such state agency from moneys appropriated for fiscal year 2020 and fiscal year 2021 by chapter 68 of the 2019 Session Laws of Kansas, 2020 Senate Bill No. 66 or this appropriation act of the 2020 special session of the legislature to apply for and receive federal grants during fiscal year 2020 and fiscal year 2021, that federal grants are hereby authorized to be applied for and received by such state agencies that concern moneys from the federal government for aid to the state of Kansas for coronavirus relief as appropriated in the federal CARES act, public law 116-136, the federal coronavirus preparedness and response supplemental appropriations act, 2020, public law 116-123, the federal families first coronavirus response act, public law 116-127, the federal paycheck protection program and health care enhancement act, public law 116-139 and any other federal law that appropriates moneys to the state for aid for coronavirus relief, subject to the following provisions: *Provided*, That no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt that has not been previously appropriated or reappropriated, until the state finance council has authorized the state agency to make expenditures therefrom: *Provided further*, That such requests may be approved by the governor and a majority of the legislative members of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, except that such disbursements and expenditures may also be approved while the legislature is in session: *And provided further*, That the state finance council is hereby authorized to approve the requests for such purposes: *And provided further*, That upon receipt of such approval by the state finance council, the requesting state agency is authorized to expend all approved moneys now or hereafter lawfully credited to and available in such fund or funds during fiscal year 2020 and fiscal year 2021.

(b) During the fiscal years ending June 30, 2020, and June 30, 2021, notwithstanding the provisions of any other law, executive order or executive directive, no expenditure shall be made from and no obligation shall be incurred against any coronavirus relief fund – federal fund created by executive directive No. 20-517 or any other executive order or executive directive that is created for any state agency to receive and expend federal moneys for aid to the state of Kansas for coronavirus relief until the state

finance council has approved such expenditure or obligation as provided in subsection (a).

(c) On the effective date of this act, the provisions of section 189 of chapter 68 of the 2019 Session Laws of Kansas for fiscal year 2020 and section 179 of 2020 Senate Bill No. 66, for fiscal year 2020 and fiscal year 2021 concerning each federal grant or other federal receipt that is received by a state agency named in chapter 68 of the 2019 Session Laws of Kansas or 2020 Senate Bill No. 66 and that concerns moneys from the federal government for aid to the state of Kansas for coronavirus relief as appropriated in the federal CARES act, public law 116-136, the federal coronavirus preparedness and response supplemental appropriations act, 2020, public law 116-123, the federal families first coronavirus response act, public law 116-127, the federal paycheck protection program and health care enhancement act, public law 116-139 and any other federal law that appropriates moneys to the state for aid for coronavirus relief, shall be null and void and shall have no force and effect.

New Sec. 5. (a) The state of disaster emergency that was declared by the governor pursuant to K.S.A. 48-924, and amendments thereto, as a result of the COVID-19 health emergency, by proclamation on March 12, 2020, which was ratified and continued in force and effect through May 1, 2020, by 2020 House Concurrent Resolution No. 5025, adopted by the house of representatives with the senate concurring therein on March 19, 2020, declared by proclamation on April 30, 2020, which was extended and continued in existence by the state finance council on May 13, 2020, for an additional 12 days through May 26, 2020, and declared by proclamation on May 26, 2020, for all 105 counties of Kansas, is hereby ratified and continued in existence from March 12, 2020, through September 15, 2020.

(b) The governor shall not proclaim any new state of disaster emergency related to the COVID-19 health emergency during 2020, unless the governor makes specific application to the state finance council and an affirmative vote of at least six of the legislative members of the council approve such action by the governor.

New Sec. 6. (a) On and after September 15, 2020, during any state of disaster emergency declared pursuant to K.S.A. 48-924, and amendments thereto, the governor may not order the closure or cessation of any business or commercial activity, whether for-profit or not-for-profit, for more than 15 days. At least 24 hours prior to the issuance of such order, the governor shall call a meeting of the state finance council for the purpose of consulting with the council regarding the conditions necessitating the issuance of such order. After such initial order or orders providing for the closure or cessation of any business or commercial activity have resulted in 15 days of such closures or cessation of business or commercial activity, the governor may not order the closure or cessation of business or com-

mercial activity, except upon specific application by the governor to the state finance council and an affirmative vote of at least six of the legislative members of the council, the governor may order the closure or cessation of business or commercial activity as approved by the council for specified periods not to exceed 30 days each.

(b) Any order issued that violates or exceeds the restrictions provided in subsection (a) shall not have the force and effect of law during the period of a state of disaster emergency declared under K.S.A. 48-924(b), and amendments thereto, and any such order shall be null and void.

(c) The provisions of this section shall expire on January 26, 2021.

New Sec. 7. Notwithstanding any other provision of law to the contrary, no executive order issued by the governor pursuant to K.S.A. 48-925, and amendments thereto, that has the effect of closing public or private school attendance centers in this state shall be effective unless and until such order has been affirmed by the state board of education by adoption of a resolution by a majority of the members of the state board. Prior to issuing any such executive order, the governor shall submit such proposed executive order to the state board of education. Upon receipt of such proposed executive order, the state board shall meet as soon as reasonably possible to review such proposed order and, if a majority of the members of the state board determines such order is in the best interests of the students in this state, to adopt a resolution affirming such proposed executive order.

New Sec. 8. Sections 8 through 15, and amendments thereto, shall be known and may be cited as the COVID-19 response and reopening for business liability protection act.

New Sec. 9. As used in the COVID-19 response and reopening for business liability protection act, unless the context otherwise requires:

(a) “Adult care facility” means a “nursing facility,” “assisted living facility” or “residential healthcare facility” as those terms are defined in K.S.A. 39-923, and amendments thereto.

(b) “COVID-19” means the novel coronavirus identified as SARS-CoV-2.

(c) “COVID-19 claim” means any claim for damages, losses, indemnification, contribution or other relief arising out of or based on exposure or potential exposure to COVID-19. “COVID-19 claim” includes a claim made by or on behalf of any person who has been exposed or potentially exposed to COVID-19, or any representative, spouse, parent, child or other relative of such person, for injury, including mental or emotional injury, death or loss to person, risk of disease or other injury, costs of medical monitoring or surveillance, or other losses allegedly caused by the person’s exposure or potential exposure to COVID-19.

(d) “COVID-19 public health emergency” means the state of disaster emergency declared for the state of Kansas on March 12, 2020, any subsequent orders or amendments to such orders and any subsequent disaster emergency declared for the state of Kansas regarding the COVID-19 pandemic.

(e) “Disinfecting or cleaning supplies” includes, but is not limited to, hand sanitizers, disinfectants, sprays and wipes.

(f) “Healthcare provider” means a person or entity that is licensed, registered, certified or otherwise authorized by the state of Kansas to provide healthcare services in this state, including a hospice certified to participate in the medicare program under 42 C.F.R. § 418 et seq. “Healthcare provider” does not include any entity licensed under chapter 39 of the Kansas Statutes Annotated, and amendments thereto.

(g) “Person” means an individual, for-profit or not-for-profit business entity, business trust, estate, trust, partnership, limited liability company, association, joint venture, public corporation, government or political subdivision, agency or instrumentality or any other legal or commercial entity.

(h) “Personal protective equipment” means coveralls, face shields, gloves, gowns, masks, respirators or other equipment designed to protect the wearer from the spread of infection or illness.

(i) “Product liability claim” means any strict liability, ordinary negligence or implied warranty claim or action brought for harm caused by the manufacture, production, making, construction, fabrication, design, formula, preparation, assembly, installation, testing, warnings, instructions, marketing, packaging, storage or labeling of the relevant product.

(j) “Public health directives” means any of the following that is required by law to be followed related to public health and COVID-19:

(1) State statutes, rules and regulations or executive orders issued by the governor pursuant to K.S.A. 48-925, and amendments thereto;

(2) federal statutes or regulations from federal agencies, including the United States centers for disease control and prevention and the occupational safety and health administration of the United States department of labor; or

(3) any lawful order or proclamation issued under authority of the Kansas emergency management act, and amendments thereto, by a board of county commissioners, the governing body of a city or a local health officer.

(k) “Qualified product” means: (1) Personal protective equipment used to protect the wearer from COVID-19 or the spread of COVID-19; (2) medical devices, equipment and supplies used to treat COVID-19, including products that are used or modified for an unapproved use to treat COVID-19 or prevent the spread of COVID-19; (3) medical devices, equipment or supplies utilized outside of the product’s normal use to treat COVID-19 or to prevent the spread of COVID-19; (4) medications

used to treat COVID-19, including medications prescribed or dispensed for offlabel use to attempt to combat COVID-19; (5) tests used to diagnose or determine immunity to COVID-19; (6) disinfecting or cleaning supplies; (7) clinical laboratory services certified under the federal clinical laboratory improvement amendments in section 353 of the public health service act, 42 U.S.C. § 263a; and (8) components of qualified products.

New Sec. 10. (a) Notwithstanding any other provision of law, except as provided in subsection (c), a healthcare provider is immune from civil liability for damages, administrative fines or penalties for acts, omissions, healthcare decisions or the rendering of or the failure to render healthcare services, including services that are altered, delayed or withheld, as a direct response to any state of disaster emergency declared pursuant to K.S.A. 48-924, and amendments thereto, related to the COVID-19 public health emergency.

(b) The provisions of this section shall apply to any claims for damages or liability that arise out of or relate to acts, omissions or healthcare decisions occurring during any state of disaster emergency declared pursuant to K.S.A. 48-924, and amendments thereto, related to the COVID-19 public health emergency.

(c) (1) The provisions of this section shall not apply to civil liability when it is established that the act, omission or healthcare decision constituted gross negligence or willful, wanton or reckless conduct.

(2) The provisions of this section shall not apply to healthcare services not related to COVID-19 that have not been altered, delayed or withheld as a direct response to the COVID-19 public health emergency.

New Sec. 11. (a) Notwithstanding any other provision of law, a person, or an agent of such person, conducting business in this state shall be immune from liability in a civil action for a COVID-19 claim if such person was acting pursuant to and in substantial compliance with public health directives applicable to the activity giving rise to the cause of action when the cause of action accrued.

(b) The provisions of this section shall expire on January 26, 2021.

New Sec. 12. Notwithstanding any other provision of law, a person who designs, manufactures, labels, sells, distributes, provides or donates a qualified product in response to the COVID-19 public health emergency shall be immune from liability in a civil action alleging a product liability claim arising out of such qualified product if:

(a) The product was manufactured, labeled, sold, distributed, provided or donated at the specific request of or in response to a written order or other directive finding a public need for a qualified product issued by the governor, the adjutant general or the division of emergency management; and

(b) the damages are not occasioned by willful, wanton or reckless disregard of a known, substantial and unnecessary risk that the product would cause serious injury to others.

New Sec. 13. (a) Notwithstanding any other provision of law, an adult care facility shall have an affirmative defense to liability in a civil action for damages, administrative fines or penalties for a COVID-19 claim if such facility:

(1) (A) Was caused, by the facility's compliance with a statute or rule and regulation, to reaccept a resident who had been removed from the facility for treatment of COVID-19; or

(B) treats a resident who has tested positive for COVID-19 in such facility in compliance with a statute or rule and regulation; and

(2) is acting pursuant to and in substantial compliance with public health directives.

(b) As used in this section, "public health directives" means any of the following that is required by law to be followed related to public health and COVID-19:

(1) State statutes, rules and regulations or executive orders issued by the governor pursuant to K.S.A. 48-925, and amendments thereto; or

(2) federal statutes or regulations from federal agencies, including the United States centers for disease control and prevention and the occupational safety and health administration of the United States department of labor.

New Sec. 14. Nothing in the COVID-19 response and reopening for business liability protection act:

(a) Creates, recognizes or ratifies a claim or cause of action of any kind;

(b) eliminates a required element of any claim;

(c) affects workers' compensation law, including the exclusive application of such law; or

(d) amends, repeals, alters or affects any other immunity or limitation of liability.

New Sec. 15. (a) The provisions of sections 11, 12 and 14, and amendments thereto, shall apply retroactively to any cause of action accruing on or after March 12, 2020.

(b) The provisions of sections 10 and 13, and amendments thereto, shall apply retroactively to any cause of action accruing on or after March 12, 2020, and prior to termination of the state of disaster emergency related to the COVID-19 public health emergency declared pursuant to K.S.A. 48-924, and amendments thereto.

New Sec. 16. (a) This section shall be known and may be cited as the COVID-19 contact tracing privacy act.

(b) The purpose of this act is to protect the privacy of persons whose information is collected through contact tracing and the confidentiality of contact data.

(c) (1) Except as provided by paragraph (2), neither the state nor any municipality, officer or official or agent thereof, may conduct or authorize contact tracing.

(2) Whenever the secretary or a local health officer determines contact tracing is necessary to perform a public health duty assigned by statute to such official, the secretary or local health officer may conduct or authorize contact tracing as provided by this section.

(d) (1) Subject to the availability of appropriations, the secretary or local health officer may employ, contract for or engage contact tracers.

(2) Persons acting as contact tracers under authority of this subsection shall meet the qualifications and training prescribed by rules and regulations of the secretary adopted pursuant to subsection (j). Until such rules and regulations are adopted, but no later than August 1, 2020, persons acting as contact tracers may act under the supervision of the secretary and in compliance with the other provisions of this act.

(3) (A) Before collecting any contact data, each person acting as a contact tracer shall execute, under oath, on a form prescribed by rules and regulations of the secretary adopted pursuant to subsection (j) an acknowledgment of familiarity with this section and the duties it imposes upon such person, including the duty of confidentiality.

(B) The state or municipal entity hiring, contracting with or engaging the contact tracer shall maintain a copy of each such executed form for not less than one year after such person's duties as a contact tracer end, or pursuant to applicable records retention schedules, whichever is later.

(4) A contact tracer employed, contracted or engaged by the secretary shall be deemed a state employee under the Kansas tort claims act, K.S.A. 75-6101 et seq., and amendments thereto. A contact tracer employed, contracted or engaged by a local health officer shall be deemed an employee of the county under the Kansas tort claims act, K.S.A. 75-6101 et seq., and amendments thereto.

(e) (1) A contact tracer shall not disclose the identity of an infected person to a contact.

(2) Only contact data specifically authorized by the secretary pursuant to rules and regulations of the secretary adopted pursuant to subsection (j) may be collected as part of contact tracing.

(3) The secretary, a local health officer or a contact tracer shall not produce contact data pursuant to a subpoena unless such subpoena is issued by a court and is accompanied by a valid protective order preventing further disclosure of such data;

(4) Contact data shall be:

(A) Used only for the purpose of contact tracing and not for any other purpose;

(B) confidential and shall not be disclosed, produced in response to any Kansas open records act request or made public, unless the disclosure is necessary to conduct contact tracing; and

(C) safely and securely destroyed when no longer necessary for contact tracing, pursuant to rules and regulations of the secretary adopted pursuant to subsection (j).

(f) (1) Participation in contact tracing shall be voluntary, and no contact or infected person shall be compelled to participate in, nor be prohibited from participating in, contact tracing.

(2) Any contact or infected person who in good faith discloses to a contact tracer information requested by such contact tracer under authority of this subsection shall be immune from civil, criminal and administrative liability for such disclosure.

(3) No criminal, civil or administrative liability shall arise against a contact or infected person solely due to such person's failure to cooperate in contact tracing conducted pursuant to this subsection.

(g) Contact tracing shall not be conducted through the use of any service or means that uses cellphone location data to identify or track, directly or indirectly, the movement of persons.

(h) (1) No third party shall be required to collect or maintain data regarding infected persons or contacts for the purpose of contact tracing.

(2) Except as provided by paragraph (3), no contact tracer shall obtain contact data related to an infected person or contact from any third party.

(3) Contact data voluntarily collected or maintained by a third party may be obtained by a contact tracer only if:

(A) The third party provides such information to the contact tracer voluntarily and with the consent of the infected person or contact whose information is disclosed; or

(B) such information is provided pursuant to a valid warrant.

(i) (1) A person may bring a civil action to enjoin violations of this section.

(2) A knowing violation of this section is a class C nonperson misdemeanor.

(3) Contact data shall be deemed personal information within the meaning of K.S.A. 50-6,139b(a)(3), and amendments thereto.

(4) The remedies provided by this subsection shall be in addition to each other and to any other available civil or criminal remedies authorized by law.

(j) The secretary shall promulgate rules and regulations to implement, administer and enforce the provisions of this section prior to August 1, 2020.

(k) As used in this section, unless the context otherwise requires:

(1) “Contact” means a person known to have been in association with an infected person as to have had an opportunity of acquiring an infection.

(2) “Contact tracing” means identifying persons who may have been exposed to an infected person for the purpose of containing the spread of COVID-19 by notifying the contact that the contact may have been exposed, should be tested and should self-quarantine.

(3) “Contact tracer” means a person or entity employed, contracted or engaged by the department of health and environment or by a local health agency to conduct contact tracing.

(4) “COVID-19” means the novel coronavirus identified as SARS-CoV-2.

(5) “Contact data” means information collected through contact tracing and includes medical, epidemiological, individual movement or mobility, names or other data.

(6) “Infected person” means a person known or reasonably suspected to be infected with COVID-19.

(7) “Local health officer” means a person appointed by a county board of health pursuant to K.S.A. 65-201, and amendments thereto.

(8) “Municipality” means the same as in K.S.A. 75-6102, and amendments thereto.

(9) “Secretary” means the secretary of health and environment.

(10) “State” means the same as in K.S.A. 75-6102, and amendments thereto.

(l) The provisions of this section shall expire on May 1, 2021.

New Sec. 17. All notarial acts performed by a notary public of this state while the requirements that a person must appear before a notary public are suspended pursuant to an executive order or other state law, shall be valid as if the individual had appeared before the notary public, notwithstanding any failure of any individual to appear personally before the notary public, if the notarial act meets all requirements prescribed by such executive order or other state law and all requirements prescribed by law that do not relate to appearance before the notary public.

New Sec. 18. (a) During a state of disaster emergency declared under K.S.A. 48-924, and amendments thereto, related to the COVID-19 public health emergency, each local health officer shall work with first responder agencies operating in the county to establish a method to share information indicating where a person testing positive for or under quarantine or isolation due to COVID-19 resides or can be expected to be present. Such information shall:

(1) Include the address for such person and, as applicable, the duration of the quarantine, isolation or expected recovery period for such person as determined by the local health officer; and

(2) only be used for the purpose of allowing the first responders to be alert to the need for utilizing appropriate personal protective equipment during the response activity.

(b) The information described in subsection (a) shall be provided to the 911 call center for the area serving the address provided. The 911 call center shall disseminate the information only to first responders responding to the listed address.

(c) All information provided or disseminated under this section shall not be a public record and shall not be subject to the Kansas open records act, K.S.A. 45-215 et seq., and amendments thereto. The provisions of this subsection shall expire on July 1, 2025, unless the legislature reviews and reenacts this provision pursuant to K.S.A. 45-229, and amendments thereto.

New Sec. 19. The Kansas department for aging and disability services shall, for all entities required to be licensed pursuant to article 9 of chapter 39 of the Kansas Statutes Annotated, and amendments thereto:

(a) Promptly, and in no case later than 90 days following the effective date of this act, make or cause to be made infection control inspections;

(b) provide the necessary personal protective equipment, sanitizing supplies and testing kits appropriate to the needs of each facility on an ongoing basis, based upon:

(1) The current number of residents;

(2) the current number of full-time and part-time staff members;

(3) the number of residents and staff who have tested positive for COVID-19 in the last 14 days;

(4) the ability to separate COVID-19 residents from non-COVID-19 residents; and

(5) any other factors deemed relevant by the secretary; and

(c) ensure that infection prevention and control best practices and recommendations based upon guidance from the United States centers for disease control and prevention and the Kansas department of health and environment are adopted and made available publicly.

New Sec. 20. (a) A physician may issue a prescription for or order the administration of medication, including a controlled substance, for a patient without conducting an in-person examination of such patient.

(b) A physician under quarantine, including self-imposed quarantine, may practice telemedicine.

(c) (1) A physician holding a license issued by the applicable licensing agency of another state may practice telemedicine to treat patients located in the state of Kansas, if such out-of-state physician:

(A) Advises the state board of healing arts of such practice in writing and in a manner determined by the state board of healing arts; and

(B) holds an unrestricted license to practice medicine and surgery in

the other state and is not the subject of any investigation or disciplinary action by the applicable licensing agency.

(2) The state board of healing arts may extend the provisions of this subsection to other healthcare professionals licensed and regulated by the board as deemed necessary by the board to address the impacts of COVID-19 and consistent with ensuring patient safety.

(d) A physician practicing telemedicine in accordance with this section shall conduct an appropriate assessment and evaluation of the patient's current condition and document the appropriate medical indication for any prescription issued.

(e) Nothing in this section shall supersede or otherwise affect the provisions of K.S.A. 65-4a10, and amendments thereto, or K.S.A. 2019 Supp. 40-2,215, and amendments thereto.

(f) As used in this section:

(1) "Physician" means a person licensed to practice medicine and surgery.

(2) "Telemedicine" means the delivery of healthcare services by a healthcare provider while the patient is at a different physical location.

(g) This section shall expire on January 26, 2021.

New Sec. 21. (a) (1) A hospital may admit patients in excess of such hospital's number of licensed beds or inconsistent with the licensed classification of such hospital's beds to the extent that such hospital determines is necessary to treat COVID-19 patients and to separate COVID-19 patients and non-COVID-19 patients.

(2) A hospital admitting patients in such manner shall notify the department of health and environment as soon as practicable but shall not be required to receive prior authorization to admit patients in such manner.

(b) (1) A hospital may utilize non-hospital space, including off-campus space, to perform COVID-19 testing, triage, quarantine or patient care to the extent that such hospital determines is necessary to treat COVID-19 patients and to separate COVID-19 patients and non-COVID-19 patients.

(2) The department of health and environment may impose reasonable safety requirements on such use of non-hospital space to maximize the availability of patient care.

(3) Non-hospital space used in such manner shall be deemed to meet the requirements of K.S.A. 65-431(d), and amendments thereto.

(4) A hospital utilizing non-hospital space in such manner shall notify the department of health and environment as soon as practicable but shall not be required to receive prior authorization to utilize non-hospital space in such manner.

(c) A medical care facility may permit healthcare providers authorized to provide healthcare services in the state of Kansas to provide healthcare services at such medical care facility without becoming a member of the medical care facility's medical staff.

(d) As used in this section, “hospital” and “medical care facility” mean the same as defined in K.S.A. 65-425, and amendments thereto.

(e) This section shall expire 120 calendar days after the expiration or termination of the state of disaster emergency proclamation issued by the governor in response to the COVID-19 public health emergency, or any extension thereof.

New Sec. 22. (a) Notwithstanding any statute to the contrary, the state board of healing arts may grant a temporary emergency license to practice any profession licensed, certified, registered or regulated by the board to an applicant with qualifications the board deems sufficient to protect public safety and welfare within the scope of professional practice authorized by the temporary emergency license for the purpose of preparing for, responding to or mitigating any effect of COVID-19.

(b) This section shall expire on January 26, 2021.

New Sec. 23. (a) Notwithstanding the provisions of K.S.A. 65-28a08 and 65-28a09, and amendments thereto, or any other statute to the contrary, a licensed physician assistant may provide healthcare services appropriate to such physician assistant’s education, training and experience within a designated healthcare facility at which the physician assistant is employed or contracted to work as necessary to support the facility’s response to the COVID-19 pandemic without a written agreement with a supervising physician. Such physician assistant shall not be liable in any criminal prosecution, civil action or administrative proceeding arising out of such physician assistant’s lack of written agreement with a supervising physician.

(b) Notwithstanding the provisions of K.S.A. 65-1130, and amendments thereto, or any other statute to the contrary, a licensed advanced practice registered nurse may provide healthcare services appropriate to such advanced practice registered nurse’s education, training and experience within a designated healthcare facility at which the advanced practice registered nurse is employed or contracted to work as necessary to support the facility’s response to the COVID-19 pandemic without direction and supervision from a responsible physician. Such advanced practice registered nurse shall not be liable in any criminal prosecution, civil action or administrative proceeding arising out of such advanced practice registered nurse’s lack of direction and supervision from a responsible physician.

(c) Notwithstanding the provisions of K.S.A. 65-1158, and amendments thereto, or any other statute to the contrary, a registered nurse anesthetist may provide healthcare services appropriate to such registered nurse anesthetist’s education, training and experience within a designated healthcare facility at which the registered nurse anesthetist is employed or contracted to work as necessary to support the facility’s

response to the COVID-19 pandemic without direction and supervision from a physician. Such registered nurse anesthetist shall not be liable in any criminal prosecution, civil action or administrative proceeding arising out of such registered nurse anesthetist's lack of direction and supervision from a physician.

(d) Notwithstanding the provisions of K.S.A. 65-1113, and amendments thereto, or any other statute to the contrary:

(1) A registered professional nurse or licensed practical nurse may order the collection of throat or nasopharyngeal swab specimens from individuals suspected of being infected by COVID-19 for purposes of testing; and

(2) a licensed practical nurse may provide healthcare services appropriate to such licensed practical nurse's education, training and experience within a designated healthcare facility at which the licensed practical nurse is employed or contracted to work as necessary to support the facility's response to the COVID-19 pandemic without direction from a registered professional nurse. Such licensed practical nurse shall not be liable in any criminal prosecution, civil action or administrative proceeding arising out of such licensed practical nurse's lack of supervision from a registered professional nurse.

(e) Notwithstanding the provisions of K.S.A. 65-1626a, and amendments thereto, or any other statute to the contrary, a licensed pharmacist may provide care for routine health maintenance, chronic disease states or similar conditions appropriate to such pharmacist's education, training and experience within a designated healthcare facility at which the pharmacist is employed or contracted to work as necessary to support the facility's response to the COVID-19 pandemic without a collaborative practice agreement with a physician. Such pharmacist shall not be liable in any criminal prosecution, civil action or administrative proceeding arising out of such pharmacist's lack of collaborative practice agreement with a physician.

(f) Notwithstanding the provisions of K.S.A. 65-1115, 65-1116 and 65-1117, and amendments thereto, or any other statute to the contrary, a registered professional nurse or licensed practical nurse who holds a license that is exempt or inactive or whose license has lapsed within the past five years from the effective date of this act may provide healthcare services appropriate to the nurse's education, training and experience. Such registered professional nurse or licensed practical nurse shall not be liable in any criminal prosecution, civil action or administrative proceeding arising out of such nurse's exempt, inactive or lapsed license.

(g) Notwithstanding any other provision of law to the contrary, a designated healthcare facility may, as necessary to support the facility's response to the COVID-19 pandemic:

(1) Allow a student who is enrolled in a program to become a licensed, registered or certified healthcare professional to volunteer for work within such facility in roles that are appropriate to such student's education, training and experience;

(2) allow a licensed, registered or certified healthcare professional or emergency medical personnel who is serving in the military in any duty status to volunteer or work within such facility in roles that are appropriate to such military service member's education, training and experience; and

(3) allow a medical student, physical therapist or emergency medical services provider to volunteer or work within such facility as a respiratory therapist extender under the supervision of a physician, respiratory therapist or advanced practice registered nurse. Such respiratory therapist extender may assist respiratory therapists and other healthcare professionals in the operation of ventilators and related devices and may provide other healthcare services appropriate to such respiratory therapist extender's education, training and experience, as determined by the facility in consultation with such facility's medical leadership.

(h) Notwithstanding any statute to the contrary, a healthcare professional licensed and in good standing in another state may practice such profession in the state of Kansas. For purposes of this subsection, a license that has been suspended or revoked or a licensee that is subject to pending license-related disciplinary action shall not be considered to be in good standing. Any license that is subject to limitation in another state shall be subject to the same limitation in the state of Kansas. Such healthcare professional shall not be liable in any criminal prosecution, civil action or administrative proceeding arising out of such healthcare professional's lack of licensure in the state of Kansas.

(i) Notwithstanding any statute to the contrary, a designated healthcare facility may use a qualified volunteer or qualified personnel affiliated with any other designated healthcare facility as if such volunteer or personnel was affiliated with the facility using such volunteer or personnel, subject to any terms and conditions established by the secretary of health and environment.

(j) Notwithstanding any statute to the contrary, a healthcare professional may be licensed, certified or registered or may have such license, certification or registration reinstated within five years of lapse or renewed by the applicable licensing agency of the state of Kansas without satisfying the following conditions of licensure, certification or registration:

(1) An examination, if such examination's administration has been canceled while the state of disaster emergency proclamation issued by the governor in response to the COVID-19 pandemic is in effect;

(2) fingerprinting;

(3) continuing education; and

(4) payment of a fee.

(k) Notwithstanding any statute to the contrary, a professional certification in basic life support, advanced cardiac life support or first aid shall remain valid if such professional certification is due to expire or be canceled while the state of disaster emergency proclamation issued by the governor in response to the COVID-19 pandemic is in effect.

(l) Notwithstanding any statute to the contrary, fingerprinting of any individual shall not be required as a condition of licensure and certification for any hospital, as defined in K.S.A. 65-425, and amendments thereto, adult care home, county medical care facility or psychiatric hospital.

(m) As used in this section:

(1) “Appropriate to such professional’s education, training and experience,” or words of like effect, shall be determined by the designated healthcare facility in consultation with such facility’s medical leadership; and

(2) “designated healthcare facility” means:

(A) Entities listed in K.S.A. 40-3401(f), and amendments thereto;

(B) state-owned surgical centers;

(C) state-operated hospitals and veterans facilities;

(D) entities used as surge capacity by any entity described in subparagraphs (A) through (C);

(E) adult care homes; and

(F) any other location specifically designated by the governor or the secretary of health and environment to exclusively treat patients for COVID-19.

(n) The provisions of this section shall expire on January 26, 2021.

Sec. 24. Section 1 of 2020 House Substitute for Senate Bill No. 102 is hereby amended to read as follows: Sec. 1. (a) Notwithstanding any other provisions of law, during any state of disaster emergency pursuant to K.S.A. 48-924, and amendments thereto, the chief justice of the Kansas supreme court may issue an order to extend or suspend any deadlines or time limitations established by statute when the chief justice determines such action is necessary to secure the health and safety of court users, staff and judicial officers.

(b) Notwithstanding any other provisions of law, ~~during any state of disaster emergency pursuant to K.S.A. 48-924, and amendments thereto,~~ the chief justice of the Kansas supreme court may issue an order to authorize the use of two-way electronic audio-visual communication in any court proceeding when the chief justice determines such action is necessary to secure the health and safety of court users, staff and judicial officers.

(c) Any order issued pursuant to ~~this section~~ subsection (a) may remain in effect for up to 150 days after a state of disaster emergency is ter-

minated pursuant to K.S.A. 48-924, and amendments thereto. Any order in violation of this section shall be void.

(d) The provisions of this section shall expire on March 31, 2021.

Sec. 25. K.S.A. 2019 Supp. 19-101a is hereby amended to read as follows: 19-101a. (a) The board of county commissioners may transact all county business and perform all powers of local legislation and administration it deems appropriate, subject only to the following limitations, restrictions or prohibitions:

(1) Counties shall be subject to all acts of the legislature which apply uniformly to all counties.

(2) Counties may not affect the courts located therein.

(3) Counties shall be subject to acts of the legislature prescribing limits of indebtedness.

(4) In the exercise of powers of local legislation and administration authorized under provisions of this section, the home rule power conferred on cities to determine their local affairs and government shall not be superseded or impaired without the consent of the governing body of each city within a county which may be affected.

(5) Counties may not legislate on social welfare administered under state law enacted pursuant to or in conformity with public law No. 271 – 74th congress, or amendments thereof.

(6) Counties shall be subject to all acts of the legislature concerning elections, election commissioners and officers and their duties as such officers and the election of county officers.

(7) Counties shall be subject to the limitations and prohibitions imposed under K.S.A. 12-187 through 12-195, and amendments thereto, prescribing limitations upon the levy of retailers' sales taxes by counties.

(8) Counties may not exempt from or effect changes in statutes made nonuniform in application solely by reason of authorizing exceptions for counties having adopted a charter for county government.

(9) No county may levy ad valorem taxes under the authority of this section upon real property located within any redevelopment project area established under the authority of K.S.A. 12-1772, and amendments thereto, unless the resolution authorizing the same specifically authorized a portion of the proceeds of such levy to be used to pay the principal of and interest upon bonds issued by a city under the authority of K.S.A. 12-1774, and amendments thereto.

(10) Counties shall have no power under this section to exempt from any statute authorizing or requiring the levy of taxes and providing substitute and additional provisions on the same subject, unless the resolution authorizing the same specifically provides for a portion of the proceeds of such levy to be used to pay a portion of the principal and interest on bonds issued by cities under the authority of K.S.A. 12-1774, and amendments thereto.

(11) Counties may not exempt from or effect changes in the provisions of K.S.A. 19-4601 through 19-4625, and amendments thereto.

(12) Except as otherwise specifically authorized by K.S.A. 12-1,101 through 12-1,109, and amendments thereto, counties may not levy and collect taxes on incomes from whatever source derived.

(13) Counties may not exempt from or effect changes in K.S.A. 19-430, and amendments thereto.

(14) Counties may not exempt from or effect changes in K.S.A. 19-302, 19-502b, 19-503, 19-805 or 19-1202, and amendments thereto.

(15) Counties may not exempt from or effect changes in K.S.A. 19-15,139, 19-15,140 and 19-15,141, and amendments thereto.

(16) Counties may not exempt from or effect changes in the provisions of K.S.A. 12-1223, 12-1225, 12-1225a, 12-1225b, 12-1225c and 12-1226, and amendments thereto, or the provisions of K.S.A. 12-1260 through 12-1270 and 12-1276, and amendments thereto.

(17) Counties may not exempt from or effect changes in the provisions of K.S.A. 19-211, and amendments thereto.

(18) Counties may not exempt from or effect changes in the provisions of K.S.A. 19-4001 through 19-4015, and amendments thereto.

(19) Counties may not regulate the production or drilling of any oil or gas well in any manner which would result in the duplication of regulation by the state corporation commission and the Kansas department of health and environment pursuant to chapter 55 and chapter 65 of the Kansas Statutes Annotated, and amendments thereto, and any rules and regulations adopted pursuant thereto. Counties may not require any license or permit for the drilling or production of oil and gas wells. Counties may not impose any fee or charge for the drilling or production of any oil or gas well.

(20) Counties may not exempt from or effect changes in K.S.A. 79-41a04, and amendments thereto.

(21) Counties may not exempt from or effect changes in K.S.A. 79-1611, and amendments thereto.

(22) Counties may not exempt from or effect changes in K.S.A. 79-1494, and amendments thereto.

(23) Counties may not exempt from or effect changes in K.S.A. 19-202(b), and amendments thereto.

(24) Counties may not exempt from or effect changes in K.S.A. 19-204(b), and amendments thereto.

(25) Counties may not levy or impose an excise, severance or any other tax in the nature of an excise tax upon the physical severance and production of any mineral or other material from the earth or water.

(26) Counties may not exempt from or effect changes in K.S.A. 79-2017 or 79-2101, and amendments thereto.

(27) Counties may not exempt from or effect changes in K.S.A. 2-3302, 2-3305, 2-3307, 2-3318, 17-5904, 17-5908, 47-1219, 65-171d, 65-1,178 through 65-1,199, 65-3001 through 65-3028, and amendments thereto.

(28) Counties may not exempt from or effect changes in K.S.A. 80-121, and amendments thereto.

(29) Counties may not exempt from or effect changes in K.S.A. 19-228, and amendments thereto.

(30) Counties may not exempt from or effect changes in the Kansas 911 act.

(31) Counties may not exempt from or effect changes in K.S.A. 2019 Supp. 26-601, and amendments thereto.

(32) (A) Counties may not exempt from or effect changes in the Kansas liquor control act except as provided by paragraph (B).

(B) Counties may adopt resolutions which are not in conflict with the Kansas liquor control act.

(33) (A) Counties may not exempt from or effect changes in the Kansas cereal malt beverage act except as provided by paragraph (B).

(B) Counties may adopt resolutions which are not in conflict with the Kansas cereal malt beverage act.

(34) Counties may not exempt from or effect changes in the Kansas lottery act.

(35) Counties may not exempt from or effect changes in the Kansas expanded lottery act.

(36) Counties may neither exempt from nor effect changes to the eminent domain procedure act.

(37) Any county granted authority pursuant to the provisions of K.S.A. 19-5001 through 19-5005, and amendments thereto, shall be subject to the limitations and prohibitions imposed under K.S.A. 19-5001 through 19-5005, and amendments thereto.

(38) Except as otherwise specifically authorized by K.S.A. 19-5001 through 19-5005, and amendments thereto, counties may not exercise any authority granted pursuant to K.S.A. 19-5001 through 19-5005, and amendments thereto, including the imposition or levy of any retailers' sales tax.

(39) *Counties may not exempt from or effect changes in K.S.A. 65-201 and 65-202, and amendments thereto.*

(b) Counties shall apply the powers of local legislation granted in subsection (a) by resolution of the board of county commissioners. If no statutory authority exists for such local legislation other than that set forth in subsection (a) and the local legislation proposed under the authority of such subsection is not contrary to any act of the legislature, such local legislation shall become effective upon passage of a resolution of the

board and publication in the official county newspaper. If the legislation proposed by the board under authority of subsection (a) is contrary to an act of the legislature which is applicable to the particular county but not uniformly applicable to all counties, such legislation shall become effective by passage of a charter resolution in the manner provided in K.S.A. 19-101b, and amendments thereto.

(c) Any resolution adopted by a county which conflicts with the restrictions in subsection (a) is null and void.

Sec. 26. K.S.A. 2019 Supp. 41-2653 is hereby amended to read as follows: 41-2653. (a) In addition to the rights of a licensee pursuant to provisions of K.S.A. 41-2637, 41-2641 or 41-2642, and amendments thereto, a class A club license, class B club license or drinking establishment license shall allow the licensee to allow legal patrons of the club or drinking establishment to remove from the licensed premises one or more opened containers of alcoholic liquor, subject to the following conditions:

(1) It must be legal for the licensee to sell the alcoholic liquor in its original container;

(2) the alcoholic liquor must be in its original container;

(3) each container of alcoholic liquor must have been purchased by a patron and the alcoholic liquor in each container must have been partially consumed on the licensed premises;

(4) the licensee or the licensee's employee must provide the patron with a dated receipt for the unfinished container or containers of alcoholic liquor; and

(5) before the container of alcoholic liquor is removed from the licensed premises, the licensee or the licensee's employee must securely reseal each container, place the container in a tamper-proof, transparent bag which is sealed in a manner that makes it visibly apparent if the bag is subsequently tampered with or opened.

(b) *(1) In addition to the rights of a licensee pursuant to provisions of K.S.A. 41-2637, 41-2641 or 41-2642, and amendments thereto, and the provisions of subsection (a), a class A club license, class B club license or drinking establishment license shall allow the licensee to allow legal patrons of the club or drinking establishment to remove from the licensed premises one or more containers of alcoholic liquor that is not in the original container, subject to the following conditions:*

(A) It must be legal for the licensee to sell the alcoholic liquor;

(B) each container of alcoholic liquor must have been purchased by a patron on the licensed premises;

(C) the licensee or the licensee's employee must provide the patron with a dated receipt for the alcoholic liquor; and

(D) before the container of alcoholic liquor is removed from the licensed premises, the licensee or the licensee's employee must place the

container in a transparent bag that is sealed in a manner that makes it visibly apparent if the bag is subsequently tampered with or opened.

(2) *The provisions of this subsection shall expire on January 26, 2021.*

(c) This section shall be part of and supplemental to the club and drinking establishment act.

Sec. 27. K.S.A. 2019 Supp. 44-702 is hereby amended to read as follows: 44-702. As a guide to the interpretation and application of this act, the public policy of this state is declared to be as follows: Economic insecurity, due to unemployment, is a serious menace to health, morals, and welfare of the people of this state. Involuntary unemployment is therefore a subject of general interest and concern ~~which that~~ requires appropriate action by the legislature to prevent its spread and to lighten its burden ~~which that~~ now so often falls with crushing force upon the unemployed worker and such worker's family. The achievement of social security requires protection against this greatest hazard of our economic life. This can be provided by encouraging employers to provide more stable employment and by the systematic accumulation of funds during periods of employment to provide benefits for periods of unemployment, thus maintaining purchasing power and limiting the serious social consequences of poor-relief assistance. The legislature, therefore, declares that in its considered judgment the public good and the general welfare of the citizens of this state require the enactment of this measure, under the police powers of the state, for the compulsory setting aside of unemployment reserves to be used for the benefit of persons unemployed. *The state of Kansas is committed to maintaining and strengthening access to the unemployment compensation system, including through initial and continuing claims.* All persons and employers are entitled to a neutral interpretation of the employment security law.

Sec. 28. K.S.A. 2019 Supp. 44-705, as amended by section 2 of 2020 Senate Bill No. 27, is hereby amended to read as follows: 44-705. Except as provided by K.S.A. 44-757, and amendments thereto, an unemployed individual shall be eligible to receive benefits with respect to any week only if the secretary, or a person or persons designated by the secretary, finds that:

(a) The claimant has registered for work at and thereafter continued to report at an employment office in accordance with rules and regulations adopted by the secretary, except that, subject to the provisions of K.S.A. 44-704(a), and amendments thereto, the secretary may adopt rules and regulations that waive or alter either or both of the requirements of this subsection.

(b) The claimant has made a claim for benefits with respect to such week in accordance with rules and regulations adopted by the secretary.

(c) The claimant is able to perform the duties of such claimant's customary occupation or the duties of other occupations that the claimant is

reasonably fitted by training or experience, and is available for work, as demonstrated by the claimant's pursuit of the full course of action most reasonably calculated to result in the claimant's reemployment except that, notwithstanding any other provisions of this section, an unemployed claimant otherwise eligible for benefits shall not become ineligible for benefits: (1) Because of the claimant's enrollment in and satisfactory pursuit of approved training, including training approved under section 236(a)(1) of the trade act of 1974; ~~or~~ (2) solely because such individual is seeking only part-time employment if the individual is available for a number of hours per week that are comparable to the individual's part-time work experience in the base period; or (3) *because a claimant is not actively seeking work: (i) During a state of disaster emergency proclaimed by the governor pursuant to K.S.A. 48-924 and 48-925, and amendments thereto; (ii) in response to the spread of the public health emergency of COVID-19; and (iii) the state's temporary waiver of the work search requirement under the employment security law for such claimant is in compliance with the families first coronavirus response act, public law 116-127.*

For the purposes of this subsection, an inmate of a custodial or correctional institution shall be deemed to be unavailable for work and not eligible to receive unemployment compensation while incarcerated.

(d) (1) Except as provided further, the claimant has been unemployed for a waiting period of one week or the claimant is unemployed and has satisfied the requirement for a waiting period of one week under the shared work unemployment compensation program as provided in K.S.A. 44-757(k)(4), and amendments thereto, and that period of one week, in either case, occurs within the benefit year that includes the week for which the claimant is claiming benefits. No week shall be counted as a week of unemployment for the purposes of this subsection:

- (A) If benefits have been paid for such week;
- (B) if the individual fails to meet with the other eligibility requirements of this section; or
- (C) if an individual 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 state or of the United States finally determines that the claimant is not entitled to unemployment benefits under such other law, this subparagraph shall not apply.

(2) (A) The waiting week requirement of paragraph (1) shall not apply to:

- (i) New claims by claimants who become unemployed as a result of an employer terminating business operations within this state, declaring bankruptcy or initiating a work force reduction pursuant to public law 100-379, the federal worker adjustment and retraining notification act, 29 U.S.C. §§ 2101 through 2109, as amended; or

(ii) *new claims filed on or after April 5, 2020, through December 26, 2020, in accordance with the families first coronavirus response act, public law 116-127 and the federal CARES act, public law 116-136.*

(B) The secretary shall adopt rules and regulations to administer the provisions of this paragraph.

(3) *If the waiting week requirement of paragraph (1) applies,* a claimant shall become eligible to receive compensation for the waiting period of one week, pursuant to paragraph (1), upon completion of three weeks of unemployment consecutive to such waiting period. This paragraph shall not apply to initial claims effective on and after April 1, 2021.

(e) For benefit years established on and after the effective date of this act, the claimant has been paid total wages for insured work in the claimant's base period of not less than 30 times the claimant's weekly benefit amount and has been paid wages in more than one quarter of the claimant's base period, except that the wage credits of an individual earned during the period commencing with the end of a prior base period and ending on the date that such individual filed a valid initial claim shall not be available for benefit purposes in a subsequent benefit year unless, in addition thereto, such individual has returned to work and subsequently earned wages for insured work in an amount equal to at least eight times the claimant's current weekly benefit amount.

(f) The claimant participates in reemployment services, such as job search assistance services, if the individual has been determined to be likely to exhaust regular benefits and needs reemployment services pursuant to a profiling system established by the secretary, unless the secretary determines that: (1) The individual has completed such services; or (2) there is justifiable cause for the claimant's failure to participate in such services.

(g) The claimant is returning to work after a qualifying injury and has been paid total wages for insured work in the claimant's alternative base period of not less than 30 times the claimant's weekly benefit amount and has been paid wages in more than one quarter of the claimant's alternative base period if:

(1) The claimant has filed for benefits within four weeks of being released to return to work by a licensed and practicing health care provider;

(2) the claimant files for benefits within 24 months of the date the qualifying injury occurred; and

(3) the claimant attempted to return to work with the employer where the qualifying injury occurred, but the individual's regular work or comparable and suitable work was not available.

Sec. 29. K.S.A. 2019 Supp. 44-709 is hereby amended to read as follows: 44-709. (a) *Filing.* Claims for benefits shall be made in accordance with rules and regulations adopted by the secretary. The secretary shall

furnish a copy of such rules and regulations to any individual requesting them. Each employer shall: (1) Post and maintain printed statements furnished by the secretary without cost to the employer in places readily accessible to individuals in the service of the employer; and (2) *provide any other notification to individuals in the service of the employer as required by the secretary pursuant to the families first coronavirus response act, public law 116-127.*

(b) *Determination.* (1) Except as otherwise provided in this paragraph, a representative designated by the secretary, and hereinafter referred to as an examiner, shall promptly examine the claim and, on the basis of the facts found by the examiner, shall determine whether or not the claim is valid. If the examiner determines that the claim is valid, the examiner shall determine the first day of the benefit year, the weekly benefit amount and the total amount of benefits payable with respect to the benefit year. If the claim is determined to be valid, the examiner shall send a notice to the last employing unit who shall respond within 10 days by providing the examiner all requested information including all information required for a decision under K.S.A. 44-706, and amendments thereto. The information may be submitted by the employing unit in person at an employment office of the secretary or by mail, by telefacsimile machine or by electronic mail. If the required information is not submitted or postmarked within a response time limit of 10 days after the examiner's notice was sent, the employing unit shall be deemed to have waived its standing as a party to the proceedings arising from the claim and shall be barred from protesting any subsequent decisions about the claim by the secretary, a referee, the employment security board of review or any court, except that the employing unit's response time limit may be waived or extended by the examiner or upon appeal, if timely response was impossible due to excusable neglect. In any case in which the payment or denial of benefits will be determined by the provisions of K.S.A. 44-706(d), and amendments thereto, the examiner shall promptly transmit the claim to a special examiner designated by the secretary to make a determination on the claim after the investigation as the special examiner deems necessary. The parties shall be promptly notified of the special examiner's decision and any party aggrieved by the decision may appeal to the referee as provided in subsection (c). The claimant and the claimant's most recent employing unit shall be promptly notified of the examiner's or special examiner's decision.

(2) The examiner may for good cause reconsider the examiner's decision and shall promptly notify the claimant and the most recent employing unit of the claimant, that the decision of the examiner is to be reconsidered, except that no reconsideration shall be made after the termination of the benefit year.

(3) Notwithstanding the provisions of any other statute, a decision of an examiner or special examiner shall be final unless the claimant or the most recent employing unit of the claimant files an appeal from the decision as provided in subsection (c), except that the time limit for appeal may be waived or extended by the referee or board of review if a timely response was impossible due to excusable neglect. The appeal must be filed within 16 calendar days after the mailing of notice to the last known addresses of the claimant and employing unit or, if notice is not by mail, within 16 calendar days after the delivery of the notice to the parties.

(c) *Appeals.* Unless the appeal is withdrawn, a referee, after affording the parties reasonable opportunity for fair hearing, shall affirm or modify the findings of fact and decision of the examiner or special examiner. The parties shall be duly notified of the referee's decision, together with the reasons for the decision. The decision shall be final, notwithstanding the provisions of any other statute, unless a further appeal to the employment security board of review is filed within 16 calendar days after the mailing of the decision to the parties' last known addresses or, if notice is not by mail, within 16 calendar days after the delivery of the decision, except that the time limit for appeal may be waived or extended by the referee or board of review if a timely response was impossible due to excusable neglect.

(d) *Referees.* The secretary shall appoint, in accordance with K.S.A. 44-714(c), and amendments thereto, one or more referees to hear and decide disputed claims.

(e) *Time, computation and extension.* In computing the period of time for an employing unit response or for appeals under this section from the examiner's or the special examiner's determination or from the referee's decision, the day of the act, event or default from which the designated period of time begins to run shall not be included. The last day of the period shall be included unless it is a Saturday, Sunday or legal holiday, in which event the period runs until the end of the next day ~~which~~ that is not a Saturday, Sunday or legal holiday.

(f) *Board of review.* (1) There is hereby created an employment security board of review, hereinafter referred to as the board, consisting of three members. Each member of the board shall be appointed for a term of four years as provided in this subsection. Not more than two members of the board shall belong to the same political party.

(2) When a vacancy on the employment security board of review occurs, the workers compensation and employment security boards nominating committee established under K.S.A. 44-551, and amendments thereto, shall convene and submit a nominee to the governor for appointment to each vacancy on the employment security board of review, subject to confirmation by the senate as provided by K.S.A. 75-4315b, and

amendments thereto. The governor shall either: (A) Accept and submit to the senate for confirmation the person nominated by the nominating committee; or (B) reject the nomination and request the nominating committee to nominate another person for that position. Except as provided by K.S.A. 46-2601, and amendments thereto, no person appointed to the employment security board of review, whose appointment is subject to confirmation by the senate, shall exercise any power, duty or function as a member until confirmed by the senate.

(3) No member of the employment security board of review shall serve more than two consecutive terms.

(4) Each member of the employment security board shall serve until a successor has been appointed and confirmed. Any vacancy in the membership of the board occurring prior to expiration of a term shall be filled by appointment for the unexpired term in the same manner as provided for original appointment of the member.

(5) Each member of the employment security board of review shall be entitled to receive as compensation for the member's services at the rate of \$15,000 per year, together with the member's travel and other necessary expenses actually incurred in the performance of the member's official duties in accordance with rules and regulations adopted by the secretary. Members' compensation and expenses shall be paid from the employment security administration fund.

(6) The employment security board of review shall organize annually by the election of a chairperson from among its members. The chairperson shall serve in that capacity for a term of one year and until a successor is elected. The board shall meet on the first Monday of each month or on the call of the chairperson or any two members of the board at the place designated. The secretary of labor shall appoint an executive secretary of the board and the executive secretary shall attend the meetings of the board.

(7) The employment security board of review, on its own motion, may affirm, modify or set aside any decision of a referee on the basis of the evidence previously submitted in the case; may direct the taking of additional evidence; or may permit any of the parties to initiate further appeal before it. The board shall permit such further appeal by any of the parties interested in a decision of a referee ~~which~~ *that* overrules or modifies the decision of an examiner. The board may remove to itself the proceedings on any claim pending before a referee. Any proceedings so removed to the board shall be heard in accordance with the requirements of subsection (c). The board shall promptly notify the interested parties of its findings and decision.

(8) Two members of the employment security board of review shall constitute a quorum and no action of the board shall be valid unless it has the concurrence of at least two members. A vacancy on the board shall

not impair the right of a quorum to exercise all the rights and perform all the duties of the board.

(g) *Procedure.* The manner ~~in which~~ *that* disputed claims are presented, the reports on claims required from the claimant and from employers and the conduct of hearings and appeals shall be in accordance with rules of procedure prescribed by the employment security board of review for determining the rights of the parties, whether or not such rules conform to common law or statutory rules of evidence and other technical rules of procedure. A full and complete record shall be kept of all proceedings and decisions in connection with a disputed claim. All testimony at any hearing upon a disputed claim shall be recorded, but need not be transcribed unless the disputed claim is further appealed. In the performance of its official duties, the board shall have access to all of the records ~~which~~ *that* pertain to the disputed claim and are in the custody of the secretary of labor and shall receive the assistance of the secretary upon request.

(h) *Witness fees.* Witnesses subpoenaed pursuant to this section shall be allowed fees and necessary travel expenses at rates fixed by the board. Such fees and expenses shall be deemed a part of the expense of administering this act.

(i) *Review of board action.* Any action of the employment security board of review may not be reconsidered after the mailing of the decision. An action of the board shall become final unless a petition for review in accordance with the Kansas judicial review act is filed within 16 calendar days after the date of the mailing of the decision. If an appeal has not been filed within 16 calendar days of the date of the mailing of the decision, the decision becomes final. No bond shall be required for commencing an action for such review. In addition to those persons having standing pursuant to K.S.A. 77-611, and amendments thereto, the examiner shall have standing to obtain judicial review of an action of such board. The review proceeding, and the questions of law certified, shall be heard in a summary manner and shall be given precedence over all other civil cases except cases arising under the workers compensation act.

(j) Any finding of fact or law, judgment, determination, conclusion or final order made by the employment security board of review or any examiner, special examiner, referee or other person with authority to make findings of fact or law pursuant to the employment security law is not admissible or binding in any separate or subsequent action or proceeding, between a person and a present or previous employer brought before an arbitrator, court or judge of the state or the United States, regardless of whether the prior action was between the same or related parties or involved the same facts.

(k) In any proceeding or hearing conducted under this section, a party to the proceeding or hearing may appear before a referee or the

employment security board of review either personally or by means of a designated representative to present evidence and to state the position of the party. Hearings may be conducted in person, by telephone or other means of electronic communication. The hearing shall be conducted by telephone or other means of electronic communication if none of the parties requests an in-person hearing. If only one party requests an in-person hearing, the referee shall have the discretion of requiring all parties to appear in person or allow the party not requesting an in-person hearing to appear by telephone or other means of electronic communication. The notice of hearing shall include notice to the parties of their right to request an in-person hearing and instructions on how to make the request.

Sec. 30. K.S.A. 2019 Supp. 44-710 is hereby amended to read as follows: 44-710. (a) *Payment*. Contributions shall accrue and become payable by each contributing employer for each calendar year ~~in which~~ *that* the contributing employer is subject to the employment security law with respect to wages paid for employment. Such contributions shall become due and be paid by each contributing employer to the secretary for the employment security fund in accordance with such rules and regulations as the secretary may adopt and shall not be deducted, in whole or in part, from the wages of individuals in such employer's employ. In the payment of any contributions, a fractional part of \$.01 shall be disregarded unless it amounts to \$.005 or more, in which case it shall be increased to \$.01. Should contributions for any calendar quarter be less than \$5, no payment shall be required.

(b) *Rates and base of contributions*. (1) Except as provided in paragraph (2) of this subsection, each contributing employer shall pay contributions on wages paid by the contributing employer during each calendar year with respect to employment as provided in K.S.A. 44-710a, and amendments thereto. Except that, notwithstanding the federal law requiring the secretary of labor to annually recalculate the contribution rate, for calendar years 2010, 2011, 2012, 2013 and 2014, the secretary shall charge each contributing employer in rate groups 1 through 32 the contribution rate in the 2010 original tax rate computation table, with contributing employers in rate groups 33 through 51 being capped at a 5.4% contribution rate. *For calendar year 2021, unemployment tax rates for eligible employers shall be limited to the standard rate schedule in K.S.A. 44-710a, and amendments thereto. Therefore, no additional solvency adjustment shall be applied.*

(2) (A) If the congress of the United States either amends or repeals the Wagner-Peyser act, the federal unemployment tax act, the federal social security act, or subtitle C of chapter 23 of the federal internal revenue code of 1986, or any act or acts supplemental to or in lieu thereof, or any part or parts of any such law, or if any such law, or any part or parts thereof, are held

invalid with the effect that appropriations of funds by congress and grants thereof to the state of Kansas for the payment of costs of administration of the employment security law are no longer available for such purposes; or (B) if employers in Kansas subject to the payment of tax under the federal unemployment tax act are granted full credit against such tax for contributions or taxes paid to the secretary of labor, then, and in either such case, beginning with the year ~~in which~~ *that* the unavailability of federal appropriations and grants for such purpose occurs or ~~in which~~ *that* such change in liability for payment of such federal tax occurs and for each year thereafter, the rate of contributions of each contributing employer shall be equal to the total of 0.5% and the rate of contributions as determined for such contributing employer under K.S.A. 44-710a, and amendments thereto. The amount of contributions ~~which~~ *that* each contributing employer becomes liable to pay under this paragraph (2) over the amount of contributions ~~which~~ *that* such contributing employer would be otherwise liable to pay shall be credited to the employment security administration fund to be disbursed and paid out under the same conditions and for the same purposes as other moneys are authorized to be paid from the employment security administration fund, except that, if the secretary determines that as of the first day of January of any year there is an excess in the employment security administration fund over the amount required to be disbursed during such year, an amount equal to such excess as determined by the secretary shall be transferred to the employment security fund.

(c) *Charging of benefit payments.* (1) The secretary shall maintain a separate account for each contributing employer, and shall credit the contributing employer's account with all the contributions paid on the contributing employer's own behalf. Nothing in the employment security law shall be construed to grant any employer or individuals in such employer's service prior claims or rights to the amounts paid by such employer into the employment security fund either on such employer's own behalf or on behalf of such individuals. Benefits paid shall be charged against the accounts of each base period employer in the proportion that the base period wages paid to an eligible individual by each such employer bears to the total wages in the base period. Benefits shall be charged to contributing employers' accounts and rated governmental employers' accounts upon the basis of benefits paid during each twelve-month period ending on the computation date.

(2) (A) Benefits paid in benefit years established by valid new claims shall not be charged to the account of a contributing employer or rated governmental employer who is a base period employer if the examiner finds that claimant was separated from the claimant's most recent employment with such employer under any of the following conditions: (i) Discharged for misconduct or gross misconduct connected with the indi-

vidual's work; ~~or~~ (ii) leaving work voluntarily without good cause attributable to the claimant's work or the employer; *or* (iii) *discharged from an employer directly impacted by COVID-19 in accordance with the families first coronavirus response act, public law 116-127.*

(B) Where base period wage credits of a contributing employer or rated governmental employer represent part-time employment and the claimant continues in that part-time employment with that employer during the period for which benefits are paid, then that employer's account shall not be charged with any part of the benefits paid if the employer provides the secretary with information as required by rules and regulations. For the purposes of this subsection (c)(2)(B), "part-time employment" means any employment when an individual works less than full-time because the individual's services are not required for the customary, scheduled full-time hours prevailing at the work place or the individual does not customarily work the regularly scheduled full-time hours due to personal choice or circumstances.

(C) No contributing employer or rated governmental employer's account shall be charged with any extended benefits paid in accordance with the employment security law, except for weeks of unemployment beginning after December 31, 1978, all contributing governmental employers and governmental rated employers shall be charged an amount equal to all extended benefits paid.

(D) No contributing employer, rated governmental employer or reimbursing employer's account shall be charged for any additional benefits paid during the period July 1, 2003 through June 30, 2004.

(E) No contributing employer or rated governmental employer's account will be charged for benefits paid a claimant while pursuing an approved training course as defined in ~~subsection (s) of K.S.A. 44-703(s),~~ and amendments thereto.

(F) No contributing employer or rated governmental employer's account shall be charged with respect to the benefits paid to any individual whose base period wages include wages for services not covered by the employment security law prior to January 1, 1978, to the extent that the employment security fund is reimbursed for such benefits pursuant to section 121 of public law 94-566 (90 Stat. 2673).

(G) With respect to weeks of unemployment beginning after December 31, 1977, wages for insured work shall include wages paid for previously uncovered services. For the purposes of this subsection (c)(2)(G), the term "previously uncovered services" means services ~~which~~ *that* were not covered employment, at any time during the one-year period ending December 31, 1975, except to the extent that assistance under title II of the federal emergency jobs and unemployment assistance act of 1974 was paid on the basis of such services, and ~~which~~ *that*:

(i) Are agricultural labor as defined in ~~subsection (w)~~ of K.S.A. 44-703(~~w~~), and amendments thereto, or domestic service as defined in ~~subsection (aa)~~ of K.S.A. 44-703(~~aa~~), and amendments thereto;

(ii) are services performed by an employee of this state or a political subdivision thereof, as provided in ~~subsection (i)(3)(E)~~ of K.S.A. 44-703(~~i~~)(3)(~~E~~), and amendments thereto; or

(iii) are services performed by an employee of a nonprofit educational institution ~~which~~ *that* is not an institution of higher education.

(H) No contributing employer or rated governmental employer's account shall be charged with respect to their pro rata share of benefit charges if such charges are of \$100 or less.

(3) An employer's account shall not be relieved of charges relating to a payment that was made erroneously if the secretary determines that:

(A) The erroneous payment was made because the employer, or the agent of the employer, was at fault for failing to respond timely or adequately to a written request from the secretary for information relating to the claim for unemployment compensation; and

(B) the employer or agent has established a pattern of failing to respond timely or adequately to requests for information.

(C) For purposes of this paragraph:

(i) "Erroneous payment" means a payment that but for the failure by the employer or the employer's agent with respect to the claim for unemployment compensation, would not have been made; and

(ii) "pattern of failure" means repeated documented failure on the part of the employer or the agent of the employer to respond, taking into consideration the number of instances of failure in relation to the total volume of requests. An employer or employer's agent failing to respond as described in (c)(3)(A) shall not be determined to have engaged in a "pattern of failure" if the number of such failures during the year prior to such request is fewer than two, or less than 2%, of such requests, whichever is greater.

(D) Determinations of the secretary prohibiting the relief of charges pursuant to this section shall be subject to appeal or protest as other determinations of the agency with respect to the charging of employer accounts.

(E) This paragraph shall apply to erroneous payments established on and after the effective date of this act.

(4) The examiner shall notify any base period employer whose account will be charged with benefits paid following the filing of a valid new claim and a determination by the examiner based on all information relating to the claim contained in the records of the division of employment security. Such notice shall become final and benefits charged to the base period employer's account in accordance with the claim unless within 10

calendar days from the date the notice was sent, the base period employer requests in writing that the examiner reconsider the determination and furnishes any required information in accordance with the secretary's rules and regulations. In a similar manner, a notice of an additional claim followed by the first payment of benefits with respect to the benefit year, filed by an individual during a benefit year after a period in such year during which such individual was employed, shall be given to any base period employer of the individual who has requested such a notice within 10 calendar days from the date the notice of the valid new claim was sent to such base period employer. For purposes of this subsection (c) (3), if the required information is not submitted or postmarked within a response time limit of 10 days after the base period employer notice was sent, the base period employer shall be deemed to have waived its standing as a party to the proceedings arising from the claim and shall be barred from protesting any subsequent decisions about the claim by the secretary, a referee, the board of review or any court, except that the base period employer's response time limit may be waived or extended by the examiner or upon appeal, if timely response was impossible due to excusable neglect. The examiner shall notify the employer of the reconsidered determination, which shall be subject to appeal, or further reconsideration, in accordance with the provisions of K.S.A. 44-709, and amendments thereto.

(5) *Time, computation and extension.* In computing the period of time for a base period employer response or appeals under this section from the examiner's or the special examiner's determination or from the referee's decision, the day of the act, event or default from which the designated period of time begins to run shall not be included. The last day of the period shall be included unless it is a Saturday, Sunday or legal holiday, in which event the period runs until the end of the next day ~~which~~ *that* is not a Saturday, Sunday or legal holiday.

(d) *Pooled fund.* All contributions and payments in lieu of contributions and benefit cost payments to the employment security fund shall be pooled and available to pay benefits to any individual entitled thereto under the employment security law, regardless of the source of such contributions or payments in lieu of contributions or benefit cost payments.

(e) *Election to become reimbursing employer; payment in lieu of contributions.* (1) Any governmental entity, Indian tribes or tribal units, (subdivisions, subsidiaries or business enterprises wholly owned by such Indian tribes), for which services are performed as described in ~~subsection (i)(3)(E) of K.S.A. 44-703(i)(3)(E)~~, and amendments thereto, or any nonprofit organization or group of nonprofit organizations described in section 501(c)(3) of the federal internal revenue code of 1986 ~~which~~ *that* is exempt from income tax under section 501(a) of such code, that becomes

subject to the employment security law may elect to become a reimbursing employer under this subsection (e)(1) and agree to pay the secretary for the employment security fund an amount equal to the amount of regular benefits and $\frac{1}{2}$ of the extended benefits paid that are attributable to service in the employ of such reimbursing employer, except that each reimbursing governmental employer, Indian tribes or tribal units shall pay an amount equal to the amount of regular benefits and extended benefits paid for weeks of unemployment beginning after December 31, 1978, for governmental employers and December 21, 2000, for Indian tribes or tribal units to individuals for weeks of unemployment ~~which~~ *that* begin during the effective period of such election.

(A) Any employer identified in this subsection (e)(1) may elect to become a reimbursing employer for a period encompassing not less than four complete calendar years if such employer files with the secretary a written notice of such election within the 30-day period immediately following January 1 of any calendar year or within the 30-day period immediately following the date ~~on which~~ *when* a determination of subjectivity to the employment security law is issued, whichever occurs later.

(B) Any employer ~~which~~ *that* makes an election to become a reimbursing employer in accordance with subparagraph (A) ~~of this subsection (e)(1)~~ will continue to be liable for payments in lieu of contributions until such employer files with the secretary a written notice terminating its election not later than 30 days prior to the beginning of the calendar year for which such termination shall first be effective.

(C) Any employer identified in this subsection (e)(1) ~~which~~ *that* has remained a contributing employer and has been paying contributions under the employment security law for a period subsequent to January 1, 1972, may change to a reimbursing employer by filing with the secretary not later than 30 days prior to the beginning of any calendar year a written notice of election to become a reimbursing employer. Such election shall not be terminable by the employer for four complete calendar years.

(D) The secretary may for good cause extend the period within which a notice of election, or a notice of termination, must be filed and may permit an election to be retroactive but not any earlier than with respect to benefits paid after January 1 of the year such election is received.

(E) The secretary, in accordance with such rules and regulations as the secretary may adopt, shall notify each employer identified in subsection (e)(1) of any determination ~~which~~ *that* the secretary may make of its status as an employer and of the effective date of any election ~~which~~ *that* it makes to become a reimbursing employer and of any termination of such election. Such determinations shall be subject to reconsideration, appeal and review in accordance with the provisions of K.S.A. 44-710b, and amendments thereto.

(2) *Reimbursement reports and payments.* Payments in lieu of contributions shall be made in accordance with the provisions of ~~paragraph subparagraph (A) of this subsection (e)(2)~~ by all reimbursing employers except the state of Kansas. Each reimbursing employer shall report total wages paid during each calendar quarter by filing quarterly wage reports with the secretary ~~which that~~ shall be filed by the last day of the month following the close of each calendar quarter. Wage reports are deemed filed as of the date they are placed in the United States mail.

(A) At the end of each calendar quarter, or at the end of any other period as determined by the secretary, the secretary shall bill each reimbursing employer, except the state of Kansas: (i) An amount to be paid ~~which that~~ is equal to the full amount of regular benefits plus $\frac{1}{2}$ of the amount of extended benefits paid during such quarter or other prescribed period that is attributable to service in the employ of such reimbursing employer; and (ii) for weeks of unemployment beginning after December 31, 1978, each reimbursing governmental employer and December 21, 2000, for Indian tribes or tribal units shall be certified an amount to be paid ~~which that~~ is equal to the full amount of regular benefits and extended benefits paid during such quarter or other prescribed period that is attributable to service in the employ of such reimbursing governmental employer.

(B) Payment of any bill rendered under ~~paragraph subparagraph (A) of this subsection (e)(2)~~ shall be made not later than 30 days after such bill was mailed to the last known address of the reimbursing employer, or otherwise was delivered to such reimbursing employer, unless there has been an application for review and redetermination in accordance with ~~paragraph subparagraph (D) of this subsection (e)(2)~~.

(C) Payments made by any reimbursing employer under the provisions of this subsection (e)(2) shall not be deducted or deductible, in whole or in part, from the remuneration of individuals in the employ of such employer.

(D) The amount due specified in any bill from the secretary shall be conclusive on the reimbursing employer, unless, not later than 15 days after the bill was mailed to the last known address of such employer, or was otherwise delivered to such employer, the reimbursing employer files an application for redetermination in accordance with K.S.A. 44-710b, and amendments thereto.

(E) Past due payments of amounts certified by the secretary under this section shall be subject to the same interest, penalties and actions required by K.S.A. 44-717, and amendments thereto. (1) If any nonprofit organization or group of nonprofit organizations described in section 501(c)(3) of the federal internal revenue code of 1986 or governmental reimbursing employer is delinquent in making payments of amounts certified by the secretary under this section, the secretary may terminate

such employer's election to make payments in lieu of contributions as of the beginning of the next calendar year and such termination shall be effective for such next calendar year and the calendar year thereafter so that the termination is effective for two complete calendar years. (2) Failure of the Indian tribe or tribal unit to make required payments, including assessment of interest and penalty within 90 days of receipt of the bill will cause the Indian tribe to lose the option to make payments in lieu of contributions as described pursuant to paragraph (e)(1) for the following tax year unless payment in full is received before contribution rates for the next tax year are calculated. (3) Any Indian tribe that loses the option to make payments in lieu of contributions due to late payment or nonpayment, as described in paragraph (2), shall have such option reinstated, if after a period of one year, all contributions have been made on time and no contributions, payments in lieu of contributions for benefits paid, penalties or interest remain outstanding.

(F) Failure of the Indian tribe or any tribal unit thereof to make required payments, including assessments of interest and penalties, after all collection activities deemed necessary by the secretary have been exhausted, will cause services performed by such tribe to not be treated as employment for purposes of ~~subsection (i)(3)(E) of K.S.A. 44-703(i)(3)(E)~~, and amendments thereto. If an Indian tribe fails to make payments required under this section, including assessments of interest and penalties, within 90 days of a final notice of delinquency, the secretary shall immediately notify the United States internal revenue service and the United States department of labor. The secretary may determine that any Indian tribe that loses coverage pursuant to this paragraph may have services performed on behalf of such tribe again deemed "employment" if all contributions, payments in lieu of contributions, penalties and interest have been paid.

(G) In the discretion of the secretary, any employer who elects to become liable for payments in lieu of contributions and any nonprofit organization or group of nonprofit organizations described in section 501 (c)(3) of the federal internal revenue code of 1986 or governmental reimbursing employer or Indian tribe or tribal unit who is delinquent in filing reports or in making payments of amounts certified by the secretary under this section shall be required within 60 days after the effective date of such election, in the case of an eligible employer so electing, or after the date of notification to the delinquent employer under this subsection (e)(2)(G), in the case of a delinquent employer, to execute and file with the secretary a surety bond, except that the employer may elect, in lieu of a surety bond, to deposit with the secretary money or securities as approved by the secretary or to purchase and deliver to an escrow agent a certificate of deposit to guarantee payment. The amount of the bond,

deposit or escrow agreement required by this subsection (e)(2)(G) shall not exceed 5.4% of the organization's taxable wages paid for employment by the eligible employer during the four calendar quarters immediately preceding the effective date of the election or the date of notification, in the case of a delinquent employer. If the employer did not pay wages in each of such four calendar quarters, the amount of the bond or deposit shall be as determined by the secretary. Upon the failure of an employer to comply with this subsection (e)(2)(G) within the time limits imposed or to maintain the required bond or deposit, the secretary may terminate the election of such eligible employer or delinquent employer, as the case may be, to make payments in lieu of contributions, and such termination shall be effective for the current and next calendar year.

(H) The state of Kansas shall make reimbursement payments quarterly at a fiscal year rate ~~which~~ *that* shall be based upon: (i) The available balance in the state's reimbursing account as of December 31 of each calendar year; (ii) the historical unemployment experience of all covered state agencies during prior years; (iii) the estimate of total covered wages to be paid during the ensuing calendar year; (iv) the applicable fiscal year rate of the claims processing and auditing fee under K.S.A. 75-3798, and amendments thereto; and (v) actuarial and other information furnished to the secretary by the secretary of administration. In accordance with K.S.A. 75-3798, and amendments thereto, the claims processing and auditing fees charged to state agencies shall be deducted from the amounts collected for the reimbursement payments under this paragraph (H) prior to making the quarterly reimbursement payments for the state of Kansas. The fiscal year rate shall be expressed as a percentage of covered total wages and shall be the same for all covered state agencies. The fiscal year rate for each fiscal year will be certified in writing by the secretary to the secretary of administration on July 15 of each year and such certified rate shall become effective on the July 1 immediately following the date of certification. A detailed listing of benefit charges applicable to the state's reimbursing account shall be furnished quarterly by the secretary to the secretary of administration and the total amount of charges deducted from previous reimbursing payments made by the state. On January 1 of each year, if it is determined that benefit charges exceed the amount of prior reimbursing payments, an upward adjustment shall be made therefor in the fiscal year rate ~~which will~~ *to* be certified on the ensuing July 15. If total payments exceed benefit charges, all or part of the excess may be refunded, at the discretion of the secretary, from the fund or retained in the fund as part of the payments ~~which~~ *that* may be required for the next fiscal year.

(3) *Allocation of benefit costs.* The reimbursing account of each reimbursing employer shall be charged the full amount of regular benefits

and $\frac{1}{2}$ of the amount of extended benefits paid except that each reimbursing governmental employer's account shall be charged the full amount of regular benefits and extended benefits paid for weeks of unemployment beginning after December 31, 1978, to individuals whose entire base period wage credits are from such employer. When benefits received by an individual are based upon base period wage credits from more than one employer then the reimbursing employer's or reimbursing governmental employer's account shall be charged in the same ratio as base period wage credits from such employer bear to the individual's total base period wage credits. Notwithstanding any other provision of the employment security law, no reimbursing employer's or reimbursing governmental employer's account shall be charged for payments of extended benefits ~~which that~~ are wholly reimbursed to the state by the federal government. *Payments of unemployment compensation that are wholly reimbursed to the reimbursing employer by the federal government shall be charged for the purpose of such reimbursement under the federal CARES act, public law 116-136.*

(A) *Proportionate allocation (when fewer than all reimbursing base period employers are liable).* If benefits paid to an individual are based on wages paid by one or more reimbursing employers and on wages paid by one or more contributing employers or rated governmental employers, the amount of benefits payable by each reimbursing employer shall be an amount ~~which that~~ bears the same ratio to the total benefits paid to the individual as the total base period wages paid to the individual by such employer bears to the total base period wages paid to the individual by all of such individual's base period employers.

(B) *Proportionate allocation (when all base period employers are reimbursing employers).* If benefits paid to an individual are based on wages paid by two or more reimbursing employers, the amount of benefits payable by each such employer shall be an amount ~~which that~~ bears the same ratio to the total benefits paid to the individual as the total base period wages paid to the individual by such employer bear to the total base period wages paid to the individual by all of such individual's base period employers.

(4) *Group accounts.* Two or more reimbursing employers may file a joint application to the secretary for the establishment of a group account for the purpose of sharing the cost of benefits paid that are attributable to service in the employment of such reimbursing employers. Each such application shall identify and authorize a group representative to act as the group's agent for the purposes of this subsection (e)(4). Upon approval of the application, the secretary shall establish a group account for such employers effective as of the beginning of the calendar quarter in which the secretary receives the application and shall notify the group's representative of the effective date of the account.

Such account shall remain in effect for not less than four years and thereafter such account shall remain in effect until terminated at the discretion of the secretary or upon application by the group. Upon establishment of the account, each member of the group shall be liable for payments in lieu of contributions with respect to each calendar quarter in the amount that bears the same ratio to the total benefits paid in such quarter that are attributable to service performed in the employ of all members of the group as the total wages paid for service in employment by such member in such quarter bear to the total wages paid during such quarter for service performed in the employ of all members of the group. The secretary shall adopt such rules and regulations as the secretary deems necessary with respect to applications for establishment, maintenance and termination of group accounts that are authorized by this subsection (e)(4), for addition of new members to, and withdrawal of active members from such accounts, and for the determination of the amounts that are payable under this subsection (e)(4) by members of the group and the time and manner of such payments.

Sec. 31. K.S.A. 2019 Supp. 44-757 is hereby amended to read as follows: 44-757. *Shared work unemployment compensation program.* (a) As used in this section:

(1) “Affected unit” means a specified department, shift or other unit of two or more employees that is designated by an employer to participate in a shared work plan.

(2) “Fringe benefit” means health insurance, a retirement benefit received under a pension plan, a paid vacation day, a paid holiday, sick leave, and any other analogous employee benefit that is provided by an employer.

(3) “Fund” has the meaning ascribed thereto by K.S.A. 44-703(k), and amendments thereto.

(4) “Normal weekly hours of work” means the lesser of 40 hours or the average obtained by dividing the total number of hours worked per week during the preceding twelve-week period by the number 12.

(5) “Participating employee” means an employee who works a reduced number of hours under a shared work plan.

(6) “Participating employer” means an employer who has a shared work plan in effect.

(7) “Secretary” means the secretary of labor or the secretary’s designee.

(8) “Shared work benefit” means an unemployment compensation benefit that is payable to an individual in an affected unit because the individual works reduced hours under an approved shared work plan.

(9) “Shared work plan” means a program for reducing unemployment under which employees who are members of an affected unit share the work remaining after a reduction in their normal weekly hours of work.

(10) “Shared work unemployment compensation program” means a program designed to reduce unemployment and stabilize the work force by allowing certain employees to collect unemployment compensation benefits if the employees share the work remaining after a reduction in the total number of hours of work and a corresponding reduction in wages.

(b) The secretary shall establish a voluntary shared work unemployment compensation program as provided by this section. The secretary may adopt rules and regulations and establish procedures necessary to administer the shared work unemployment compensation program.

(c) An employer who wishes to participate in the shared work unemployment compensation program must submit a written shared work plan to the secretary for the secretary’s approval. As a condition for approval, a participating employer must agree to furnish the secretary with reports relating to the operation of the shared work plan as requested by the secretary. The employer shall monitor and evaluate the operation of the established shared work plan as requested by the secretary and shall report the findings to the secretary.

(d) The secretary may approve a shared work plan if:

(1) The shared work plan applies to and identifies a specific affected unit;
(2) the employees in the affected unit are identified by name and social security number;

(3) the shared work plan reduces the normal weekly hours of work for an employee, including regular part-time employees, in the affected unit by not less than 20% and not more than 40%;

(4) the shared work plan applies to at least 10% of the employees in the affected unit;

(5) the shared work plan describes the manner ~~in which~~ *that* the participating employer treats the fringe benefits of each employee in the affected unit and the employer certifies that if the employer provides health benefits and retirement benefits under a defined benefit plan, as defined in 26 U.S.C. § 414(j), or contributions under a defined contribution plan, as defined in 26 U.S.C. § 414(i), to any employee whose workweek is reduced under the program that such benefits will continue to be provided to employees participating in the shared work compensation program under the same terms and conditions as though the workweek of such employee had not been reduced or to the same extent as other employees not participating in the shared work program;

(6) the employer certifies that the implementation of a shared work plan and the resulting reduction in work hours is in lieu of layoffs that would affect at least 10% of the employees in the affected unit and that would result in an equivalent reduction in work hours;

(7) the employer has filed all reports required to be filed under the employment security law for all past and current periods and has paid all con-

tributions, benefit cost payments, or if a reimbursing employer has made all payments in lieu of contributions due for all past and current periods;

(8) (A) a contributing employer must be eligible for a rate computation under K.S.A. 44-710a(a)(2), and amendments thereto, ~~and is not a negative account employer as defined by K.S.A. 44-710a(d), and amendments thereto~~ *and the contributing employer, as determined by the secretary, does not adversely impact the state's eligibility under section 2108 of the federal CARES act, public law 116-136*; (B) a rated governmental employer must be eligible for a rate computation under K.S.A. 44-710d(g), and amendments thereto;

(9) eligible employees may participate, as appropriate, in training, including without limitation, employer-sponsored training or worker training funded under the workforce investment act of 1998, to enhance job skills if such program has been approved by the state of Kansas;

(10) the employer includes a plan for giving advance notice, where feasible, to an employee whose workweek is to be reduced together with an estimate of the number of layoffs that would have occurred absent the ability to participate in shared work compensation and such other information as the secretary of labor determines is appropriate; and

(11) the terms of the employer's written plan and implementation are consistent with employer obligations under applicable federal and Kansas laws.

(e) If any of the employees who participate in a shared work plan under this section are covered by a collective bargaining agreement, the shared work plan must be approved in writing by the collective bargaining agent.

(f) A shared work plan may not be implemented to subsidize seasonal employers during the off-season.

(g) The secretary shall approve or deny a shared work plan no later than the 30th day after the day the shared work plan is received by the secretary. The secretary shall approve or deny a shared work plan in writing. If the secretary denies a shared work plan, the secretary shall notify the employer of the reasons for the denial.

(h) A shared work plan is effective on the date it is approved by the secretary, except for good cause a shared work plan may be effective at any time within a period of 14 days prior to the date such plan is approved by the secretary. The shared work plan expires on the last day of the 12th full calendar month after the effective date of the shared work plan.

(i) An employer may modify a shared work plan created under this section to meet changed conditions if the modification conforms to the basic provisions of the shared work plan as approved by the secretary. The employer must report the changes made to the shared work plan in writing to the secretary before implementing the changes. If the original shared work plan is substantially modified, the secretary shall reevaluate the shared

work plan and may approve the modified shared work plan if it meets the requirements for approval under subsection (d). The approval of a modified shared work plan does not affect the expiration date originally set for that shared work plan. If substantial modifications cause the shared work plan to fail to meet the requirements for approval, the secretary shall deny approval to the modifications as provided by subsection (g).

(j) Notwithstanding any other provisions of the employment security law, an individual is unemployed and is eligible for shared work benefits in any week in which the individual, as an employee in an affected unit, works for less than the individual's normal weekly hours of work in accordance with an approved shared work plan in effect for that week. The secretary may not deny shared work benefits for any week to an otherwise eligible individual by reason of the application of any provision of the employment security law that relates to availability for work, active search for work or refusal to apply for or accept work with an employer other than the participating employer.

(k) An individual is eligible to receive shared work benefits with respect to any week in which the secretary finds that:

(1) The individual is employed as a member of an affected unit subject to a shared work plan that was approved before the week in question and is in effect for that week;

(2) the individual is able to work and is available for additional hours of work or full-time work with the participating employer;

(3) the individual's normal weekly hours of work have been reduced by at least 20% but not more than 40%, with a corresponding reduction in wages; and

(4) the individual's normal weekly hours of work and wages have been reduced as described in subsection (k)(3) for a waiting period of one week ~~which~~ *that* occurs within the period the shared work plan is in effect, which period includes the week for which the individual is claiming shared work benefits.

(l) The secretary shall pay an individual who is eligible for shared work benefits under this section a weekly shared work benefit amount equal to the individual's regular weekly benefit amount for a period of total unemployment multiplied by the nearest full percentage of reduction of the individual's hours as set forth in the employer's shared work plan. If the shared benefit amount is not a multiple of \$1, the secretary shall reduce the amount to the next lowest multiple of \$1. All shared work benefits under this section shall be payable from the fund.

(m) An individual may not receive shared work benefits and regular unemployment compensation benefits in an amount that exceeds the maximum total amount of benefits payable to that individual in a benefit year as provided by K.S.A. 44-704(g), and amendments thereto.

(n) An individual who has received all of the shared work benefits and regular unemployment compensation benefits available in a benefit year is an exhaustee under K.S.A. 44-704a and 44-704b, and amendments thereto, and is entitled to receive extended benefits under such statutes if the individual is otherwise eligible under such statutes.

(o) The secretary may terminate a shared work plan for good cause if the secretary determines that the shared work plan is not being executed according to the terms and intent of the shared work unemployment compensation program.

(p) Notwithstanding any other provisions of this section, an individual shall not be eligible to receive shared work benefits for more than 26 calendar weeks during the 12-month period of the shared work plan, except that two weeks of additional benefits shall be payable to claimants who exhaust regular benefits and any benefits under any other federal or state extended benefits program during the period July 1, 2003 through June 30, 2004. No week shall be counted as a week for which an individual is eligible for shared work benefits for the purposes of this section unless the week occurs within the 12-month period of the shared work plan.

(q) No shared work benefit payment shall be made under any shared work plan or this section for any week ~~which~~ *that* commences before April 1, 1989.

(r) This section shall be construed as part of the employment security law.

Sec. 32. K.S.A. 48-924 is hereby amended to read as follows: 48-924.

(a) The governor shall be responsible for meeting the dangers to the state and people presented by disasters.

(b) (1) *Subject to the provisions of section 5, and amendments thereto*, the governor, upon finding that a disaster has occurred or that occurrence or the threat thereof is imminent, shall issue a proclamation declaring a state of disaster emergency.

(2) In addition to or instead of the proclamation authorized by K.S.A. 47-611, and amendments thereto, the governor, upon a finding or when notified pursuant to K.S.A. 47-611, and amendments thereto, that a quarantine or other regulations are necessary to prevent the spread among domestic animals of any contagious or infectious disease, may issue a proclamation declaring a state of disaster emergency. In addition to or instead of any actions pursuant to the provisions of K.S.A. 2-2114, and amendments thereto, the governor, upon a finding or when notified pursuant to K.S.A. 2-2112 et seq., and amendments thereto, that a quarantine or other regulations are necessary to prevent the spread among plants, raw agricultural commodities, animal feed or processed food of any contagious or infectious disease, may issue a proclamation declaring a state of disaster emergency.

(3) The state of disaster emergency so declared shall continue until the governor finds that the threat or danger of disaster has passed, or the disaster has been dealt with to the extent that emergency conditions no longer exist. Upon making such findings the governor shall terminate the state of disaster emergency by proclamation, but except as provided in paragraph (4), no state of disaster emergency may continue for longer than 15 days unless ratified by concurrent resolution of the legislature, with the single exception that upon specific application by the governor to the state finance council and an affirmative vote of a majority of the legislative members thereof, a state of disaster emergency may be extended once for a specified period not to exceed 30 days beyond such 15-day period.

(4) If the state of disaster emergency is proclaimed pursuant to paragraph (2), the governor shall terminate the state of disaster emergency by proclamation within 15 days, unless ratified by concurrent resolution of the legislature, except that when the legislature is not in session and upon specific application by the governor to the state finance council and an affirmative vote of a majority of the legislative members thereof, a state of disaster emergency may be extended for a specified period not to exceed 30 days. The state finance council may authorize additional extensions of the state of disaster emergency by a unanimous vote of the legislative members thereof for specified periods not to exceed 30 days each. Such state of disaster emergency shall be terminated on the 15th day of the next regular legislative session following the initial date of the state of disaster emergency unless ratified by concurrent resolution of the legislature.

(5) *The state of disaster emergency described in section 5, and amendments thereto, shall terminate on September 15, 2020, as provided in section 5, and amendments thereto, except that when the legislature is not in session and upon specific application by the governor to the state finance council and an affirmative vote of at least six of the legislative members of the council, this state of disaster emergency may be extended for specified periods not to exceed 30 days each. No such extension granted by the state finance council shall continue past January 26, 2021.*

(6) At any time, the legislature by concurrent resolution may require the governor to terminate a state of disaster emergency. Upon such action by the legislature, the governor shall issue a proclamation terminating the state of disaster emergency.

~~(6)~~(7) Any proclamation declaring or terminating a state of disaster emergency which is issued under this subsection shall indicate the nature of the disaster, the area or areas threatened or affected by the disaster and the conditions which have brought about, or which make possible the termination of, the state of disaster emergency. Each such proclamation shall be disseminated promptly by means calculated to bring its contents to the attention of the general public and, unless the circumstances atten-

dant upon the disaster prevent the same, each such proclamation shall be filed promptly with the division of emergency management, the office of the secretary of state and each city clerk or county clerk, as the case may be, in the area to which such proclamation applies.

(c) In the event of the absence of the governor from the state or the existence of any constitutional disability of the governor, an officer specified in K.S.A. 48-1204, and amendments thereto, in the order of succession provided by that section, may issue a proclamation declaring a state of disaster emergency in the manner provided in and subject to the provisions of subsection (a). During a state of disaster emergency declared pursuant to this subsection, such officer may exercise the powers conferred upon the governor by K.S.A. 48-925, and amendments thereto. If a preceding officer in the order of succession becomes able and available, the authority of the officer exercising such powers shall terminate and such powers shall be conferred upon the preceding officer. Upon the return of the governor to the state or the removal of any constitutional disability of the governor, the authority of an officer to exercise the powers conferred by this section shall terminate immediately and the governor shall resume the full powers of the office. Any state of disaster emergency and any actions taken by an officer under this subsection shall continue and shall have full force and effect as authorized by law unless modified or terminated by the governor in the manner prescribed by law.

(d) A proclamation declaring a state of disaster emergency shall activate the disaster response and recovery aspects of the state disaster emergency plan and of any local and interjurisdictional disaster plans applicable to the political subdivisions or areas affected by the proclamation. Such proclamation shall be authority for the deployment and use of any forces to which the plan or plans apply and for use or distribution of any supplies, equipment, materials or facilities assembled, stockpiled or arranged to be made available pursuant to this act during a disaster.

(e) The governor, when advised pursuant to K.S.A. 74-2608, and amendments thereto, that conditions indicative of drought exist, shall be authorized to declare by proclamation that a state of drought exists. This declaration of a state of drought can be for specific areas or communities, can be statewide or for specific water sources and shall effect immediate implementation of drought contingency plans contained in state approved conservation plans, including those for state facilities.

Sec. 33. K.S.A. 2019 Supp. 48-925 is hereby amended to read as follows: 48-925. (a) During any state of disaster emergency declared under K.S.A. 48-924, and amendments thereto, the governor shall be commander-in-chief of the organized and unorganized militia and of all other forces available for emergency duty. To the greatest extent practicable, the governor shall delegate or assign command authority by prior arrangement,

embodied in appropriate executive orders or in rules and regulations of the adjutant general, but nothing herein shall restrict the authority of the governor to do so by orders issued at the time of a disaster.

(b) Under the provisions of this act and for the implementation ~~thereof of this act~~, the governor may issue orders ~~and proclamations which shall to exercise the powers conferred by subsection (c) that~~ have the force and effect of law during the period of a state of disaster emergency declared under ~~subsection (b) of K.S.A. 48-924(b)~~, and amendments thereto, ~~and which, or as provided in section 5, and amendments thereto. Within 24 hours of the issuance of any such order, the governor shall call a meeting of the state finance council for the purposes of reviewing such order. Such orders and proclamations shall be null and void thereafter unless ratified by concurrent resolution of the legislature after the period of a state of disaster emergency has ended. Such orders and proclamations may be revoked at any time by concurrent resolution of the legislature.~~

(c) During a state of disaster emergency declared under K.S.A. 48-924, and amendments thereto, ~~and in addition to any other powers conferred upon the governor by law and subject to the provisions of subsections (d), (e) and (f), the governor may:~~

(1) Suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business, or the orders or rules and regulations of any state agency which implements such statute, if strict compliance with the provisions of such statute, order or rule and regulation would prevent, hinder or delay in any way necessary action in coping with the disaster;

(2) utilize all available resources of the state government and of each political subdivision as reasonably necessary to cope with the disaster;

(3) transfer the supervision, personnel or functions of state departments and agencies or units thereof for the purpose of performing or facilitating emergency management activities;

(4) subject to any applicable requirements for compensation under K.S.A. 48-933, and amendments thereto, commandeer or utilize any private property if the governor finds such action necessary to cope with the disaster;

(5) direct and compel the evacuation of all or part of the population from any area of the state stricken or threatened by a disaster, if the governor deems this action necessary for the preservation of life or other disaster mitigation, response or recovery;

(6) prescribe routes, modes of transportation and destinations in connection with such evacuation;

(7) control ingress and egress of persons and animals to and from a disaster area, the movement of persons and animals within the area and the occupancy by persons and animals of premises therein;

(8) suspend or limit the sale, dispensing or transportation of alcoholic beverages, explosives and combustibles;

(9) make provision for the availability and use of temporary emergency housing;

(10) require and direct the cooperation and assistance of state and local governmental agencies and officials; and

(11) perform and exercise such other functions, powers and duties *in conformity with the constitution and the bill of rights of the state of Kansas and with the statutes of the state of Kansas, except any regulatory statute specifically suspended under the authority of subsection (c)(1)*, as are necessary to promote and secure the safety and protection of the civilian population.

(d) *The governor shall not have the power or authority to temporarily or permanently seize, or authorize seizure of, any ammunition or to suspend or limit the sale, dispensing or transportation of firearms or ammunition pursuant to subsection (c)(8) or any other executive authority.*

(e) *Notwithstanding any provision of this section to the contrary and pursuant to the governor's state of disaster emergency proclamation issued on May 26, 2020, the governor shall not have the power or authority to restrict businesses from operating or to restrict the movement or gathering of individuals. The provisions of this subsection shall expire on September 15, 2020.*

(f) *The governor shall not have the power under the provisions of the Kansas emergency management act or the provisions of any other law to alter or modify any provisions of the election laws of the state including, but not limited to, the method by which elections are conducted or the timing of such elections.*

(g) The governor shall exercise the powers conferred by subsection (c) by issuance of orders under subsection (b). *Each order issued pursuant to the authority granted by subsection (b) shall specify the provision or provisions of subsection (c) by specific reference to each paragraph of subsection (c) that confers the power under which the order was issued.* The adjutant general, subject to the direction of the governor, shall administer such orders.

(h) *The board of county commissioners of any county may issue an order relating to public health that includes provisions that are less stringent than the provisions of an executive order effective statewide issued by the governor. Any board of county commissioners issuing such an order must make the following findings and include such findings in the order:*

(1) *The board has consulted with the local health officer or other local health officials regarding the governor's executive order;*

(2) *following such consultation, implementation of the full scope of the provisions in the governor's executive order are not necessary to protect the public health and safety of the county; and*

(3) *all other relevant findings to support the board's decision.*

Sec. 34. On and after January 26, 2021, K.S.A. 2019 Supp. 48-925, as amended by section 33 of this act, is hereby amended to read as follows: 48-925. (a) During any state of disaster emergency declared under K.S.A. 48-924, and amendments thereto, the governor shall be commander-in-chief of the organized and unorganized militia and of all other forces available for emergency duty. To the greatest extent practicable, the governor shall delegate or assign command authority by prior arrangement, embodied in appropriate executive orders or in rules and regulations of the adjutant general, but nothing herein shall restrict the authority of the governor to do so by orders issued at the time of a disaster.

(b) Under the provisions of this act and for the implementation ~~of this act thereof~~, the governor may issue orders ~~to exercise the powers conferred by subsection (c) that~~ and proclamations which shall have the force and effect of law during the period of a state of disaster emergency declared under ~~subsection (b) of~~ K.S.A. 48-924(b), and amendments thereto, ~~or as provided in section 5, and amendments thereto. Within 24 hours of the issuance of any such order, the governor shall call a meeting of the state finance council for the purposes of reviewing such order. Such, and~~ which orders and proclamations shall be null and void ~~after the period of a state of disaster emergency has ended thereafter unless ratified by concurrent resolution of the legislature.~~ Such orders and proclamations may be revoked at any time by concurrent resolution of the legislature.

(c) During a state of disaster emergency declared under K.S.A. 48-924, and amendments thereto, *and* in addition to any other powers conferred upon the governor by law ~~and subject to the provisions of subsections (d), (e) and (f),~~ the governor may:

(1) Suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business, or the orders or rules and regulations of any state agency which implements such statute, if strict compliance with the provisions of such statute, order or rule and regulation would prevent, hinder or delay in any way necessary action in coping with the disaster;

(2) utilize all available resources of the state government and of each political subdivision as reasonably necessary to cope with the disaster;

(3) transfer the supervision, personnel or functions of state departments and agencies or units thereof for the purpose of performing or facilitating emergency management activities;

(4) subject to any applicable requirements for compensation under K.S.A. 48-933, and amendments thereto, commandeer or utilize any private property if the governor finds such action necessary to cope with the disaster;

(5) direct and compel the evacuation of all or part of the population from any area of the state stricken or threatened by a disaster, if the governor deems this action necessary for the preservation of life or other disaster mitigation, response or recovery;

(6) prescribe routes, modes of transportation and destinations in connection with such evacuation;

(7) control ingress and egress of persons and animals to and from a disaster area, the movement of persons and animals within the area and the occupancy by persons and animals of premises therein;

(8) suspend or limit the sale, dispensing or transportation of alcoholic beverages, explosives and combustibles;

(9) make provision for the availability and use of temporary emergency housing;

(10) require and direct the cooperation and assistance of state and local governmental agencies and officials; and

(11) perform and exercise such other functions, powers and duties in conformity with the constitution and the bill of rights of the state of Kansas and with the statutes of the state of Kansas, except any regulatory statute specifically suspended under the authority of subsection (c)(1), as are necessary to promote and secure the safety and protection of the civilian population.

~~(d) The governor shall not have the power or authority to temporarily or permanently seize, or authorize seizure of, any ammunition or to suspend or limit the sale, dispensing or transportation of firearms or ammunition pursuant to subsection (c)(8) or any other executive authority.~~

~~(e) Notwithstanding any provision of this section to the contrary and pursuant to the governor's state of disaster emergency proclamation issued on May 26, 2020, the governor shall not have the power or authority to restrict businesses from operating or to restrict the movement or gathering of individuals. The provisions of this subsection shall expire on September 15, 2020.~~

~~(f) The governor shall not have the power under the provisions of the Kansas emergency management act or the provisions of any other law to alter or modify any provisions of the election laws of the state including, but not limited to, the method by which elections are conducted or the timing of such elections.~~

~~(g) The governor shall exercise the powers conferred by subsection (c) by issuance of orders under subsection (b). Each order issued pursuant to the authority granted by subsection (b) shall specify the provision or provisions of subsection (c) by specific reference to each paragraph of subsection (c) that confers the power under which the order was issued. The adjutant general, subject to the direction of the governor, shall administer such orders.~~

~~(h) The board of county commissioners of any county may issue an order relating to public health that includes provisions that are less stringent than the provisions of an executive order effective statewide issued by the governor. Any board of county commissioners issuing such an order must make the following findings and include such findings in the order:~~

~~(1) The board has consulted with the local health officer or other local health officials regarding the governor's executive order;~~

~~(2) following such consultation, implementation of the full scope of the of provisions in the governor's executive order are not necessary to protect the public health and safety of the county; and~~

~~(3) all other relevant findings to support the board's decision.~~

Sec. 35. K.S.A. 48-932 is hereby amended to read as follows: 48-932.

(a) A state of local disaster emergency may be declared by the chairman of the board of county commissioners of any county, or by the mayor or other principal executive officer of each city of this state having a disaster emergency plan, upon a finding by such officer that a disaster has occurred or the threat thereof is imminent within such county or city. No state of local disaster emergency shall be continued for a period in excess of seven ~~(7)~~ days or renewed, except with the consent of the board of county commissioners of such county or the governing body of such city; ~~as the case may be.~~ Any order or proclamation declaring, continuing or terminating a local disaster emergency shall be given prompt and general publicity and shall be filed ~~promptly~~ with the county clerk or city clerk; ~~as the case may be. Any such declaration may be reviewed, amended or revoked by the board of county commissioners or the governing body of the city, respectively, at a meeting of such governing body.~~

(b) In the event of the absence of the chairman of the board of county commissioners from the county or the incapacity of such chairman, the board of county commissioners, by majority action of the remaining members thereof, may declare a state of local disaster emergency in the manner provided in and subject to the provisions of subsection (a). In the event of the absence of the mayor or other principal executive officer of a city from the city or the incapacity of such mayor or officer, the governing body of the city, by majority action of the remaining members thereof, may declare a state of local disaster emergency in the manner provided in and subject to the provisions of subsection (a). Any state of local disaster emergency and any actions taken pursuant to applicable local and interjurisdictional disaster emergency plans, under this subsection shall continue and have full force and effect as authorized by law unless modified or terminated in the manner prescribed by law.

(c) The declaration of a local disaster emergency shall activate the response and recovery aspects of any and all local and interjurisdictional

disaster emergency plans which are applicable to such county or city, and shall initiate the rendering of aid and assistance thereunder.

(d) No interjurisdictional disaster agency or any official thereof may declare a local disaster emergency, unless expressly authorized by the agreement pursuant to which the agency functions. However, an interjurisdictional disaster agency shall provide aid and services in accordance with the agreement pursuant to which it functions in the case of a state of local disaster emergency declared under subsection (a).

Sec. 36. K.S.A. 48-939 is hereby amended to read as follows: 48-939. ~~The knowing and willful violation of~~ (a) *A person who intentionally violates any provision of this act or, any rule and regulation adopted by the adjutant general under this act or any lawful order or proclamation issued under authority of this act whether pursuant to a proclamation declaring a state of disaster emergency under K.S.A. 48-924, and amendments thereto, or a declaration of a state of local disaster emergency under K.S.A. 48-932, shall constitute a class A misdemeanor and any person convicted of such violation shall be punished as provided by law therefor and amendments thereto, may incur a civil penalty in an amount not to exceed \$2,500 per violation. Each penalty may be assessed in addition to any other penalty provided by law.*

(b) *Violations of this section shall be enforced through an action brought under chapter 60 of the Kansas Statutes Annotated, and amendments thereto, by the attorney general or the county or district attorney in the county in which the violation took place. Civil penalties sued for and recovered by the county or district attorney shall be paid into the general fund of the county where the proceedings were instigated.*

(c) *The attorney general or any county or district attorney may bring an action to enjoin, or to obtain a restraining order, against a person who has violated, is violating or is otherwise likely to violate this act.*

Sec. 37. K.S.A. 65-201 is hereby amended to read as follows: 65-201. (a) ~~The board of county commissioners of the several counties of this state each county shall act as the county boards board of health for their respective counties the county.~~ Each county board ~~thus created~~ shall appoint a person licensed to practice medicine and surgery, preference being given to persons who have training in public health, who shall serve ~~as the local health officer and who shall act in an advisory capacity to the county board of health and as the local health officer, except that.~~ The appointing authority of city-county, county or multicounty health units with less than ~~one hundred thousand (100,000)~~ 100,000 population may appoint a qualified local health program administrator as the local health officer if a person licensed to practice medicine and surgery or person licensed to practice dentistry is designated as a consultant to direct the administrator on program and related medical and professional matters. The local

health officer or local health program administrator shall hold office at the pleasure of the board.

(b) *Any order issued by the local health officer, including orders issued as a result of an executive order of the governor, may be reviewed, amended or revoked by the board of county commissioners of the county affected by such order at a meeting of the board. Any order reviewed or amended by the board shall include an expiration date set by the board and may be amended or revoked at an earlier date by a majority vote of the board.*

(c) The board of county commissioners in any county having a population of less than ~~fifteen thousand (15,000)~~ 15,000 may contract with the governing body of any hospital located in such county for the purpose of authorizing such governing body *of the hospital* to supply services to a county board of health.

Sec. 38. K.S.A. 65-202 is hereby amended to read as follows: 65-202.

(a) The local health officer in each county throughout the state, immediately after ~~his or her~~ *such officer's* appointment, shall take the same oath of office prescribed by law for the county officers, shall give bond of ~~five hundred dollars (\$500)~~ \$500 conditioned for the faithful performance of ~~his or her~~ *the officer's* duties, shall keep an accurate record of all the transactions of ~~his or her~~ *such* office, shall turn over to ~~his or her~~ *the* successor in office or to the county or joint board of health selecting such officer, on the expiration of ~~his or her~~ *such officer's* term of office, all records, documents and other articles belonging to the office and shall faithfully account to ~~said~~ *board of county commissioners* and to the county and state for all moneys coming into ~~his or her hands by virtue of~~ the office. Such officer shall notify the secretary of health and environment of ~~his or her~~ *such officer's* appointment and qualification, ~~as herein provided for~~, and provide the secretary with ~~his or her post office address~~ *such officer's contact information*.

Such officer shall receive and distribute without delay in the county ~~for which he or she is appointed~~ all forms from the secretary of health and environment to the rightful persons, all returns from persons licensed to practice medicine and surgery, assessors and local boards to said secretary, shall keep an accurate record of all of the transactions of ~~his or her~~ *such* office and shall turn over all records and documents kept by such officer, ~~as herein provided, and all other articles belonging to the office to~~ *his or her the* successor in office, or to the county or joint board electing such officer, on the expiration of ~~his or her~~ *the* term of office.

~~Such~~ *The local health* officer shall upon the opening of the fall term of school, ~~make or have made~~ a sanitary inspection of each school building and grounds, and shall ~~make or have made~~ such additional inspections ~~thereof~~ as are necessary to protect the public health of the students of the school.

(c) (1) Such officer shall make ~~or have made~~ an investigation of each case of smallpox, diphtheria, typhoid fever, scarlet fever, acute anterior poliomyelitis (infantile paralysis), epidemic cerebro-spinal meningitis and such other acute infectious, contagious or communicable diseases as may be required, and shall use all known measures to prevent the spread of any such infectious, contagious or communicable disease, and shall perform such other duties as this act, ~~his or her~~ the county or joint board, *board of health* or the secretary of health and environment may require.

(2) *Any order issued by the local health officer, including orders issued as a result of an executive order of the governor, on behalf of a county regarding the remediation of any infectious disease may be reviewed, amended or revoked by the board of county commissioners of any county affected by such order in the manner provided by K.S.A. 65-201(b), and amendments thereto.*

Such officer shall receive ~~for his or her services such reasonable compensation as his or her set by the board may allow~~ and with the approval of ~~his or her~~ the board of health may employ a skilled professional nurse and other additional personnel whenever deemed necessary for the protection of the public health.

~~All of said several sums allowed shall be paid out of the county treasury. For Any failure or neglect of said the local health officer to perform any of the duties prescribed in this act, he or she the officer may be removed from office by the secretary of health and environment, as well as in the manner prescribed by the preceding section county board of health. In addition to removal from office as provided herein, for any failure or neglect to perform any of the duties prescribed by this act, said the local health officer shall be deemed guilty of a misdemeanor and, upon conviction, be fined not less than ten dollars (\$10) \$10 nor more than one hundred dollars (\$100) \$100 for each and every offense.~~

Sec. 39. K.S.A. 65-468 is hereby amended to read as follows: 65-468. As used in K.S.A. 65-468 ~~to through~~ 65-474, ~~inclusive~~, and amendments thereto:

(a) ~~“Health care~~ *Healthcare* provider” means any person licensed or otherwise authorized by law to provide health care services in this state or a professional corporation organized pursuant to the professional corporation law of Kansas by persons who are authorized by law to form such corporation and who are health care providers as defined by this subsection, or an officer, employee or agent thereof, acting in the course and scope of employment or agency.

(b) “Member” means any hospital, emergency medical service, local health department, home health agency, adult care home, medical clinic, mental health center or clinic or nonemergency transportation system.

(c) “Mid-level practitioner” means a physician assistant or advanced practice registered nurse who has entered into a written protocol with a rural health network physician.

(d) “Physician” means a person licensed to practice medicine and surgery.

(e) “Rural health network” means an alliance of members, including at least one critical access hospital and at least one other hospital ~~which, that~~ has developed a comprehensive plan submitted to and approved by the secretary of health and environment regarding: Patient referral and transfer; the provision of emergency and nonemergency transportation among members; the development of a network-wide emergency services plan; and the development of a plan for sharing patient information and services between hospital members concerning medical staff credentialing, risk management, quality assurance and peer review.

(f) (1) “Critical access hospital” means a member of a rural health network ~~which that~~: Makes available ~~twenty-four hour~~ 24-hour emergency care services; provides not more than 25 acute care inpatient beds or in the case of a facility with an approved swing-bed agreement a combined total of extended care and acute care beds that does not exceed 25 beds; provides acute inpatient care for a period that does not exceed, on an annual average basis, 96 hours per patient; and provides nursing services under the direction of a licensed professional nurse and continuous licensed professional nursing services for not less than 24 hours of every day when any bed is occupied or the facility is open to provide services for patients unless an exemption is granted by the licensing agency pursuant to rules and regulations. The critical access hospital may provide any services otherwise required to be provided by a full-time, on-site dietician, pharmacist, laboratory technician, medical technologist and radiological technologist on a part-time, off-site basis under written agreements or arrangements with one or more providers or suppliers recognized under medicare. The critical access hospital may provide inpatient services by a physician assistant, advanced practice registered nurse or a clinical nurse specialist subject to the oversight of a physician who need not be present in the facility. In addition to the facility’s 25 acute beds or swing beds, or both, the critical access hospital may have a psychiatric unit or a rehabilitation unit, or both. Each unit shall not exceed 10 beds and neither unit ~~will shall~~ count toward the 25-bed limit, ~~nor will these units~~ or be subject to the average 96-hour length of stay restriction.

(2) *Notwithstanding the provisions of paragraph (1), prior to June 30, 2021, to the extent that a critical access hospital determines it is necessary to treat COVID-19 patients or to separate COVID-19 patients and non-COVID-19 patients, such critical access hospital shall not be limited to 25 beds or, in the case of a facility with an approved swing bed agreement, to*

a combined total of 25 extended care and acute care beds, and shall not be limited to providing acute inpatient care for a period of time that does not exceed, on an annual average basis, 96 hours per patient.

(g) “Hospital” means a hospital other than a critical access hospital ~~which~~ *that* has entered into a written agreement with at least one critical access hospital to form a rural health network and to provide medical or administrative supporting services within the limit of the hospital’s capabilities.

New Sec. 40. The provisions of this act are severable. If any portion of the act is declared unconstitutional or invalid, or the application of any portion of the act to any person or circumstance is held unconstitutional or invalid, the invalidity shall not affect other portions of the act that can be given effect without the invalid portion or application, and the applicability of such other portions of the act to any person or circumstance shall remain valid and enforceable.

Sec. 41. Section 1 of 2020 House Substitute for Senate Bill No. 102, K.S.A. 48-924, 48-932, 48-939, 65-201, 65-202 and 65-468 and K.S.A. 2019 Supp. 19-101a, 41-2653, 44-702, 44-705, as amended by section 2 of 2020 Senate Bill No. 27, 44-709, 44-710, 44-757 and 48-925 are hereby repealed.

Sec. 42. On and after January 26, 2021, K.S.A. 2019 Supp. 48-925, as amended by section 33 of this act, is hereby repealed.

Sec. 43. This act shall take effect and be in force from and after its publication in the Kansas register.

Approved June 8, 2020.

Published in the *Kansas Register* June 9, 2020.

CHAPTER 2

HOUSE CONCURRENT RESOLUTION No. 5001

A CONCURRENT RESOLUTION 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 House of Representatives of the State of Kansas, the Senate 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 June 3, 2020.

Adopted by the Senate June 3, 2020.

CHAPTER 3

SENATE CONCURRENT RESOLUTION No. 1601

A CONCURRENT RESOLUTION relating to the 2020 special session of the legislature and providing for the adjournment thereof.

Be it resolved by the Senate of the State of Kansas, the House of Representatives concurring therein: That the legislature shall adjourn sine die at the close of business of the daily session convened on June 4, 2020.

Adopted by the House June 4, 2020.

Adopted by the Senate June 4, 2020.

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