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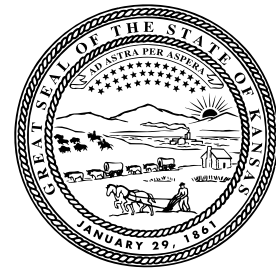
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State of Kansas

Secretary of State

Certification of New State Laws

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

Scott Schwab
Secretary of State

(Published in the Kansas Register June 1, 2021.)

House Bill No. 2134

AN ACT concerning education; relating to the instruction and financing thereof; making and concerning appropriations for the department of education for fiscal years ending June 30, 2021, June 30, 2022, and June 30, 2023; requiring a Kansas foster care children annual academic report card; authorizing limited remote learning; providing the criteria for identification of students eligible to receive at-risk programs and services; requiring boards of education to allocate sufficient school district moneys to improve student academic performance; authorizing school districts to pay tuition and fees for concurrent and dual enrollment programs; expanding student eligibility under the tax credit for low income students scholarship program; extending the high-density at-risk weighting; providing ACT college entrance exams and workkeys assessments to certain nonpublic school students; amending K.S.A. 72-1163, 72-3220, 72-3221, 72-3222, 72-3223, 72-3224, 72-5151 and 75-53,112 and K.S.A. 2020 Supp. 72-3117, 72-4352, 72-4354, 72-5131, 72-5132, 72-5153, 72-5173, 72-5178 and 72-5179 and repealing the existing sections.

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

New Section 1.

DEPARTMENT OF EDUCATION

(a) On the effective date of this act, of the \$3,306,581 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 2(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 \$2,015,931 is hereby lapsed.

(b) On the effective date of this act, of the \$21,247,425 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 2(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 \$6,869,706 is hereby lapsed.

(c) On the effective date of this act, of the \$12,673,886 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 79(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the mental health intervention team pilot account (652-00-1000-0150), the sum of \$1,215,004 is hereby lapsed.

(d) On the effective date of this act, any unencumbered balance in the education super highway account (652-00-1000-0180) of the state general fund is hereby lapsed.

(e) On the effective date of this act, of the \$5,060,528 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 79(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the school district juvenile detention facilities and Flint Hills job corps center grants account (652-00-1000-0290), the sum of \$782,064 is hereby lapsed.

(f) On the effective date of this act, of the \$360,693 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 79(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the governor’s teaching excellence scholarships and awards account (652-00-1000-0770), the sum of \$140,755 is hereby lapsed.

(g) On the effective date of this act, of the \$89,659,017 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 2(a) of chapter 19 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 \$18,897,038 is hereby lapsed.

New Sec. 2.

DEPARTMENT OF EDUCATION

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

Operating expenditures (including official hospitality) (652-00-1000-0053)\$14,109,493

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

KPERS-school employer contributions-non-USDs (652-00-1000-0100)\$41,853,675

Provided, That any unencumbered balance in the KPERS-school employer contributions-non-USDs account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

KPERS-school employer contributions-USDs (652-00-1000-0110)\$537,971,506

Provided, That any unencumbered balance in the KPERS-school employer contributions-USDs account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

KPERS layering payment (652-00-1000-0120)\$6,400,000

KPERS layering payment #2 (652-00-1000-0121)\$19,400,000

ACT and workkeys assessments program (652-00-1000-0140)\$2,800,000

Mental health intervention team pilot (652-00-1000-0150).....\$7,534,722

Education commission of the states (652-00-1000-0220).....\$67,700

School safety hotline (652-00-1000-0230)\$10,000

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, 2021, is hereby reappropriated for fiscal year 2022: 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.

School food assistance (652-00-1000-0320)\$2,510,486

Mentor teacher (652-00-1000-0440)\$1,300,000

Educable deaf-blind and severely handicapped children’s programs aid (652-00-1000-0630)\$110,000

Special education services aid (652-00-1000-0700)\$512,880,818

Provided, That any unencumbered balance in the special education services aid account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: Provided further, That expenditures shall not be made from the special education services aid account for the provision of instruction for any homebound or hospitalized child, unless the categorization of such child as exceptional is conjoined with the categorization of the child within one or more of the other categories of exceptionality: And provided further, That expenditures shall be made from this account for grants to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-3425, and amendments thereto: And provided further, That expenditures shall be made from the amount remaining in this account, after deduction of the expenditures specified in the foregoing provisios, 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.

Supplemental state aid (652-00-1000-0840)\$2,400,000

Center for REAding project manager\$80,000

Provided, That notwithstanding section 30(c) of 2021 House Bill No. 2007, for the fiscal year ending June 30, 2022, on or before July 15, 2021, the above agency shall determine the amount of moneys from moneys appropriated from any special revenue fund or funds for fiscal year 2022 from the federal CARES act, public law 116-136, the federal coronavirus preparedness and response supplemental appropriation 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, the federal consolidated appropriations act, 2021, public law 116-260, the American rescue (continued)

plan act of 2021, public law 117-2, or any other federal law that appropriates moneys to the state for aid for coronavirus relief, expenditures shall be made by the above agency from such moneys that may be used for such purpose to provide a project manager grant to the center for READING at Pittsburg state university; *Provided further*, That, of such identified moneys, following transfers required in 2021 Senate Substitute for Substitute for House Bill No. 2196, 2021 Senate Substitute for House Bill No. 2208 or any other legislation passed by the legislature during the 2021 regular session and enacted into law, the above agency shall determine the remaining moneys available in special revenue funds: *And provided further*, That if the above agency in consultation with the director of the budget determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2022 to be used for the purposes of this proviso, the director of the budget shall certify the amount of such federal coronavirus relief moneys to the director of accounts and reports and on the date of such certification, the sum of up to \$80,000 appropriated for the above agency for the fiscal year ending June 30, 2022, by this section from the state general fund in the center for READING project manager account, an amount equal to such certified amount is hereby lapsed: *And provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research: *And provided further*, That the above agency shall expend moneys in such account to provide a project manager grant to the center for reading at Pittsburg state university to: (1) Assist in the development and support of a science of reading curricula for the state educational institutions and colleges based on the knowledge and practice standards that have been adopted by the state department of education; (2) develop and support a recommended dyslexia textbook list for in-class learning for school districts to use; (3) develop and support a recommended dyslexia resources list for in-class learning for school districts to use; (4) provide knowledge and support for a train the trainer program and professional development curriculum for school districts to use; and (5) provide knowledge and support for developing a list of qualified trainers for school districts to hire.

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

- School district capital outlay state aid fund 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, 2022, 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 2022 in order to assess the cost effectiveness of the position of educational technology coordinator.
- Communities in schools program fund (652-00-2221-2400) No limit
- Inservice education workshop fee fund (652-00-2230-2010)..... 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 education 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.
- Federal indirect cost reimbursement fund (652-00-2312-2200)..... No limit
- Conversion of materials and equipment fund (652-00-2420-2020)..... No limit
- School bus safety fund (652-00-2532-2300)..... 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 2022 as soon as moneys are available.

- Motorcycle safety fund (652-00-2633-2050) No limit
- Teacher and administrator fee fund (652-00-2723-2060) No limit
- Service clearing fund (652-00-2869-2800)..... No limit
- 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.
- Reimbursement for services fund (652-00-3056-3200) No limit
- ESSA – student support academic enrichment – federal fund (652-00-3113-3113)..... No limit
- Educationally deprived children – state operations – federal fund (652-00-3131-3130)..... No limit
- Food assistance – federal fund (652-00-3230-3020) No limit
- Elementary and secondary school aid – federal fund (652-00-3233-3040)..... No limit
- Education of handicapped children fund – federal (652-00-3234-3050)..... No limit
- Community-based child abuse prevention – federal fund (652-00-3319-7400)..... No limit
- TANF children’s programs – federal fund (652-00-3323-0531)..... 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
- Language assistance state grants – federal fund (652-00-3522-3820)..... No limit
- 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
- 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
- Elementary and secondary school aid – federal fund – local education agency fund (652-00-3532-3520) 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
- Coronavirus relief fund – federal fund (652-00-3753)..... No limit
- Local school district contribution program checkoff fund (652-00-7005-7005) No limit
- Governor’s teaching excellence scholarships program repayment fund (652-00-7221-7200)..... No limit

Provided, That all expenditures from the governor’s teaching excellence scholarships program repayment fund shall be made in accordance with K.S.A. 72-2166, and amendments thereto: *Provided further*, That each such grant shall be required to be matched on a \$1-for-\$1 basis from non-state sources: *And provided further*, That award of each such grant shall be conditioned upon the recipient entering into an agreement requiring the grant to be repaid if the recipient fails to complete the course of training under the national board for professional teaching standards certification program: *And provided further*, That all moneys received by the department of education for repayment of grants made under the governor’s teaching excellence scholarships program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the governor’s teaching excellence scholarships program repayment fund.

Private donations, gifts, grants and bequests fund (652-00-7307-5000)	No limit
Family and children investment fund (652-00-7375)	No limit
State school district finance fund (652-00-7393).....	No limit
Mineral production education fund (652-00-7669-7669)	No limit

(c) There is appropriated for the above agency from the children’s initiatives fund for the fiscal year ending June 30, 2022, the following:

Children’s cabinet accountability fund (652-00-2000-2402) \$375,000

Provided, That any unencumbered balance in the children’s cabinet accountability fund account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

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, 2021, is hereby reappropriated for fiscal year 2022.

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, 2021, is hereby reappropriated for fiscal year 2022.

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, 2021, is hereby reappropriated for fiscal year 2022.

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, 2021, is hereby reappropriated for fiscal year 2022: *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.

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, 2021, 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, 2022, and June 30, 2022, 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, 2021, and quarterly thereafter, the director of accounts and reports shall transfer \$73,750 from the state highway fund of the department of transportation to the school bus safety fund (652-00-2532-2300) of the department of education.

(g) On July 1, 2021, 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, 2021, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$70,000 from the USAC E-rate program federal fund (561-00-3920-3920) of the state board of regents to the education technology coordinator fund (652-00-2157-2157) of the department of education.

(i) There is appropriated for the above agency from the Kansas endowment for youth fund for the fiscal year ending June 30, 2022, 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, 2021, is hereby reappropriated for fiscal year 2022.

(j) During the fiscal year ending June 30, 2022, 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 2022 from the state general fund for the department of education to another item of appropriation for fiscal year 2022 from the state general fund for the department of education. The commissioner of education shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(k) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2022, the following:

KPERS – school employer contribution (652-00-1700-1700) \$41,143,515

Provided, That during the fiscal year ending June 30, 2022, the amount appropriated from the expanded lottery act revenues fund in the KPERS – school employer contribution account (652- 00-1700-1700) for the department of education shall be for the purpose of reducing the unfunded actuarial liability of the Kansas public employees retirement system attributable to the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto, in accordance with K.S.A. 74-8768, and amendments thereto.

(l) On July 1, 2021, of the \$2,440,966,522 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 80(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the state foundation aid account (652-00-1000-0820), the sum of \$3,344,193 is hereby lapsed.

(m) Notwithstanding the provisions of any other statute, any appropriation act or any other provision of this act, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds for fiscal year 2022 from moneys received from the federal CARES act, public law 116-136, the federal coronavirus preparedness and response supplemental appropriation 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, the federal consolidated appropriations act, 2021, public law 116-260, the American rescue plan act of 2021, public law 117-2, or any other federal law that appropriates moneys to the state for aid for coronavirus relief, expenditures shall be made by the above agency from such moneys that may be used for such purpose to provide school safety and security grants: *Provided*, That such expenditures shall not exceed \$5,000,000: *Provided further*, That expenditures shall be made for fiscal year 2022 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: *Provided further*, That all moneys expended for school safety and security grants for fiscal year 2022 shall be matched by the receiving school district on a \$1-for-\$1 basis from other moneys of the district that may be used for
(continued)

such purpose as permitted under federal law: *Provided further*, That if the above agency determines such moneys may not be used for such purposes, expenditures shall not be made and the agency shall send a copy of such determination to the director of the budget and the director of legislative research.

(n) Notwithstanding the provisions of any other statute, any appropriation act or any other provision of this act, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds for fiscal year 2022 from moneys received from the federal CARES act, public law 116-136, the federal coronavirus preparedness and response supplemental appropriation 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, the federal consolidated appropriations act, 2021, public law 116-260, the American rescue plan act of 2021, public law 117-2, or any other federal law that appropriates moneys to the state for aid for coronavirus relief, expenditures shall be made by the above agency from such moneys that may be used for such purpose for the mental health intervention team pilot program: *Provided*, That such expenditures shall not exceed \$3,924,160: *Provided further*, That if the above agency determines such moneys may not be used for such purposes, expenditures shall not be made and the agency shall send a copy of such determination to the director of the budget and the director of legislative research.

(o) Notwithstanding the provisions of any other statute, any appropriation act or any other provision of this act, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds for fiscal year 2022 from moneys received from the federal CARES act, public law 116-136, the federal coronavirus preparedness and response supplemental appropriation 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, the federal consolidated appropriations act, 2021, public law 116-260, the American rescue plan act of 2021, public law 117-2, or any other federal law that appropriates moneys to the state for aid for coronavirus relief, expenditures shall be made by the above agency from such moneys that may be used for such purpose for the communities in schools program: *Provided*, That such expenditures shall not exceed \$100,000: *Provided further*, That if the above agency determines such moneys may not be used for such purposes, expenditures shall not be made and the agency shall send a copy of such determination to the director of the budget and the director of legislative research.

(p) In addition to the other purposes for which expenditures may be made by the above agency from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2022, expenditures shall be made by the above agency from such moneys to recommend additional compensation to each classroom teacher, paraprofessional and hourly employee who was employed by the board of education of a school district throughout school year 2020-2021 and who continues to be employed by the school district in school year 2021-2022; *Provided*, That the additional compensation recommended pursuant to this subsection shall not exceed \$500 and is intended to recognize and compensate the classroom teachers, paraprofessionals and hourly employees for the duties beyond the normal scope of employment during a pandemic, including, but not limited to, creation of new lesson plans for remote and distance instruction modes, classroom modifications for social distancing, maintaining sanitary conditions and conducting home visits: *Provided further*, That each board of education of a school district shall review the moneys received from the federal CARES act, public law 116-136, the federal coronavirus preparedness and response supplemental appropriation 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, the federal consolidated appropriations act, 2021, public law 116-260, the American rescue plan act of 2021, public law 117-2, or any other federal law that appropriates moneys to the state for aid for coronavirus relief, to determine if such funds may be available for such purpose: *And provided further*, That for the purposes of this section, "classroom teacher" means any person who holds a certificate to teach and is under contract to teach on a full-time basis by a board of education and any person who is under contract to teach on a full-time basis by a board of education but who does so pursuant to a licensure waiver granted pursuant to rules and regulations of the state department of education, and does not include

any superintendent, assistant superintendent, supervisor or principal employed pursuant to K.S.A. 72-1134, and amendments thereto.

New Sec. 3.

DEPARTMENT OF EDUCATION

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

State foundation aid (652-00-1000-0820).....\$2,524,235,833

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

Supplemental state aid (652-00-1000-0840)\$534,100,000

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

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

State school district finance fund (652-00-7393).....No limit
Mineral production education fund (652-00-7669-7669).....No limit

New Sec. 4. (a) The state department of education and the department for children and families shall collaborate to prepare a Kansas foster care children annual academic report card. The annual report card shall include the following data for the preceding school year:

- (1) The graduation rate of students in foster care;
- (2) the number and percentage of students in foster care who were promoted to the next grade level;
- (3) the number and percentage of students in foster care who were suspended during the school year and the average length of time of such suspensions;
- (4) the number and percentage of students in foster care who were expelled during the school year;
- (5) state standardized assessment scores for students in foster care, including the number and percentage of students meeting academic standards as determined by the state board of education;
- (6) the number and percentage of students in foster care enrolled in any preschool-aged at-risk program, Kansas preschool pilot program or early childhood special education program under section 619 of part B of the individuals with disabilities act;
- (7) the number and percentage of students in foster care who participated in the mental health intervention team pilot program or a similar mental health program;
- (8) the total number of students in foster care enrolled in a school district or nonpublic school and the disaggregated number and percentage of students in foster care enrolled in school districts and accredited nonpublic schools;
- (9) de-identified disaggregated race and ethnicity data for each data set required in paragraphs (1) through (8); and
- (10) any additional data elements that both the state department of education and the department for children and families deem appropriate for inclusion.

(b) On or before January 15 of each year, the state department of education and the department for children and families shall prepare and submit the Kansas foster care children annual academic report card to the senate standing committee on education and the house of representatives standing committee on education.

(c) As used in this section:

- (1) "School" means any school of a school district or any nonpublic school accredited by the state board of education.
- (2) "Student in foster care" means any individual who was in the custody of the Kansas department for children and families at any time when such student attended a school during the school year for which the report required pursuant to this section is to be completed.

(d) This section shall take effect and be in force from and after July 1, 2021.

New Sec. 5. (a) To assist students identified as eligible to receive at-risk educational programs and services in meeting state board of education outcome goals, the state board of education shall require school districts to implement at-risk educational programs and services that provide additional educational opportunities, interventions and evi-

dence-based instruction using the at-risk best practices identified pursuant to K.S.A. 72-5153, and amendments thereto.

(b) A student shall be identified as eligible to receive at-risk programs and services if the student meets one or more of the following criteria:

- (1) Is not working on academic grade level;
- (2) is not meeting the requirements necessary for promotion to the next grade or is failing subjects or courses of study;
- (3) is not meeting the requirements necessary for graduation from high school or has the potential to drop out of school;
- (4) has insufficient mastery of skills or is not meeting state standards;
- (5) has been retained;
- (6) has a high rate of absenteeism;
- (7) has repeated suspensions or expulsions from school;
- (8) is homeless or migrant;
- (9) is identified as an English language learner;
- (10) has social-emotional needs that cause the student to be unsuccessful in school; or
- (11) is identified as a student with dyslexia or characteristics of dyslexia.

(c) This section shall be a part of and supplemental to the Kansas school equity and enhancement act.

(d) This section shall take effect and be in force from and after July 1, 2021.

New Sec. 6. (a) Commencing in the 2021-2022 school year, except as otherwise provided in this section, no school district shall provide or offer to any student enrolled in the district more than a total of 40 school term hours of remote learning unless:

(1) The board of education of the school district has authorized a student to temporarily attend school through remote learning in excess of the 40-hour limitation pursuant to a temporary individual exemption granted pursuant to subsection (b); or

(2) due to a disaster, the state board of education has authorized the school district to conduct remote learning in excess of the 40-hour limitation pursuant to subsection (c) or has waived the limitations provided in subsection (d).

(b) The board of education of a school district may temporarily suspend the remote learning limitation provided in subsection (a) on an individual student basis for any student who cannot reasonably attend school in person due to an illness, medical condition, injury or any other extraordinary circumstance that would necessitate remote learning to allow the student to continue to receive an education during the existence of such circumstance. The board of education of the school district shall notify the state board of any individual exemptions provided pursuant to this subsection and the reason for such exemption.

(c) The state board of education may authorize a school district to exceed the 40-hour remote learning limitation upon application by the school district. The application may be granted by the state board of education upon:

(1) Certification by a school district that, due to a 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 the requirements of this section unless remote learning is conducted for a period of time not to exceed 240 school term hours, unless such limitation is waived by the state board pursuant to subsection (d).

(d) The state board of education may waive the requirements of law relating to the remote learning limitations pursuant to subsection (c) 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 a 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 and that remote learning beyond the limitations provided in subsection (c) is necessary to allow the school district to continue to provide education to students during such conditions.

(e) (1) Any student who attends a school of a school district through remote learning in excess of the remote learning limitations provided

pursuant to this section shall be deemed a remote learning student and shall be counted as a remotely enrolled student for state aid purposes.

(2) On or before June 30 of each school year:

(A) A school district that offers remote learning during the school year shall determine the remote enrollment of the district based on the number of students remotely enrolled in accordance with this section;

(B) the clerk or superintendent of each school district shall certify under oath to the state board a report showing the remote enrollment of the school district determined pursuant to this subsection by the grades maintained in the schools of the school district. The state board shall examine such reports upon receipt, and if the state board finds any errors in any such report, the state board shall consult with the school district officer furnishing the report and make any necessary corrections in the report; and

(C) the state board shall determine the number of students who were included in the remote enrollment of each school district and recompute the enrollment of the school district as required pursuant to this subsection.

(3) A school district that offers remote learning and is determined to have remotely enrolled students pursuant to this section shall receive remote enrollment state aid. The state board shall determine the amount of remote enrollment state aid a school district is to receive by multiplying the remote enrollment of the school district by \$5,000. No remote enrollment state aid shall be provided for any student who participates in remote learning on a part-time basis during the school day.

(4) The state board shall notify each school district of the amount of remote enrollment state aid the district shall receive pursuant to this section and, pursuant to K.S.A. 72-5136, and amendments thereto, shall:

(A) Require the district to remit any such amount of overpayment made to the district in the current school year; or

(B) deduct the excess amounts paid to the district from future payments made to the school district.

(5) If a student is included in the remote enrollment of a district pursuant to this subsection, such student shall not be included in the adjusted enrollment of the district in the current school year.

(f) Each school district that determines remote enrollment pursuant to this section shall submit any documentation or information required by the state board.

(g) As used in this section, "disaster" means a state of disaster emergency declared by proclamation of 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, an epidemic, air contamination, blight, drought, infestation or explosion.

(h) This section shall be a part of and supplemental to the Kansas school equity and enhancement act.

(i) This section shall take effect and be in force from and after July 1, 2021.

New Sec. 7. (a) Each eligible postsecondary educational institution that accepts students for enrollment pursuant to the Kansas challenge to secondary school students act shall submit a report annually to the state board of regents. Such report shall include, but not be limited to, the following:

(1) The number of students from each school district enrolled in the eligible postsecondary educational institution, including the number of students in the custody of the secretary for children and families;

(2) the number of students who successfully complete the courses in which such students are enrolled at the eligible postsecondary educational institution;

(3) the tuition rate charged for students compared to the tuition rate charged to individuals who are regularly enrolled and attending the eligible postsecondary educational institution; and

(4) the amount and percentage of tuition each school district is paying pursuant to K.S.A. 72-3223, and amendments thereto.

(b) The state board of regents shall compile and prepare a summary report of the reports submitted pursuant to subsection (a) and shall submit such report to the house standing committee on education and the senate standing committee on education on or before February 15 of each year commencing in 2022.

(continued)

(c) This section shall take effect and be in force from and after July 1, 2021.

Sec. 8. On and after July 1, 2021, K.S.A. 72-1163 is hereby amended to read as follows: 72-1163. (a) Each year the board of education of a school district shall conduct an assessment of the educational needs of each attendance center in the district. Information obtained from such needs-assessment shall be used by the board when preparing the budget of the school district to ensure improvement in student academic performance. The budget of the school district shall allocate sufficient moneys in a manner reasonably calculated such that all students may achieve the goal set forth in K.S.A. 72-3218(c), and amendments thereto. The board also shall prepare a summary of the budget for the school district. The budgets and summary shall be in the form prescribed by the director pursuant to K.S.A. 79-2926, and amendments thereto.

(b) The budgets and the summary of the proposed budget shall be on file at the administrative offices of the school district. Copies of such budgets and summary shall be available upon request.

(c) The notice required to be published by K.S.A. 79-2929, and amendments thereto, shall include a statement that the budgets and the summary of the proposed budget is on file at the administrative offices of the district and that copies of such budgets and summary are available upon request.

Sec. 9. On and after July 1, 2021, K.S.A. 2020 Supp. 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 a 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 a 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 an epidemic, air contamination, blight, drought, infestation or explosion.

Sec. 10. On and after July 1, 2021, K.S.A. 72-3220 is hereby amended to read as follows: 72-3220. ~~(a) K.S.A. 72-3220 through 72-3224, and amendments thereto, and section 7, and amendments thereto, shall be known and may be cited as the Kansas challenge to secondary school pupils students act.~~

~~(b) The provisions of this section shall take effect and be in force from and after July 1, 1993.~~

Sec. 11. On and after July 1, 2021, K.S.A. 72-3221 is hereby amended to read as follows: 72-3221. ~~(a) The legislature hereby declares that secondary school pupils students should be challenged continuously in order to maintain their interests in the pursuit of education and skills critical to success in the modern world. Therefore, it is the purpose and intention of the Kansas challenge to secondary school pupils students act to provide a means whereby that school districts, in cooperation with institutions of postsecondary education, may provide new and exciting challenges to secondary school pupils students by encouraging them such students to take full advantage of the wealth of postsecondary education educational opportunities available in this state.~~

~~(b) The provisions of this section shall take effect and be in force from and after July 1, 1993.~~

Sec. 12. On and after July 1, 2021, K.S.A. 72-3222 is hereby amended to read as follows: 72-3222. As used in the Kansas challenge to secondary school pupils students act:

(a) "Concurrent enrollment pupil" "Student" means a person who:

(1) Is enrolled in grades 10, 11 or 12 maintained by a school district, or

a gifted child who is enrolled in any of the grades 9 through 12 maintained by a school district; (2) has an individualized plan of study or an individualized education program; (3) has demonstrated the ability to benefit from participation in the regular curricula of eligible postsecondary education educational institutions; (4) has been authorized by the principal of the school attended to apply for enrollment at an eligible postsecondary education educational institution; and (5) is acceptable or has been accepted for enrollment at an eligible postsecondary education educational institution.

(b) "Eligible postsecondary education educational institution" means any state educational institution, community college, municipal university, technical college or accredited independent institution.

(c) "State educational institution" has the meaning ascribed thereto means the same as defined in K.S.A. 76-711, and amendments thereto.

(d) "Community college" means any community college organized and operating under the laws of this state.

(e) "Municipal university" means a municipal university established under the provisions of article 13a of chapter 13 of the Kansas Statutes Annotated, and amendments thereto.

(f) "Accredited independent institution" means ~~an~~ a not-for-profit institution of postsecondary education the main campus of which is located in Kansas and ~~which that~~: (1) Is operated independently and not controlled or administered by any state agency or any subdivision of the state; (2) maintains open enrollment; and (3) is accredited by the north central association of colleges and secondary schools accrediting agency based on its requirements as of April 1, 1985 a nationally recognized accrediting agency for higher education in the United States.

(g) "Technical college" has the meaning ascribed thereto means the same as defined in K.S.A. 74-32,407, and amendments thereto.

(h) "Gifted child" has the meaning ascribed thereto means the same as defined in K.S.A. 72-3404, and amendments thereto, or in rules and regulations adopted pursuant thereto.

Sec. 13. On and after July 1, 2021, K.S.A. 72-3223 is hereby amended to read as follows: 72-3223. (a) The board of education of any school district and any eligible postsecondary education educational institution may enter into a cooperative agreement regarding the dual or concurrent enrollment of concurrent enrollment pupils students in courses of instruction for college credit at the eligible postsecondary education educational institution. The agreement shall include, but need not be limited to, the following:

(1) The academic credit to be granted for course work successfully completed by the pupil student at the institution, which credit shall qualify as college credit and may qualify as both high school and college credit;

(2) the requirement that such course work qualify as credit applicable toward the award of a degree or certificate at the institution;

(3) ~~except as otherwise provided in subsection (b), the requirement that the pupil shall pay to the institution the student shall pay~~ the negotiated amount of tuition and related costs charged by the institution for the student's enrollment of the pupil, and

(4) the requirement that the eligible postsecondary educational institution shall notify the student or the student's parent or guardian if the course the student enrolled in at the eligible postsecondary educational institution is not a systemwide transfer course approved by the state board of regents and, as a result, the student may not receive credit for such course if the student transfers to or attends another state postsecondary educational institution.

~~(b) The provisions of this section shall take effect and be in force from and after July 1, 1993. The board of education of a school district, in its discretion, may pay all or a portion of the negotiated amount of tuition and related costs, including fees, books, materials and equipment, charged by an eligible postsecondary educational institution for a student's enrollment in such institution. As part of any agreement entered into pursuant to this section, the board of education of a school district shall not be required to pay any amount of tuition and required fees that are waived for an eligible foster child pursuant to the foster child educational assistance act, K.S.A. 75-53,111 et seq., and amendments thereto, except that the board, in its discretion, may pay any related costs that are not waived pursuant to such act, including fees, books, materials and equipment, charged by an eligible postsecondary educational institution for the student's enrollment in such institution. Any such payment shall be paid directly to the eligible postsecondary educational institution and shall be credited to such student's account.~~

Sec. 14. On and after July 1, 2021, K.S.A. 72-3224 is hereby amended to read as follows: 72-3224. (a) ~~No school district shall be responsible for the payment of tuition charged to concurrent enrollment pupils by eligible education institutions or for the provision of transportation for~~

such pupils—Except as otherwise provided in K.S.A. 72-3223(b), and amendments thereto, each student dually or concurrently enrolled in an eligible postsecondary educational institution pursuant to K.S.A. 72-3220 et seq., and amendments thereto, shall be responsible for the payment of the negotiated tuition and related costs, including fees, books, materials and equipment, charged by such institution for the student's enrollment.

(b) The board of education of a school district, in its discretion, may provide for the transportation of a student to or from any eligible postsecondary educational institution.

~~(b) Each concurrent enrollment pupil shall be responsible for payment of tuition for enrollment at an eligible postsecondary education institution and for payment of the costs of books and equipment and any other costs of enrollment.~~

~~(c) Each concurrent enrollment pupil student dually or concurrently enrolled in an eligible postsecondary educational institution pursuant to K.S.A. 72-3220 et seq., and amendments thereto, who satisfactorily completes course work at an eligible postsecondary education such institution shall be granted appropriate credit toward fulfillment of the requirements for graduation from high school—unless such credit is denied by the school district in which the pupil is enrolled on the basis that high school credit is inappropriate for such course work.~~

~~(d) The provisions of this section shall take effect and be in force from and after July 1, 1993. In order to remain eligible for participation in the program, a student shall remain in good standing at the eligible postsecondary educational institution or shall show satisfactory progress as determined by the school district.~~

~~(e) The provisions of the Kansas challenge to secondary school students act shall not apply to any career technical education courses or programs that receive financial assistance or funding pursuant to K.S.A. 72-3810 or 72-3819, and amendments thereto.~~

Sec. 15. On and after July 1, 2021, K.S.A. 2020 Supp. 72-4352 is hereby amended to read as follows: 72-4352. As used in the tax credit for low income students scholarship program act:

(a) "Contributions" means monetary gifts or donations and in-kind contributions, gifts or donations that have an established market value.

(b) "Department" means the Kansas department of revenue.

(c) "Educational scholarship" means an amount not to exceed \$8,000 per school year provided to an eligible student, or to a qualified school with respect to an eligible student, to cover all or a portion of the costs of education including tuition, fees and expenses of a qualified school and, if applicable, the costs of transportation to a qualified school if provided by such qualified school.

(d) "Eligible student" means a child who:

(1) ~~(A) Is an at-risk student, as defined in K.S.A. 72-5132, and amendments thereto, and who is attending a public school; or (B) has been eligible to receive an educational scholarship under this program and has not graduated from high school or reached 21 years of age;~~

~~(2) Resides in Kansas while eligible for an educational scholarship; and~~

~~(3) (A) (2) (A) (i) Is eligible for free or reduced-price meals under the national school lunch act; and~~

~~(ii) (a) was enrolled in kindergarten or any of the grades one through eight in any public school in the previous school year in which an educational scholarship is first sought for the child; or~~

~~(B) (b) is eligible to be enrolled in any public school in the school year in which an educational scholarship is first sought for the child and the child is under the age of six years; or~~

~~(B) has received an educational scholarship under the program and has not graduated from high school or reached the age of 21 years.~~

(e) "Parent" includes a guardian, custodian or other person with authority to act on behalf of the child.

(f) "Program" means the tax credit for low income students scholarship program established in K.S.A. 72-4351 through 72-4357, and amendments thereto.

~~(g) "Public school" means an elementary school that is operated by a school district, and identified by the state board as one of the lowest 100 performing elementary schools with respect to student achievement among all elementary schools operated by school districts for the current school year any school operated by a unified school district under the laws of this state.~~

(h) "Qualified school" means any nonpublic school that:

(1) Provides education to elementary or secondary students;

(2) is accredited by the state board or a national or regional accrediting agency that is recognized by the state board for the purpose of satisfying the teaching performance assessment for professional licensure;

(3) has notified the state board of its intention to participate in the program; and

~~(4) complies with the requirements of the program. On and after July 1, 2020, a qualified school shall be accredited by the state board or a national or regional accrediting agency that is recognized by the state board for the purpose of satisfying the teaching performance assessment for professional licensure.~~

(i) "Scholarship granting organization" means an organization that complies with the requirements of this program and provides educational scholarships to eligible students or to qualified schools in which parents have enrolled eligible students.

(j) "School district" or "district" means any unified school district organized and operating under the laws of this state.

~~(k) "School year" shall have the meaning ascribed thereto means the same as in K.S.A. 72-5132, and amendments thereto.~~

(l) "Secretary" means the secretary of revenue.

(m) "State board" means the state board of education.

Sec. 16. On and after July 1, 2021, K.S.A. 2020 Supp. 72-4354 is hereby amended to read as follows: 72-4354. (a) To be eligible to participate in the program, a scholarship granting organization shall comply with the following:

(1) The scholarship granting organization shall notify the secretary and the state board of the scholarship granting organization's intent to provide educational scholarships;

(2) upon granting an educational scholarship, the scholarship granting organization shall report such information to the state board;

(3) the scholarship granting organization shall provide verification to the secretary that the scholarship granting organization is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986;

(4) upon receipt of contributions in an aggregate amount or value in excess of \$50,000 during a school year, a scholarship granting organization shall file with the state board either:

(A) A surety bond payable to the state in an amount equal to the aggregate amount of contributions expected to be received during the school year; or

(B) financial information demonstrating the scholarship granting organization's ability to pay an aggregate amount equal to the amount of the contributions expected to be received during the school year, which must be reviewed and approved of in writing by the state board;

(5) scholarship granting organizations that provide other nonprofit services in addition to providing educational scholarships shall not commingle contributions made under the program with other contributions made to such organization. A scholarship granting organization under this subsection shall also file with the state board, prior to the commencement of each school year, either:

(A) A surety bond payable to the state in an amount equal to the aggregate amount of contributions expected to be received during the school year; or

(B) financial information demonstrating the nonprofit organization's ability to pay an aggregate amount equal to the amount of the contributions expected to be received during the school year, which must be reviewed and approved of in writing by the state board;

(6) each qualified school receiving educational scholarships from the scholarship granting organization shall annually certify to the scholarship granting organization its compliance with the requirements of the program;

(7) at the end of the calendar year, the scholarship granting organization shall have its accounts examined and audited by a certified public accountant. Such audit shall include, but not be limited to, information verifying that the educational scholarships awarded by the scholarship granting organization were distributed to qualified schools with respect to eligible students determined by the state board under K.S.A. 72-4353(c), and amendments thereto, and information specified in this section. Prior to filing a copy of the audit with the state board, such audit shall be duly verified and certified by a certified public accountant; and

(8) if a scholarship granting organization decides to limit the number or type of qualified schools who will receive educational scholarships, the scholarship granting organization shall provide, in writing, the name or names of those qualified schools to any contributor and the state board.

(b) No scholarship granting organization shall provide an educational scholarship with respect to any eligible student to attend any

(continued)

qualified school with paid staff or paid board members, or relatives thereof, in common with the scholarship granting organization.

(c) The scholarship granting organization shall disburse not less than 90% of contributions received pursuant to the program in the form of educational scholarships within 36 months of receipt of such contributions. If such contributions have not been disbursed within the applicable 36-month time period, then the scholarship granting organization shall not accept new contributions until 90% of the received contributions have been disbursed in the form of educational scholarships. Any income earned from contributions must be disbursed in the form of educational scholarships.

(d) A scholarship granting organization may continue to provide an educational scholarship with respect to a student who was an eligible student in the year immediately preceding the current school year.

(e)-(4) A scholarship granting organization shall direct payments of educational scholarships to the qualified school attended by the eligible student or in which the eligible student is enrolled. Payment may be made by check made payable to both the parent and the qualified school or to only the qualified school. If an eligible student transfers to a new qualified school during a school year, the scholarship granting organization shall direct payment in a prorated amount to the original qualified school and the new qualified school based on the eligible student's attendance. If the eligible student transfers to a public school and enrolls in such public school after September 20 of the current school year, the scholarship granting organization shall direct payment in a prorated amount to the original qualified school and the public school based on the eligible student's attendance. The prorated amount to the public school shall be considered a donation and shall be paid to the school district of such public school in accordance with K.S.A. 72-1142, and amendments thereto.

(2) *As used in this subsection, the term "public school" means any school operated by a school district.*

(f) *Each qualified school shall provide a link to the state department of education's webpage where the reports prepared pursuant to K.S.A. 72-5170, and amendments thereto, and K.S.A. 2020 Supp. 72-5178, and amendments thereto, for such school are published. The link shall be prominently displayed on the school's accountability reports webpage.*

(g) By June 1 of each year, a scholarship granting organization shall submit a report to the state board for the educational scholarships provided in the immediately preceding 12 months. Such report shall be in a form and manner as prescribed by the state board, approved and signed by a certified public accountant, and shall contain the following information:

- (1) The name and address of the scholarship granting organization;
- (2) the name and address of each eligible student with respect to whom an educational scholarship was awarded by the scholarship granting organization;
- (3) the total number and total dollar amount of contributions received during the 12-month reporting period; and
- (4) the total number and total dollar amount of educational scholarships awarded during the 12-month reporting period and the total number and total dollar amount of educational scholarships awarded during the 12-month reporting period with respect to eligible students who qualified under K.S.A. 72-4352(d), and amendments thereto.

(g)(h) No scholarship granting organization shall:

- (1) Provide an educational scholarship with respect to an eligible student that is established by funding from any contributions made by any relative of such eligible student; or
- (2) accept a contribution from any source with the express or implied condition that such contribution be directed toward an educational scholarship for a particular eligible student.

Sec. 17. On and after July 1, 2021, K.S.A. 2020 Supp. 72-5131 is hereby amended to read as follows: 72-5131. K.S.A. 72-5131 through 72-5176, and amendments thereto, and K.S.A. 2019 Supp. 72-5178 and 72-5179 et seq., and amendments thereto, shall be known and may be cited as the Kansas school equity and enhancement act.

Sec. 18. On and after July 1, 2021, K.S.A. 2020 Supp. 72-5132 is hereby amended to read as follows: 72-5132. As used in the Kansas school equity and enhancement act, K.S.A. 72-5131 et seq., and amendments thereto:

(a) "Adjusted enrollment" means the enrollment of a school district, excluding the remote enrollment determined pursuant to section 6, and amendments thereto, adjusted by adding the following weightings, if any, to the enrollment of a school district: At-risk student weighting; bilingual weighting; career technical education weighting; high-density

at-risk student weighting; high enrollment weighting; low enrollment weighting; school facilities weighting; ancillary school facilities weighting; cost-of-living weighting; special education and related services weighting; and transportation weighting.

(b) "Ancillary school facilities weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 72-5158, and amendments thereto, on the basis of costs attributable to commencing operation of one or more new school facilities by such school districts.

(c) (1) "At-risk student" means a student who is eligible for free meals under the national school lunch act, and who is enrolled in a school district that maintains an approved at-risk student assistance program.

(2) The term "at-risk student" shall not include any student enrolled in any of the grades one through 12 who is in attendance less than full time, or any student who is over 19 years of age. The provisions of this paragraph shall not apply to any student who has an individualized education program.

(d) "At-risk student weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 72-5151(a), and amendments thereto, on the basis of costs attributable to the maintenance of at-risk educational programs by such school districts.

(e) "Base aid for student excellence" or "BASE aid" means an amount appropriated by the legislature in a fiscal year for the designated year. The amount of BASE aid shall be as follows:

- (1) For school year 2018-2019, \$4,165;
- (2) for school year 2019-2020, \$4,436;
- (3) for school year 2020-2021, \$4,569;
- (4) for school year 2021-2022, \$4,706;
- (5) for school year 2022-2023, \$4,846; and
- (6) for school year 2023-2024, and each school year thereafter, the

BASE aid shall be the BASE aid amount for the immediately preceding school year plus an amount equal to the average percentage increase in the consumer price index for all urban consumers in the midwest region as published by the bureau of labor statistics of the United States department of labor during the three immediately preceding school years rounded to the nearest whole dollar amount.

(f) "Bilingual weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 72-5150, and amendments thereto, on the basis of costs attributable to the maintenance of bilingual educational programs by such school districts.

(g) "Board" means the board of education of a school district.

(h) "Budget per student" means the general fund budget of a school district divided by the enrollment of the school district.

(i) "Categorical fund" means and includes the following funds of a school district: Adult education fund; adult supplementary education fund; at-risk education fund; bilingual education fund; career and post-secondary education fund; driver training fund; educational excellence grant program fund; extraordinary school program fund; food service fund; parent education program fund; preschool-aged at-risk education fund; professional development fund; special education fund; and summer program fund.

(j) "Cost-of-living weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 72-5159, and amendments thereto, on the basis of costs attributable to the cost of living in such school districts.

(k) "Current school year" means the school year during which state foundation aid is determined by the state board under K.S.A. 72-5134, and amendments thereto.

(l) "Enrollment" means, except as provided in section 6, and amendments thereto:

(1) The number of students regularly enrolled in kindergarten and grades one through 12 in the school district on September 20 of the preceding school year plus the number of preschool-aged at-risk students regularly enrolled in the school district on September 20 of the current school year, except a student who is a foreign exchange student shall not be counted unless such student is regularly enrolled in the school district on September 20 and attending kindergarten or any of the grades one through 12 maintained by the school district for at least one semester or two quarters, or the equivalent thereof.

(2) If the enrollment in a school district in the preceding school year has decreased from enrollment in the second preceding school year, the enrollment of the school district in the current school year means the sum of:

(A) The enrollment in the second preceding school year, excluding students under paragraph (2)(B), minus enrollment in the preceding

school year of preschool-aged at-risk students, if any, plus enrollment in the current school year of preschool-aged at-risk students, if any; and

(B) the adjusted enrollment in the second preceding school year of any students participating in the tax credit for low income students scholarship program pursuant to K.S.A. 72-4351 et seq., and amendments thereto, in the preceding school year, if any, plus the adjusted enrollment in the preceding school year of preschool-aged at-risk students who are participating in the tax credit for low income students scholarship program pursuant to K.S.A. 72-4351 et seq., and amendments thereto, in the current school year, if any.

(3) For any school district that has a military student, as that term is defined in K.S.A. 72-5139, and amendments thereto, enrolled in such district, and that received federal impact aid for the preceding school year, if the enrollment in such school district in the preceding school year has decreased from enrollment in the second preceding school year, the enrollment of the school district in the current school year means whichever is the greater of:

(A) The enrollment determined under paragraph (2); or

(B) the sum of the enrollment in the preceding school year of preschool-aged at-risk students, if any, and the arithmetic mean of the sum of:

(i) The enrollment of the school district in the preceding school year minus the enrollment in such school year of preschool-aged at-risk students, if any;

(ii) the enrollment in the second preceding school year minus the enrollment in such school year of preschool-aged at-risk students, if any; and

(iii) the enrollment in the third preceding school year minus the enrollment in such school year of preschool-aged at-risk students, if any.

(4) The enrollment determined under paragraph (1), (2) or (3), except if the school district begins to offer kindergarten on a full-time basis in such school year, students regularly enrolled in kindergarten in the school district in the preceding school year shall be counted as one student regardless of actual attendance during such preceding school year.

(m) "February 20" has its usual meaning, except that in any year in which February 20 is not a day on which school is maintained, it means the first day after February 20 on which school is maintained.

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

(o) "General fund" means the fund of a school district from which operating expenses are paid and in which is deposited all amounts of state foundation aid provided under this act, payments under K.S.A. 72-528, and amendments thereto, payments of federal funds made available under the provisions of title I of public law 874, except amounts received for assistance in cases of major disaster and amounts received under the low-rent housing program and such other moneys as are provided by law.

(p) "General fund budget" means the amount budgeted for operating expenses in the general fund of a school district.

(q) "High-density at-risk student weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 72-5151(b), and amendments thereto, on the basis of costs attributable to the maintenance of at-risk educational programs by such school districts.

(r) "High enrollment weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 72-5149(b), and amendments thereto, on the basis of costs attributable to maintenance of educational programs by such school districts.

(s) "Juvenile detention facility" means the same as such term is defined in K.S.A. 72-1173, and amendments thereto.

(t) "Local foundation aid" means the sum of the following amounts:

(1) An amount equal to any unexpended and unencumbered balance remaining in the general fund of the school district, except moneys received by the school district and authorized to be expended for the purposes specified in K.S.A. 72-5168, and amendments thereto;

(2) an amount equal to any remaining proceeds from taxes levied under authority of K.S.A. 72-7056 and 72-7072, and amendments thereto; prior to their repeal;

(3) an amount equal to the amount deposited in the general fund in the current school year from moneys received in such school year by the school district under the provisions of K.S.A. 72-3123(a), and amendments thereto;

(4) an amount equal to the amount deposited in the general fund in the current school year from moneys received in such school year by the school district pursuant to contracts made and entered into under authority of K.S.A. 72-3125, and amendments thereto;

(5) an amount equal to the amount credited to the general fund in the current school year from moneys distributed in such school year to the school district under the provisions of articles 17 and 34 of chapter 12 of the Kansas Statutes Annotated, and amendments thereto, and under the provisions of articles 42 and 51 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto;

(6) an amount equal to the amount of payments received by the school district under the provisions of K.S.A. 72-3423, and amendments thereto;

(7) an amount equal to the amount of any grant received by the school district under the provisions of K.S.A. 72-3425, and amendments thereto; and

(8) an amount equal to 70% of the federal impact aid of the school district.

(u) "Low enrollment weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 72-5149(a), and amendments thereto, on the basis of costs attributable to maintenance of educational programs by such school districts.

(v) "Operating expenses" means the total expenditures and lawful transfers from the general fund of a school district during a school year for all purposes, except expenditures for the purposes specified in K.S.A. 72-5168, and amendments thereto.

(w) "Preceding school year" means the school year immediately before the current school year.

(x) "Preschool-aged at-risk student" means an at-risk student who has attained the age of three years, is under the age of eligibility for attendance at kindergarten, and has been selected by the state board in accordance with guidelines governing the selection of students for participation in head start programs.

(y) "Preschool-aged exceptional children" means exceptional children, except gifted children, who have attained the age of three years but are under the age of eligibility for attendance at kindergarten. The terms "exceptional children" and "gifted children" have the same meaning as those terms are defined in K.S.A. 72-3404, and amendments thereto.

(z) "Psychiatric residential treatment facility" means the same as such term is defined in K.S.A. 72-1173, and amendments thereto.

(aa) (1) "Remote enrollment" means the number of students regularly enrolled in kindergarten and grades one through 12 in the school district who attended school through remote learning in excess of the remote learning limitations provided in section 6, and amendments thereto.

(2) This subsection shall not apply in any school year prior to the 2021-2022 school year.

(bb) (1) "Remote learning" means a method of providing education in which the student, although regularly enrolled in a school district, does not physically attend the attendance center such student would otherwise attend in person on a full-time basis and curriculum and instruction are prepared, provided and supervised by teachers and staff of such school district to approximate the student learning experience that would take place in the attendance center classroom.

(2) "Remote learning" does not include virtual school as such term is defined in K.S.A. 72-3712, and amendments thereto.

(3) This subsection shall not apply in any school year prior to the 2021-2022 school year.

(cc) "School district" means a school district organized under the laws of this state that is maintaining public school for a school term in accordance with the provisions of K.S.A. 72-3115, and amendments thereto.

~~(bb)~~(dd) "School facilities weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 72-5156, and amendments thereto, on the basis of costs attributable to commencing operation of one or more new school facilities by such school districts.

~~(ee)~~(ee) "School year" means the 12-month period ending June 30.

~~(dd)~~(ff) "September 20" has its usual meaning, except that in any year in which September 20 is not a day on which school is maintained, it means the first day after September 20 on which school is maintained.

(continued)

(ee)(gg) “Special education and related services weighting” means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 72-5157, and amendments thereto, on the basis of costs attributable to the maintenance of special education and related services by such school districts.

(ff)(hh) “State board” means the state board of education.

(gg)(ii) “State foundation aid” means the amount of aid distributed to a school district as determined by the state board pursuant to K.S.A. 72-5134, and amendments thereto.

(hh)(jj) (1) “Student” means any person who is regularly enrolled in a school district and attending kindergarten or any of the grades one through 12 maintained by the school district or who is regularly enrolled in a school district and attending kindergarten or any of the grades one through 12 in another school district in accordance with an agreement entered into under authority of K.S.A. 72-13,101, and amendments thereto, or who is regularly enrolled in a school district and attending special education services provided for preschool-aged exceptional children by the school district.

(2) (A) Except as otherwise provided in this subsection, the following shall be counted as one student:

(i) A student in attendance full-time; and

(ii) a student enrolled in a school district and attending special education and related services, provided for by the school district.

(B) The following shall be counted as $\frac{1}{2}$ student:

(i) A student enrolled in a school district and attending special education and related services for preschool-aged exceptional children provided for by the school district; and

(ii) a preschool-aged at-risk student enrolled in a school district and receiving services under an approved at-risk student assistance plan maintained by the school district.

(C) A student in attendance part-time shall be counted as that proportion of one student ζ , to the nearest $\frac{1}{10}$, that the student’s attendance bears to full-time attendance.

(D) A student enrolled in and attending an institution of post-secondary education that is authorized under the laws of this state to award academic degrees shall be counted as one student if the student’s postsecondary education enrollment and attendance together with the student’s attendance in either of the grades 11 or 12 is at least $\frac{5}{6}$ time, otherwise the student shall be counted as that proportion of one student ζ , to the nearest $\frac{1}{10}$, that the total time of the student’s postsecondary education attendance and attendance in grades 11 or 12, as applicable, bears to full-time attendance.

(E) A student enrolled in and attending a technical college, a career technical education program of a community college or other approved career technical education program shall be counted as one student, if the student’s career technical education attendance together with the student’s attendance in any of grades nine through 12 is at least $\frac{5}{6}$ time, otherwise the student shall be counted as that proportion of one student ζ , to the nearest $\frac{1}{10}$, that the total time of the student’s career technical education attendance and attendance in any of grades nine through 12 bears to full-time attendance.

(F) A student enrolled in a school district and attending a non-virtual school and also attending a virtual school shall be counted as that proportion of one student ζ , to the nearest $\frac{1}{10}$, that the student’s attendance at the non-virtual school bears to full-time attendance.

(G) A student enrolled in a school district and attending special education and related services provided for by the school district and also attending a virtual school shall be counted as that proportion of one student ζ , to the nearest $\frac{1}{10}$, that the student’s attendance at the non-virtual school bears to full-time attendance.

(H) *A student enrolled in a school district and attending school on a part-time basis through remote learning and also attending school in person on a part-time basis shall be counted as that proportion of one student, to the nearest $\frac{1}{10}$, that the student’s in-person attendance bears to full-time attendance.*

(I) (i) Except as provided in clause (ii), a student enrolled in a school district who is not a resident of Kansas shall be counted as follows:

(a) For school year 2018-2019, one student;

(b) for school years 2019-2020 and 2020-2021, $\frac{3}{4}$ of a student; and

(c) for school year 2021-2022 and each school year thereafter, $\frac{1}{2}$ of a student.

(ii) This subparagraph (H) shall not apply to:

(a) A student whose parent or legal guardian is an employee of the school district where such student is enrolled; or

(b) a student who attended public school in Kansas during school year 2016-2017 and who attended public school in Kansas during the immediately preceding school year.

(3) The following shall not be counted as a student:

(A) An individual residing at the Flint Hills job corps center;

(B) except as provided in paragraph (2), an individual confined in and receiving educational services provided for by a school district at a juvenile detention facility; and

(C) an individual enrolled in a school district but housed, maintained and receiving educational services at a state institution or a psychiatric residential treatment facility.

(4) A student enrolled in virtual school pursuant to K.S.A. 72-3711 et seq., and amendments thereto, shall be counted in accordance with the provisions of K.S.A. 72-3715, and amendments thereto.

(5) *A student enrolled in a school district who attends school through remote learning shall be counted in accordance with the provisions of this section and section 6, and amendments thereto.*

(ii)(kk) “Total foundation aid” means an amount equal to the product obtained by multiplying the BASE aid by the adjusted enrollment of a school district.

(jj)(ll) “Transportation weighting” means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 72-5148, and amendments thereto, on the basis of costs attributable to the provision or furnishing of transportation.

(kk)(mm) “Virtual school” means the same as such term is defined in K.S.A. 72-3712, and amendments thereto.

Sec. 19. On and after July 1, 2021, K.S.A. 72-5151 is hereby amended to read as follows: 72-5151. (a) The at-risk student weighting of each school district shall be determined by the state board as follows:

(1) Determine the number of at-risk students included in the enrollment of the school district; and

(2) multiply the number determined under subsection (a)(1) by 0.484. The resulting sum is the at-risk student weighting of the school district.

(b) Except as provided in subsection (b)(4), the high-density at-risk student weighting of each school district shall be determined by the state board as follows:

(1) (A) If the enrollment of the school district is at least 35% at-risk students, but less than 50% at-risk students:

(i) Subtract 35% from the percentage of at-risk students included in the enrollment of the school district;

(ii) multiply the difference determined under subsection (b)(1)(A) (i) by 0.7; and

(iii) multiply the product determined under subsection (b)(1)(A) (ii) by the number of at-risk students included in the enrollment of the school district; or

(B) if the enrollment of the school district is 50% or more at-risk students, multiply the number of at-risk students included in the enrollment of the school district by 0.105; or

(2) (A) if the enrollment of a school in the school district is at least 35% at-risk students, but less than 50% at-risk students:

(i) Subtract 35% from the percentage of at-risk students included in the enrollment of such school;

(ii) multiply the difference determined under subsection (b)(2)(A) (i) by 0.7; and

(iii) multiply the product determined under subsection (b)(2)(A)(ii) by the number of at-risk students included in the enrollment of such school; or

(B) if the enrollment of a school in the school district is 50% or more at-risk students, multiply the number of at-risk students included in the enrollment of such school by 0.105; and

(C) add the products determined under subsections (b)(2)(A)(iii) and (b)(2)(B) for each such school in the school district, respectively.

(3) The high-density at-risk student weighting of the school district shall be the greater of the product determined under subsection (b)(1) or the sum determined under subsection (b)(2)(C).

(4) ~~Commencing in school year 2018-2019, School districts that qualify to receive the high-density at-risk student weighting pursuant to this section shall spend any money attributable to the school district’s high-density at-risk student weighting on the at-risk best practices developed by the state board pursuant to K.S.A. 72-5153(d), and amendments thereto. If a school district that qualifies for the high-density at-risk student weighting does not spend such money on such best practices, the state board shall notify the school district that it shall either spend such money on such best practices or shall show improvement within five years of notification. Improvement shall include, but not be limited to, the following: (A) The percentage of students at grade level on state math and English language arts assessments; (B) the per-~~

centage of students that are college and career ready on state math and English language arts assessments; (C) the average composite ACT score; or (D) the four-year graduation rate repay such money to the school district's at-risk education fund. On or before January 15 of each year, the state board shall notify the house and senate standing committees on education, or any successor committees, which school districts had to repay such money and the amount of money such school district repaid for the preceding school year. If a school district does not spend such money on such best practices and does not show improvement within five for three consecutive years, the school district shall not qualify to receive the high-density at-risk student weighting in the succeeding school year.

(5) The provisions of this subsection shall expire on July 1, 2020 2024.

(c) The purpose of the at-risk student weighting and the high-density at-risk student weighting is to provide students identified as eligible to receive at-risk programs and services with evidence-based educational services in addition to regular instructional services.

(d) Upon a school district's receipt of state foundation aid, that portion of such state foundation aid that is directly attributable to such school district's at-risk student weighting and high-density at-risk student weighting, if any, shall be transferred to the district's at-risk education fund established under K.S.A. 72-5153, and amendments thereto.

Sec. 20. On and after July 1, 2021, K.S.A. 2020 Supp. 72-5153 is hereby amended to read as follows: 72-5153. (a) There is hereby established in every school district an at-risk education fund, which that shall consist of all moneys deposited therein or transferred thereto according to law. The expenses of a school district directly attributable to providing at-risk student assistance or programs shall be paid from the at-risk education fund.

(b) Any balance remaining in the at-risk education fund at the end of the budget year shall be carried forward into the at-risk education fund for succeeding budget years. Such fund shall not be subject to the provisions of K.S.A. 79-2925 through 79-2937, and amendments thereto. In preparing the budget of such school district, the amounts credited to and the amount on hand in the at-risk education fund, and the amount expended therefrom shall be included in the annual budget for the information of the residents of the school district. Interest earned on the investment of moneys in any such fund shall be credited to that fund.

(c) Commencing in school year 2018-2019, Expenditures from the at-risk education fund of a school district shall only be made for the following purposes:

(1) At-risk and provisional at-risk educational programs based on best practices identified pursuant to subsection (d);

(2) personnel providing educational services in conjunction with such programs; or

(3) support for instructional classroom personnel designed to provide training for evidence-based best practices for at-risk educational programs; or

(4) services contracted for by the school district to provide at-risk and provisional at-risk educational programs based on best practices identified pursuant to subsection (d).

(d) (1) The state board shall identify and approve evidence-based best practices for at-risk educational programs and instruction of students receiving at-risk program services. On and after July 1, 2019, Such best practices shall include, but not be limited to, programs and services provided by state-based national nonprofit organizations that:

(A) Focus on students who are identified as students eligible to receive at-risk program services or who face other identifiable barriers to success;

(B) provide evidence-based instruction and support services to such students inside and outside the school setting; and

(C) evaluate outcomes data for students, including, but not limited to, school attendance, academic progress, graduation rates, pursuit of postsecondary education or career advancement.

(2) The state board shall review and update such best practices as necessary and as part of its five-year accreditation system review process.

(3) The state board shall provide a list of approved at-risk educational programs to each school district. The department shall publish the list on the department's website with a link to such list prominently displayed on the website homepage.

(4) (A) No expenditure shall be made from a school district's at-risk education fund for any program or service that is not included on the list of approved at-risk educational programs, unless such program is a provisional at-risk educational program.

(B) Expenditures shall only be made for a provisional at-risk educational program for a period not to exceed three years after implementation of such

provisional at-risk educational program by a school district. The state board shall review any such provisional at-risk educational program, and if such program satisfies the state board's requirements as an evidence-based best practice, then such program shall be included in the list of approved at-risk educational programs.

(5) The purpose of at-risk and provisional at-risk educational programs and services is to provide students identified as eligible to receive at-risk programs and services with additional educational opportunities, interventions and evidence-based instructional services above and beyond regular educational services.

(6) Delivery of at-risk and provisional at-risk programs or services by a school district may include, but shall not be limited to, the following:

- (A) Extended school year;
- (B) before-school programs and services;
- (C) after-school programs and services;
- (D) summer school;
- (E) extra support within a class;
- (F) tutorial assistance; and
- (G) class within a class.

(e) Each year the board of education of each school district shall prepare and submit to the state board a report on the assistance or at-risk and provisional at-risk educational programs provided by the school district for students identified as eligible to receive at-risk program services. Such report shall include:

(1) The number of students identified as eligible to receive at-risk or provisional at-risk educational program services who were served or provided assistance;

(2) the type of service at-risk and provisional at-risk educational programs and services provided, including the number of students provided assistance under the district's approved at-risk program;

(3) the data and research upon which the school district relied utilized in determining that a need for service or assistance existed, the results of providing such service or assistance what programs and services were needed to implement the approved at-risk program;

(4) the district shall track and report the longitudinal performance of students that are continuously receiving at-risk programs and services in the district's approved at-risk program and, if applicable, shall include data regarding state assessment scores, Kansas English language proficiency assessment results, four-year graduation rates, progress monitoring, norm-referenced test results, criterion-based test results, individualized education program goals, attendance and average ACT composite scores; and

(5) any other information required by the state board.

(f) In order to achieve uniform reporting of the number of students provided service or assistance by school districts in at-risk student programs, school districts shall report the number of students served or assisted in the manner required by the state board.

(g) As used in this section, the term:

(1) "At-risk educational program" means an at-risk program or service that is identified and approved by the state board as an evidence-based best practice pursuant to subsection (d);

(2) "evidence-based instruction" means an education delivery system based on peer-reviewed research that consistently produces better student outcomes over a five-year period than would otherwise be achieved by the same students who are receiving at-risk program services; and

(3) "provisional at-risk educational program" means an evidence-based at-risk educational program or service identified or developed by a school district as producing or likely to produce measurable success that has been submitted to the state board for review pursuant to subsection (d).

Sec. 21. On and after July 1, 2021, K.S.A. 2020 Supp. 72-5173 is hereby amended to read as follows: 72-5173. The legislative post audit committee shall direct the legislative division of post audit to conduct the following performance audits in the fiscal year specified:

(a) A performance audit of transportation services funding. The audit should include a comparison of the amount of transportation services funding school districts receive to the cost of providing transportation services. This performance audit shall be conducted during fiscal year 2018, and the final audit report shall be submitted to the legislature on or before January 15, 2018.

(b) A performance audit of at-risk education funding. The audit should evaluate the method of counting students for at-risk education funding, the level of the at-risk student weighting and high-density at-risk student weighting under the act and how school districts are expending moneys provided for at-risk education. This performance

(continued)

audit shall be conducted during fiscal year 2020, and the final audit report shall be submitted to the legislature on or before January 15, 2020.

(c) A performance audit of bilingual education funding. The audit should evaluate the method of counting students for bilingual education funding, the level of the bilingual weighting under the act and how school districts are expending moneys provided for bilingual education. This performance audit shall be conducted during fiscal year 2021, and the final audit report shall be submitted to the legislature on or before January 15, 2021.

(d) A study of statewide virtual school programs administered in other states. The study shall include, but not be limited to, the following:

(1) The aggregate cost incurred by each state administering a virtual school program, and the cost incurred by individual school districts or schools within each state;

(2) the resources necessary for the implementation of each virtual school program, including, but not limited to, personnel, equipment, software and facility usage;

(3) the scope of each virtual school program; and

(4) the effectiveness of each virtual school program with respect to student performance and outcomes.

The study shall be conducted during fiscal year 2023, and the final study report shall be submitted to the legislature on or before January 15, 2023.

(e) A performance audit of the unencumbered cash balances held in all funds by each school district. The audit should evaluate the annual accumulations of unencumbered cash balances for the preceding 10 years, the annual expenditures of such moneys and how school districts are expending such moneys. This performance audit shall be conducted no later than fiscal year 2021, and the final audit report shall be submitted to the legislature on or before January 15, 2021.

(f) (1) A performance audit to provide a reasonable estimate of the cost of providing educational opportunities for every public school student in Kansas to achieve the performance outcome standards adopted by the state board of education. This performance audit shall be conducted during fiscal year 2024, and the final report submitted to the legislature on or before January 15, 2024.

(2) The performance audit required under this subsection shall:

(A) Include reasonable estimates of the costs of providing specialized education services as required by law, including, but not limited to, bilingual education and at-risk programs; and

(B) account for other factors which may contribute to variations in costs incurred by school districts, including, but not limited to, total district enrollment and geographic location within the state.

(3) In conducting the performance audit required under this subsection:

(A) Any examination of historical data and expenditures shall correct any recognized inadequacy of such data or expenditure through a statistically valid method of extrapolation; and

(B) subject to the limitations of the division of legislative post audit budget and appropriations therefor, the legislative post auditor may enter into contracts with consultants as the post auditor deems necessary.

(g) A performance audit to provide a reasonable estimate of the costs of providing special education and related services, including, but not limited to, other factors which may contribute to variations in costs incurred by school districts. This performance audit shall be conducted during fiscal year 2019, and the final audit report shall be submitted to the legislature on or before January 15, 2019.

(h) A performance audit of at-risk education expenditures. The audit should evaluate how school districts are expending moneys provided for at-risk education, whether those expenditures comply with statutory provisions and whether the state board of education and the department of education are acting in accordance with statutory provisions related to at-risk expenditures and programs. This audit should also evaluate the trends in the academic outcomes of students receiving at-risk education program services. This performance audit shall be conducted during calendar year 2023, and the final audit report shall be submitted to the legislature on or before January 15, 2024.

Sec. 22. On and after July 1, 2021, K.S.A. 2020 Supp. 72-5178 is hereby amended to read as follows: 72-5178. (a) On or before January 15 of each year, the state department of education shall prepare and submit a performance accountability report and a longitudinal achievement report for all students enrolled in any public school or accredited nonpublic school in the state, each school district and each school operated by a school district and each accredited nonpublic school to the governor and to the legislature.

(b) Each performance accountability report shall be prepared in a single-page format containing the information that is required to be reported under the federal elementary and secondary education act, as amended by the federal every student succeeds act, public law 114-95, or any successor federal acts, and the college and career readiness metrics developed and implemented by the state board. The report shall use the categories for achievement identified under the federal every student succeeds act, public law 114-95, or any successor achievement categories. All categories and metrics included in the report shall be clearly defined.

(c) Each longitudinal achievement report shall provide the achievement rates on the state assessments for English language arts, math and science for all students and each student subgroup and the change in achievement rate year-over-year starting with the school year in which the state board first implemented new achievement standards on such state assessments.

(d) All reports prepared pursuant to this section shall be published in accordance with K.S.A. 2020 Supp. 72-1181, and amendments thereto.

Sec. 23. On and after July 1, 2021, K.S.A. 2020 Supp. 72-5179 is hereby amended to read as follows: 72-5179. (a) The state board of education shall provide the ACT college entrance exam and the three ACT workkeys assessments that are required to earn a national career readiness certificate to each student enrolled in grades 11 and 12, and the pre-ACT college entrance exam to each student enrolled in grade nine. No student shall be required to pay any fees or costs to take any such exam or assessments. The state board shall not be required to provide more than one exam and three assessments for each student. The state board of education may enter into any contracts that are necessary to promote statewide cost savings to administer such exams and assessments.

(b) The Kansas department of education and each school district shall annually publish on their websites the times, dates and locations of the pre-ACT college entrance exam, the ACT college entrance exam and the ACT workkeys assessments that are offered in Kansas and information for students on how to register for such exams or assessments.

(c) Participation in the pre-ACT college entrance exam, the ACT college entrance exam or the ACT workkeys assessment shall be optional. Nothing in this section shall be construed to require any student to participate in such exams or assessments.

(d) On or before the first day of each regular legislative session, the state board of education shall prepare and submit a report to the senate standing committee on education and the house standing committee or any successor committees on education that includes the aggregate exam and assessment data for all students who were provided the exams and assessments pursuant to this section.

(e) As used in this section, "student" means any person who is regularly enrolled in any public school or accredited nonpublic school located in Kansas.

Sec. 24. On and after July 1, 2021, K.S.A. 75-53,112 is hereby amended to read as follows: 75-53,112. As used in the Kansas foster child educational assistance act:

(a) "Kansas educational institution" means and includes any community college, the municipal university, state educational institution, the institute of technology at Washburn university or technical college.

(b) "Eligible foster child" means anyone who:

(1) (A) (i) Is in the custody of the secretary and in a foster care placement on the date such child attained 18 years of age; ~~(B)~~ (ii) has been released from the custody of the secretary prior to attaining 18 years of age, after having graduated from a high school or fulfilled the requirements for a general educational development (GED) certificate while in foster care placement and the custody of the secretary; ~~(C)~~ (iii) is adopted from a foster care placement on or after such child's 16th birthday; or ~~(D)~~ (iv) left a foster care placement subject to a guardianship under chapter 38 or 59 of the Kansas Statutes Annotated, and amendments thereto, on or after such child's 16th birthday; or

(B) is a student as defined under the Kansas challenge to secondary school students act, K.S.A. 72-3220 et seq., and amendments thereto, and was in the custody of the secretary and in foster care placement at any time such child was enrolled in grades nine through 12 at a school of a school district; and

(2) enrolls in a Kansas educational institution ~~on or after July 1, 2006.~~

(c) "Kansas foster child educational assistance program" or "program" means the program established pursuant to the provisions of the Kansas foster child educational assistance act, which shall provide for: (1) Undergraduate enrollment of eligible foster children pursuant to subsection (b)(1)(A) through the semester the eligible foster child attains

23 years of age; or (2) undergraduate enrollment of eligible foster children pursuant to subsection (b)(1)(B) through the Kansas challenge to secondary schools act, K.S.A. 72-3220 et seq., and amendments thereto.

(d) "Educational program" means a program which that is offered and maintained by a Kansas educational institution and leads to the award of a certificate, diploma or degree upon satisfactory completion of course work requirements.

(e) "Secretary" means the secretary for children and families.

Sec. 25. On and after July 1, 2021, K.S.A. 72-1163, 72-3220, 72-3221, 72-3222, 72-3223, 72-3224, 72-5151 and 75-53,112 and K.S.A. 2020 Supp. 72-3117, 72-4352, 72-4354, 72-5131, 72-5132, 72-5153, 72-5173, 72-5178 and 72-5179 are hereby repealed.

Sec. 26. This act shall take effect and be in force from and after its publication in the Kansas register.

Doc. No. 049181

(Published in the Kansas Register June 1, 2021.)

Senate Bill No. 159

AN ACT making and concerning appropriations for the fiscal years ending June 30, 2021, June 30, 2022, and June 30, 2023, for state agencies; authorizing and directing payment of certain claims against the state; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 74-4920 and K.S.A. 2020 Supp. 17-12a601 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, 2021, June 30, 2022, and June 30, 2023, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, capital improvement projects, fees, receipts, disbursements, procedures and acts incidental to the foregoing are hereby directed or authorized as provided in this act.

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

(c) This act shall be known and may be cited as the omnibus appropriation act of 2021 and shall constitute the omnibus reconciliation spending limit bill for the 2021 regular session of the legislature for purposes of K.S.A. 75-6702(a), and amendments thereto.

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

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

F&W Tractor Inc., d/b/a Agri Center
5104 S. State Road 96
Hutchinson, KS 67501\$924.08

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

Sammy Cox #76359
P.O. Box 1568
Hutchinson, KS 67504\$30.35

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

Tamika Pledger #117146
815 SE Rice Rd.
Topeka, KS 66607\$20.00

Sec. 3. The department of health and environment - division of public health is hereby authorized and directed to pay the following amount from its operating expenditures (including official hospitality)

account of the state general fund for partial reimbursement of non-attorney fee expenses related to efforts to become licensed as a home health agency:

Peter Shaheed
2900 S.W. Wanamaker Drive
Suite 103
Topeka, KS 66614\$16,426.14

Sec. 4. The Osawatomie state hospital is hereby authorized and directed to pay the following amount from its operating expenditures account of the state general fund for property damage to the following claimant:

Ellin Schoenfeld
12417 Hardy Street
Overland Park, KS 66213\$1,945.57

Sec. 5. The Larned state hospital is hereby authorized and directed to pay the following amount from its operating expenditures account of the state general fund for lost hearing aids to the following claimant:

Albert Wilcox
Larned State Hospital
1301 Kansas Highway 264
Larned, KS 67550\$2,800

Sec. 6. The University of Kansas is hereby authorized and directed to pay the following amount from its operating expenditures (including official hospitality) account of the state general fund for personal injury to the following claimant:

Fiona McGuire
7366 Chamberlain Ave.
St. Louis, MO 63130\$1,538.50

Sec. 7. The attorney general is hereby authorized and directed to pay the following amount to reimburse for legal costs incurred for sexually violent predator proceedings from the sexually violent predator expense fund to the following claimant:

Board of county commissioners of Barton county
1400 Main St. #106
Great Bend, KS 67530.....\$10,887.57

Sec. 8. The Kansas state legislature is hereby authorized and directed to pay from the legislative special revenue fund the following claimant for page vouchers not presented in the proper fiscal year:

"Lettuce Feed You"
Room 10-N
Statehouse
Topeka, KS 66612\$1,080.00

Sec. 9. The Kansas bureau of investigation is hereby authorized and directed to pay the following claimant from the operating expenditures account of the state general fund for services rendered as part of an investigation:

T-Mobile USA Inc.
12920 SE 38th St.
Bellevue, WA 98006\$2,259.00

Sec. 10. The adjutant general is hereby authorized and directed to pay the following amount from the disaster relief account of the state general fund for property damage to the following claimant:

Louis Keefover
3770 SW Stonybrook Drive
Topeka, KS 66610\$1,817.82

Sec. 11. The Kansas department of wildlife, parks and tourism is hereby authorized and directed to pay the following amount from the fish and wildlife restitution fund for reimbursement for the purchase of deer antlers sold at auction on January 2, 2020, and to issue a salvage tag for such deer antlers to the following claimant:

Tim Nedeau
416 South Carbon
Scranton, KS 66537\$16,001.00

Sec. 12. The department of revenue is hereby authorized and directed to pay the following amounts from the motor-vehicle fuel tax refund fund for claims not filed within the statutory filing period pre-

(continued)

scribed in K.S.A. 79-3458, and amendments thereto, to the following claimants:

Aircraft Data Inc. 1440 Aviator Lane Benton, KS 67017	\$609.34
Brennemans Inc. 8256 E. Humbarger Rd. Solomon, KS 67480	\$1,971.49
Bruce Davis Construction LLC PO Box 1924 Emporia, KS 66801	\$782.96
Concrete Services Co Inc. PO Box 1205 Great Bend, KS 67530	\$385.63
DHS Customs & Border Protection 6650 Telecom Dr. Suite 100 Indianapolis, IN 46278	\$17.40
Blake Elliott 787 Paint Rd. Hope, KS 67451	\$63.24
Colleen Geier 938 S. 110th St. Girard, KS 66743	\$105.00
Heritage Feeders Sublette 1506 Road 30 Sublette, KS 67877	\$1,702.30
Holland Enterprises Inc. 500 Carl Olsen St. Mapleton, ND 58059	\$68.72
Mid America Redi Mix Inc. PO Box 1205 Great Bend, KS 67530	\$277.06
Midwest Concrete Materials Inc. PO Box 668 Manhattan, KS 66505	\$29,417.78
William Partridge 1472 Birch Rd. Fort Scott, KS 66701	\$21.40
William E. Rissen 24586 S. Berryton Rd. Lyndon, KS 66451	\$57.00
Roadrunner Temperature Controlled LLC 8951 S. 126 th St. Omaha, NE 68138	\$20,143.89
Russell Ready Mix Inc. PO Box 1205 Great Bend, KS 67530	\$33.62
Clyde Sutton 9503 170 Rd. Ness City, KS 67560	\$332.51
Louis B. Vestring 9872 N.E. Stony Creek Rd. Cassoday, KS 66842	\$890.14
Wamego Country Club 1900 Country Club Dr. Wamego, KS 66547	\$399.82
Robert E. Weishaar 12711 190 th St. Nortonville, KS 66060	\$53.40
Wichita Airport Authority 2173 S. Air Cargo Rd. Wichita, KS 67209	\$9,100.94
Phillip Babcock 473 Road W3 Norton, KS 67654	\$60.76

Brennemans, Inc. 8256 E. Humbarger Rd. Solomon, KS 67480	\$126.36
Jerome Goetz 13563 S. Road 45 E Park, KS 67751	\$40.92
Pennys Concrete Inc. 23400 W. 82 nd St. Shawnee Mission, KS 66227	\$829.76
Virgil H. Puetz 27600 W. 6 th St. S Garden Plain, KS 67050	\$225.72
Terence M. Reschke 1107 N. 4 th St. Hiawatha, KS 66434	\$53.40
USD 233 Olathe 14160 Black Bob Olathe, KS 66062	\$21,922.52
USD 300 Comanche County 600 N. Leavenworth Ave Coldwater, KS 67029	\$1,462.97
Kenneth Whelan 21750 130 Rd. Saint Paul, KS 66771	\$21.00

Sec. 13. (a) Except as otherwise provided by this act, the director of accounts and reports is hereby authorized and directed to draw warrants on the state treasurer in favor of the claimants specified in this act, upon vouchers duly executed by the state agencies directed to pay the amounts specified in such sections to the claimants or their legal representatives or duly authorized agents, as provided by law.

(b) The director of accounts and reports shall secure prior to the payment of any amount to any claimant, other than amounts authorized to be paid pursuant to section 12 as motor-vehicle fuel tax refunds or as transactions between state agencies as provided by this act, a written release and satisfaction of all claims and rights against the state of Kansas and any agencies, officers and employees of the state of Kansas regarding their respective claims.

Sec. 14.

STATE BANK COMMISSIONER

(a) On July 1, 2021, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 5(a) of 2021 House Bill No. 2007 on the bank commissioner fee fund (094-00-2811) of the state bank commissioner is hereby increased from \$11,304,273 to \$12,090,773.

(b) On July 1, 2021, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 5(a) of 2021 House Bill No. 2007 on the bank commissioner fee fund (094-00-2811) of the state bank commissioner is hereby increased from \$11,649,189 to \$12,649,189.

Sec. 15.

BEHAVIORAL SCIENCES REGULATORY BOARD

(a) On July 1, 2021, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 8(a) of 2021 House Bill No. 2007 on the behavioral sciences regulatory board fee fund (102-00-2730-0100) of the behavioral sciences regulatory board is hereby increased from \$959,145 to \$981,995.

Sec. 16.

STATE BOARD OF HEALING ARTS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2021, by section 9(a) of chapter 5 of the 2020 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 \$6,419,900 to \$6,434,020.

(b) On July 1, 2021, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 9(a) of 2021 House Bill No. 2007 on the healing arts fee fund (105-00-2705-0100) of the state board of healing arts is hereby increased from \$6,478,748 to \$6,527,233.

Sec. 17.

STATE BOARD OF MORTUARY ARTS

(a) On July 1, 2021, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 15(a) of 2021 House Bill No. 2007 on the mortuary arts fee fund (204-00-2709-0100) of the state board of mortuary arts is hereby increased from \$304,038 to \$369,038.

Sec. 18.

STATE BOARD OF PHARMACY

(a) On July 1, 2021, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 21(a) of 2021 House Bill No. 2007 on the state board of pharmacy fee fund (531-00-2718-0100) of the state board of pharmacy is hereby increased from \$2,565,656 to \$2,608,906.

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

Prescription monitoring program fund	
For the fiscal year ending June 30, 2022	No limit
For the fiscal year ending June 30, 2023	No limit

Sec. 19.

LEGISLATIVE COORDINATING COUNCIL

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

Legislature employment security fund.....	No limit
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Sec. 20.

LEGISLATURE

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

Operations (including official hospitality) (428-00-1000-0103)	\$25,000
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(b) During the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for the above agency for fiscal year 2022 as authorized by section 32 of 2021 House Bill No. 2007, this or other appropriation act of the 2021 regular session of the legislature, subject to the provisions of this subsection, expenditures shall be made by the above agency from such moneys for fiscal year 2022 to create an interim study committee on child support enforcement and collection: *Provided, however,* That no expenditures shall be made from such moneys until the legislative coordinating council approves such interim study committee.

(c) During the fiscal year ending June 30, 2022, in addition to the other purpose for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for the above agency for fiscal year 2022 as authorized by section 32 of 2021 House Bill No. 2007, this or other appropriation act of the 2021 regular session of the legislature, subject to the provisions of this subsection, expenditures shall be made by the above agency from such moneys for fiscal year 2022 to create an interim study committee on the federal 340B program: *Provided,* That such committee shall review: The requirements of the federal law; the role of qualifying 340B providers, pharmacies, pharmacy benefit managers and pharmaceutical drug manufacturers in such program; the fiscal impact of such program on all participants; any recent federal or state law changes affecting such program; any recent marketplace developments of interest; and the impact of such program on healthcare payers, including insureds, self-insureds and government programs: *Provided further,* That such committee shall have 13 members appointed by the legislative coordinating council and the speaker of the house of representatives shall appoint the chairperson.

Sec. 21.

ATTORNEY GENERAL

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

Operating expenditures (082-00-1000-0103).....	\$272,368
Protection from abuse (082-00-1000-0900).....	\$51,900

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

Charitable organizations fee fund	No limit
Kansas fights addiction fund.....	No limit
Municipalities fight addiction fund.....	No limit

(c) During the fiscal year ending June 30, 2022, notwithstanding the provisions of any statute, in addition to the other purposes for which expenditures may be made from the scrap metal theft reduction fee fund for fiscal year 2022 by the attorney general as authorized by section 38 of 2021 House Bill No. 2007, this or other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by the attorney general from the scrap metal theft reduction fee fund for fiscal year 2022 to reimburse scrap metal dealers, as defined in K.S.A. 50-6-109, and amendments thereto, in the amount of \$1,000 for each year any such scrap metal dealer paid registration fees under the scrap metal theft reduction act and such act was not operative and to reimburse such scrap metal dealers for the costs of fingerprinting any such scrap metal dealer prior to July 1, 2020.

Sec. 22.

STATE TREASURER

(a) On July 1, 2021, the expenditure limitation established for the fiscal year ending June 30, 2022, by 41(a) of 2021 House Bill No. 2007 on the state treasurer operating fund (670-00-2374-2300) of the state treasurer is hereby increased from \$1,696,618 to \$1,795,618.

Sec. 23.

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, 2022, the following:

Assigned counsel expenditures (328-00-1000-0700).....	\$3,569,164
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(b) If 2021 House Bill No. 2363 or any other legislation that increases the compensation rate of assigned counsel by amending K.S.A. 22-4507, and amendments thereto, is not passed by the legislature during the 2021 regular session and enacted into law, then in addition to other purposes for which expenditures may be made by the above agency from the assigned counsel expenditures account (328-00-1000-0700) for fiscal year 2022 as authorized by this or other appropriation act of the 2021 regular session of the legislature, notwithstanding the provisions of any other statute to the contrary, the above agency shall make expenditures from such account to set the maximum rate of compensation of assigned counsel in fiscal year 2022 at \$100 per hour.

Sec. 24.

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)	\$7,400,000
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Provided, That notwithstanding sections 2 through 4 of chapter 1 of the 2020 Special Session Laws of Kansas, for the fiscal year ending June 30, 2021, on or before June 15, 2021, the director of the budget shall determine the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for the purposes of this subsection, may be expended at the discretion of the state in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *Provided further,* That, of such identified moneys, following transfers required in 2021 Senate Substitute for Substitute House Bill No. 2196, 2021 Senate Substitute for House Bill No. 2208 or any other legislation passed by the legislature during the 2021 regular session and enacted into law, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further,* That if the above agency in consultation with the director of the budget determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2021 to be used for the purposes of this subsection, the director of the budget shall certify the amount of such federal coronavirus relief moneys to the director of accounts and reports and on June 30, 2021, of the \$7,400,000 appropriated for the above agency for the fiscal year ending June 30, 2021, by this section from the state general fund in the judiciary operations account, an amount equal to such certified amount is hereby lapsed: *And provided further,* That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

(continued)

Sec. 25.

JUDICIAL BRANCH

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

Judiciary operations (677-00-1000)\$16,990,384

Provided, however, That during the fiscal year ending June 30, 2022, any salary increase, including associated employer contributions, for non-judicial personnel in the judicial personnel classification system shall not exceed 12%.

(b) During the fiscal year ending June 30, 2022, the justices of the supreme court, judges of the court of appeals, district court judges and district magistrate judges shall receive a 5% salary increase, including associated employer contributions.

Sec. 26.

JUDICIAL BRANCH

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

Judiciary operations (677-00-1000)\$1,944,998

(b) During the fiscal year ending June 30, 2023, the justices of the supreme court, judges of the court of appeals, district court judges and district magistrate judges shall receive a 5% salary increase, including associated employer contributions.

Sec. 27.

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:

Securities settlement (173-00-1000).....\$6,000,000

Provided, That if the state does not enter into a legal agreement to resolve Blumer v. Kansas, 2019-CV-00720 (3rd Judicial District), related to the securities act fee fund, by June 30, 2021, then on such date, the amount of \$6,000,000 is hereby lapsed.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2021, by section 70(b) of chapter 5 of the 2020 Session Laws of Kansas, and transferred pursuant to executive reorganization order No. 45, published as chapter 21 of the 2020 Session Laws of Kansas, on the cafeteria benefits fund (173-00-7720-7723) for salaries and wages and other operating expenditures of the department of administration is hereby declared null and void and shall have no force and effect.

Sec. 28.

DEPARTMENT OF ADMINISTRATION

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

KPERS bonds debt service (173-00-1000-0440)\$28,750,000

(b) On July 1, 2021, the amount of \$2,348,000 authorized by section 146(b) of 2021 House Bill No. 2007 to be transferred by the director of accounts and reports from the state highway fund of the department of transportation to the statehouse debt service – state highway fund of the department of administration on September 1, 2021, is hereby decreased to \$1,377,290.

Sec. 29.

DEPARTMENT OF REVENUE

(a) 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 from any special revenue fund or funds for fiscal year 2021 as authorized by section 58 of chapter 5 of the 2020 Session Laws of Kansas, this or other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by the above agency from such moneys to open and operate on or before June 1, 2021, all driver’s license offices previously closed due to the COVID-19 public health emergency with the services such offices were providing immediately prior to such closure.

Sec. 30.

DEPARTMENT OF REVENUE

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

Operating expenditures (565-00-1000-0303).....\$356,571

(b) During the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2022 as authorized by section 65 of 2021 House Bill No. 2007, this or other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by the above agency from such moneys to continue operations in all driver’s license offices previously closed due to the COVID-19 public health emergency with the services such offices were providing immediately prior to such closure.

Sec. 31.

KANSAS LOTTERY

(a) On the effective date of this act, the aggregate of the amounts authorized by section 66(a) of 2021 House Bill No. 2007 to be transferred from the lottery operating fund (450-00-5123-5100) to the state gaming revenues fund (173-00-9011-9100) during the fiscal year ending June 30, 2021, is hereby decreased from \$69,390,000 to \$68,690,000.

Sec. 32.

DEPARTMENT OF COMMERCE

(a) During the fiscal year ending June 30, 2021, notwithstanding the provisions of the Kansas public broadcasting council act, K.S.A. 75-4912 through 75-4926, and amendments thereto, or any other statute, the above agency shall not expend any moneys appropriated for fiscal year 2021 from the state economic development initiatives fund or from any special revenue fund or funds of such agency by chapter 5 of the 2020 Session Laws of Kansas, 2021 House Bill No. 2007, this or other appropriation act of the 2021 regular session of the legislature to any public broadcasting station that moved to a different city or has a plan to move to a different city, approved by the board of directors or management of such public broadcasting station, during such fiscal year.

Sec. 33.

DEPARTMENT OF COMMERCE

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

Reemployment implementation\$94,300

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

Technology-enabled fiduciary financial institutions development and expansion fund No limit

(c) During the fiscal year ending June 30, 2022, notwithstanding the provisions of the Kansas public broadcasting council act, K.S.A. 75-4912 through 75-4926, and amendments thereto, or any other statute, the above agency shall not expend any moneys appropriated for fiscal year 2022 from the state economic development initiatives fund or from any special revenue fund or funds of such agency by 2021 House Bill No. 2007, this or other appropriation act of the 2021 or 2022 regular session of the legislature to any public broadcasting station that moved to a different city or has a plan to move to a different city, approved by the board of directors or management of such public broadcasting station, during such fiscal year.

(d) On July 1, 2021, the amount of \$15,080,736 authorized by section 70(g) of 2021 House Bill No. 2007 to be transferred by the director of accounts and reports from the state economic development initiatives fund (300-00-1900-1100) to the state general fund on July 1, 2021, is hereby decreased to \$15,032,110.

Sec. 34.

DEPARTMENT OF COMMERCE

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

Technology-enabled fiduciary financial institutions development and expansion fund No limit

(b) During the fiscal year ending June 30, 2023, notwithstanding the provisions of the Kansas public broadcasting council act, K.S.A. 75-4912 through 75-4926, and amendments thereto, or any other statute,

the above agency shall not expend any moneys appropriated for fiscal year 2023 from the state economic development initiatives fund or from any special revenue fund or funds of such agency by 2021 House Bill No. 2007, this or other appropriation act of the 2021, 2022 or 2023 regular session of the legislature to any public broadcasting station that moved to a different city or has a plan to move to a different city, approved by the board of directors or management of such public broadcasting station, during such fiscal year.

Sec. 35.

DEPARTMENT OF LABOR

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

Unemployment insurance modernization \$9,600,000

Provided, That notwithstanding section 30(c) of 2021 House Bill No. 2007, for the fiscal year ending June 30, 2022, on or before July 15, 2021, the director of the budget shall determine the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for the purposes of the unemployment insurance modernization project, may be expended at the discretion of the state in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *Provided further*, That, of such identified moneys, following transfers required in 2021 Senate Substitute for Substitute House Bill No. 2196, 2021 Senate Substitute for House Bill No. 2208 or any other legislation passed by the legislature during the 2021 regular session and enacted into law, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*, That if the above agency in consultation with the director of the budget determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2022 to be used for the purposes of this proviso, the director of the budget shall certify the amount of such federal coronavirus relief moneys to the director of accounts and reports and on the date of such certification, of the \$9,600,000 appropriated for the above agency for the fiscal year ending June 30, 2022, by this section from the state general fund in the unemployment insurance modernization account, an amount equal to such certified amount is hereby lapsed: *And provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research: *Provided however*, That the above agency shall not expend any moneys from such account until the state finance council has reviewed federal moneys to the state for aid for coronavirus relief to determine if such moneys are available during fiscal year 2022 to be used for the purposes of this proviso: *And provided further*, That the above agency may expend up to \$250,000 from such account to conduct the audit established in section 1(g) of 2021 Senate Substitute for Substitute for House Bill No. 2196.

(b) During the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the above agency for fiscal year 2022, as authorized by section 75 of 2021 House Bill No. 2007, this or any other appropriation act of the 2021 or 2022 regular session of the legislature, expenditures shall be made by such agency to prepare a report for national consumer reporting agencies, as defined in K.S.A. 50-702, and amendments thereto, on behalf of any claimant who filed a claim on or after March 1, 2020, and, upon request, delivered to such claimant, when such claim incurred a delay of 30 days or more in the payment of a benefit to a claimant who properly filed the claim and was entitled to receive the benefit: *Provided*, That for any such delayed payment of a benefit that was due to a claimant prior to the effective date of this act, one report for each such claimant shall be sent to such claimant within 45 days of the effective date of this act. The report shall indicate the number of benefit payments that were delayed and the number of days each benefit payment was delayed: *Provided further*, That for benefits due to a claimant after the effective date of this act, a separate report for each payment of a benefit that is delayed shall be sent to such claimant not later than 5 business days after the 30th day that the payment has been delayed and after each successive 30-day period that the payment is further delayed. The report shall indicate the total number of days that the payment of the benefit has been delayed: *And provided further*, That such report shall be provided to the claimant in electronic form if the claimant has provided an email address to the department of labor, or if the claimant has not provided an email address, such copy shall be mailed to the address provided by the claimant to the department.

Sec. 36.

KANSAS COMMISSION ON
VETERANS AFFAIRS OFFICE

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

Operating expenditures –
veteran services (694-00-1000-0203) \$259,481

Sec. 37.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF PUBLIC HEALTH

(a) Notwithstanding any provision of law, during the fiscal year ending June 30, 2021, the above agency shall not expend any moneys appropriated from the state general fund or from any special revenue fund or funds for the above agency for fiscal year 2021 as authorized by section 68 of chapter 5 of the 2020 Session Laws of Kansas, section 77 of 2021 House Bill No. 2007, this or other appropriation act of the 2021 regular session of the legislature to conduct or authorize contact tracing except as provided in subsection (b).

(b) 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 from any special revenue fund or funds for the above agency for fiscal year 2021 as authorized by section 68 of chapter 5 of the 2020 Session Laws of Kansas, section 77 of 2021 House Bill No. 2007, this or other appropriation act of the 2021 regular session of the legislature, expenditures may be made from such moneys in fiscal year 2021 to employ, contract for or engage contact tracers and to adopt rules and regulations to implement, administer and enforce the provisions of this subsection: *Provided*, That persons acting as contact tracers under the authority of this subsection shall meet the qualifications and training prescribed by rules and regulations prescribed by the secretary of health and environment pursuant to this subsection: *Provided further*, That before collecting any contact data, each contact tracer shall execute, under oath, on a form prescribed by rules and regulations of the secretary of health and environment: *And provided further*, That a contact tracer shall not disclose the identity of an infected person to a contact: *And provided further*, That only contact data specifically authorized by the secretary pursuant to rules and regulations prescribed by the secretary of health and environment pursuant to this subsection may be collected as part of contact tracing: *And provided further*, That the secretary of health and environment 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: *And provided further*, That contact data shall be: (1) Used only for the purpose of contact tracing and not for any other purpose; (2) 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 (3) safely and securely destroyed when no longer necessary for contact tracing, pursuant to rules and regulations adopted pursuant to this subsection: *And provided further*, That 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: *And provided further*, That 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: *And provided further*, That no third party shall be required to collect or maintain data regarding infected persons or contacts for the purpose of contact tracing.

(c) For the purposes of this section:

(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 data" means information collected through contact tracing and includes medical, epidemiological, individual movement or mobility, names or other data;

(3) "contact tracer" means a person or entity employed, contracted or engaged by the department of health and environment to conduct contact tracing;

(4) "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;

(5) "COVID-19" means the novel coronavirus identified as SARS-CoV-2; and

(continued)

(6) "infected person" means a person known or reasonably suspected to be infected with COVID-19.

Sec. 38.

DEPARTMENT OF HEALTH AND ENVIRONMENT – DIVISION OF PUBLIC HEALTH

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

Operating expenditures (including official hospitality) – health (264-00-1000-0270)\$463,680

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

Rural hospital innovation grant fund No limit

(c) Notwithstanding any provision of law, during the fiscal year ending June 30, 2022, the above agency shall not expend any moneys appropriated from the state general fund or from any special revenue fund or funds for the above agency for fiscal year 2022 as authorized by section 78 of 2021 House Bill No. 2007, this or other appropriation act of the 2021 regular session of the legislature to conduct or authorize contact tracing except as provided in subsection (d).

(d) During the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for the above agency for fiscal year 2022 as authorized by section 78 of 2021 House Bill No. 2007, this or other appropriation act of the 2021 regular session of the legislature, expenditures may be made from such moneys in fiscal year 2022 to employ, contract for or engage contact tracers and to adopt rules and regulations to implement, administer and enforce the provisions of this subsection: *Provided*, That persons acting as contact tracers under the authority of this subsection shall meet the qualifications and training prescribed by rules and regulations prescribed by the secretary of health and environment pursuant to this subsection: *Provided further*, That before collecting any contact data, each contact tracer shall execute, under oath, on a form prescribed by rules and regulations of the secretary of health and environment: *And provided further*, That a contact tracer shall not disclose the identity of an infected person to a contact: *And provided further*, That only contact data specifically authorized by the secretary pursuant to rules and regulations prescribed by the secretary of health and environment pursuant to this subsection may be collected as part of contact tracing: *And provided further*, That the secretary of health and environment 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: *And provided further*, That contact data shall be: (1) Used only for the purpose of contact tracing and not for any other purpose; (2) 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 (3) safely and securely destroyed when no longer necessary for contact tracing, pursuant to rules and regulations adopted pursuant to this subsection: *And provided further*, That 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: *And provided further*, That 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: *And provided further*, That no third party shall be required to collect or maintain data regarding infected persons or contacts for the purpose of contact tracing.

(e) For the purposes of this section:

(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 data" means information collected through contact tracing and includes medical, epidemiological, individual movement or mobility, names or other data;

(3) "contact tracer" means a person or entity employed, contracted or engaged by the department of health and environment to conduct contact tracing;

(4) "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;

(5) "COVID-19" means the novel coronavirus identified as SARS-CoV-2; and

(6) "infected person" means a person known or reasonably suspected to be infected with COVID-19.

Sec. 39.

DEPARTMENT OF HEALTH AND ENVIRONMENT – DIVISION OF HEALTH CARE FINANCE

(a) On the effective date of this act, of the \$729,950,000 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 70(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the other medical assistance account (264-00-1000-3026), the sum of \$139,000,000 is hereby lapsed.

Sec. 40.

DEPARTMENT OF HEALTH AND ENVIRONMENT – DIVISION OF HEALTH CARE FINANCE

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

Children’s health insurance program (1000-0060)\$10,054,086

(b) On July 1, 2021, of the \$759,750,000 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 80(a) of 2021 House Bill No. 2007 from the state general fund in the other medical assistance account (264-00-1000-3026), the sum of \$56,000,000 is hereby lapsed.

(c) On July 1, 2021, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 80(b) of 2021 House Bill No. 2007 on the medical programs fee fund (264-00-2395-0110) of the department of health and environment – division of health care finance is hereby decreased from \$143,519,270 to \$130,519,270.

(d) During the fiscal year ending June 30, 2022, 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 2022 by this or any other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by the above agency from such moneys to set the monthly protected income level for purposes of determining the person’s client obligation at an amount equal to 300% of federal supplemental security income for any person in Kansas receiving home and community-based services administered under section 1915(c) of the federal social security act and any person in Kansas receiving services from a program of all-inclusive care for the elderly administered by the Kansas department for aging and disability services: *Provided*, That on and after July 1, 2021, the provisions of section 80(e) of 2021 House Bill No. 2007 shall be null and void and have no force and effect.

Sec. 41.

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:

Kansas neurological institute – operating expenditures (363-00-1000-0303)\$141,000

Provided, That notwithstanding sections 2 through 4 of chapter 1 of the 2020 Special Session Laws of Kansas, for the fiscal year ending June 30, 2021, on or before June 15, 2021, the director of the budget shall determine the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for the February cold weather event energy bills, may be expended at the discretion of the state in compliance with the office of management and budget’s uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *Provided further*, That, of such identified moneys, following transfers required in 2021 Senate Substitute for Substitute House Bill No. 2196, 2021 Senate Substitute for House Bill No. 2208 or any other legislation passed by the legislature during the 2021 regular session and enacted into law, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*, That if the above agency in consultation with the director of the budget determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2021 to be used for the purposes of this proviso, the director of the budget shall certify the amount of

such federal coronavirus relief moneys to the director of accounts and reports and on June 30, 2021, of the \$141,000 appropriated for the above agency for the fiscal year ending June 30, 2021, by this section from the state general fund in the Kansas neurological institute – operating expenditures account, an amount equal to such certified amount is hereby lapsed: *And provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Larned state hospital – operating expenditures (410-00-1000-0103) \$441,000

Provided, That notwithstanding sections 2 through 4 of chapter 1 of the 2020 Special Session Laws of Kansas, for the fiscal year ending June 30, 2021, on or before June 15, 2021, the director of the budget shall determine the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for the February cold weather event energy bills, may be expended at the discretion of the state in compliance with the office of management and budget’s uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *Provided further*, That, of such identified moneys, following transfers required in 2021 Senate Substitute for Substitute House Bill No. 2196, 2021 Senate Substitute for House Bill No. 2208 or any other legislation passed by the legislature during the 2021 regular session and enacted into law, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*, That if the above agency in consultation with the director of the budget determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2021 to be used for the purposes of this proviso, the director of the budget shall certify the amount of such federal coronavirus relief moneys to the director of accounts and reports and on June 30, 2021, of the \$441,000 appropriated for the above agency for the fiscal year ending June 30, 2021, by this section from the state general fund in the Larned state hospital – operating expenditures account, an amount equal to such certified amount is hereby lapsed: *And provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Osawatomie state hospital – operating expenditures (494-00-1000-0100) \$198,000

Provided, That notwithstanding sections 2 through 4 of chapter 1 of the 2020 Special Session Laws of Kansas, for the fiscal year ending June 30, 2021, on or before June 15, 2021, the director of the budget shall determine the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for the February cold weather event energy bills, may be expended at the discretion of the state in compliance with the office of management and budget’s uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *Provided further*, That, of such identified moneys, following transfers required in 2021 Senate Substitute for Substitute House Bill No. 2196, 2021 Senate Substitute for House Bill No. 2208 or any other legislation passed by the legislature during the 2021 regular session and enacted into law, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*, That if the above agency in consultation with the director of the budget determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2021 to be used for the purposes of this proviso, the director of the budget shall certify the amount of such federal coronavirus relief moneys to the director of accounts and reports and on June 30, 2021, of the \$198,000 appropriated for the above agency for the fiscal year ending June 30, 2021, by this section from the state general fund in the Osawatomie state hospital – operating expenditures account, an amount equal to such certified amount is hereby lapsed: *And provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Parsons state hospital and training center – operating expenditures (507-00-1000-0100) \$155,000

Provided, That notwithstanding sections 2 through 4 of chapter 1 of the 2020 Special Session Laws of Kansas, for the fiscal year ending June

30, 2021, on or before June 15, 2021, the director of the budget shall determine the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for the February cold weather event energy bills, may be expended at the discretion of the state in compliance with the office of management and budget’s uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *Provided further*, That, of such identified moneys, following transfers required in 2021 Senate Substitute for Substitute House Bill No. 2196, 2021 Senate Substitute for House Bill No. 2208 or any other legislation passed by the legislature during the 2021 regular session and enacted into law, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*, That if the above agency in consultation with the director of the budget determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2021 to be used for the purposes of this proviso, the director of the budget shall certify the amount of such federal coronavirus relief moneys to the director of accounts and reports and on June 30, 2021, of the \$155,000 appropriated for the above agency for the fiscal year ending June 30, 2021, by this section from the state general fund in the Parsons state hospital and training center – operating expenditures account, an amount equal to such certified amount is hereby lapsed: *And provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

(b) 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 KanCare caseloads account (039-00-1000-0610) for fiscal year 2021, as authorized by section 74(a) of chapter 5 of the 2020 Session Laws of Kansas, this or any other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by such agency from such account in an amount not to exceed \$13,230,000 to implement a \$15 increase to the daily reimbursement rate for nursing facilities for the period commencing January 1, 2021, through June 30, 2021: *Provided*, That on the effective date of this act, the provisions of section 83(dd) of 2021 House Bill No. 2007 requiring the expenditures to implement a \$15 increase to the daily reimbursement rate for nursing facilities for the period commencing January 1, 2021, through April 30, 2021, and requiring legislative coordinating council review and approval of such expenditures for the period commencing May 1, 2021, through June 30, 2021, are hereby declared to be null and void and shall have no force and effect.

(c) On the effective date of this act, of the \$410,661,520 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 74(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the KanCare caseloads account (039-00-1000-0610), the sum of \$34,597,675 is hereby lapsed.

(d) On the effective date of this act, of the \$35,500,000 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 74(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the non-KanCare caseloads account (039-00-1000-0611), the sum of \$8,178,905 is hereby lapsed.

Sec. 42.

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, 2022, the following:

State operations (039-00-1000-0801)..... \$556,710
 KanCare non-caseloads (039-00-1000-0612) \$6,281,324
 BH community aid (039-00-1000-3004)..... \$3,000,000

Provided, That notwithstanding section 30(c) of 2021 House Bill No. 2007, for the fiscal year ending June 30, 2022, on or before July 15, 2021, the director of the budget shall determine the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for the operational costs of the 988 crisis hotline, may be expended at the discretion of the state in compliance with the office of management and budget’s uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *Provided further*, That, of such identified moneys, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*, That if the above agency, in consultation with the director of the budget, de-

(continued)

termines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2022 to be used for operational costs of the 988 crisis hotline, the director of the budget shall certify the amount of such federal coronavirus relief moneys to the director of accounts and reports and on the date of such certification, of the \$3,000,000 appropriated for the above agency for the fiscal year ending June 30, 2022, by this section from the state general fund in the BH community aid account, an amount equal to such certified amount is hereby lapsed: *And provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

(b) On July 1, 2021, of the \$460,285,911 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 84(a) of 2021 House Bill No. 2007 from the state general fund in the KanCare case-loads account (039-00-1000-0610), the sum of \$83,658,569 is hereby lapsed.

(c) During the fiscal year ending June 30, 2022, in addition to the other purposes for which the above agency may make expenditures from the KanCare non-caseloads account (039-00-1000-0612) of the state general fund as authorized by section 84(a) of 2021 House Bill No. 2007, this or any other appropriation act of the 2021 regular session of the legislature, the above agency shall make expenditures from such account in an amount not to exceed \$6,198,516 to increase provider reimbursement rates for the specialized medical care services code (T1000) under the home and community-based services technology assisted waiver to \$43 per hour for in-home registered nurse and licensed practical nurse nursing services under such waiver: *Provided*, That on and after July 1, 2021, the provisions of section 84(a) of 2021 House Bill No. 2007 requiring the above agency to make expenditures from the KanCare non-caseloads account to increase such rates to \$39 per hour shall be null and void and have no force and effect.

(d) On July 1, 2021, of the \$27,470,000 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 84(a) of 2021 House Bill No. 2007 from the state general fund in the non-KanCare caseloads account (039-00-1000-0611), the sum of \$1,470,000 is hereby lapsed.

Sec. 43.

KANSAS DEPARTMENT FOR CHILDREN AND FAMILIES

(a) On the effective date of this act, of the \$218,083,623 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 76(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the youth services and assistance account (629-00-1000-7020), the sum of \$3,350,000 is hereby lapsed.

Sec. 44.

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, 2022, the following:

Youth services and assistance account (629-00-1000-7020)\$429,592

Provided, That in addition to other purposes for which expenditures may be made by the above agency from the youth services aid and assistance account for fiscal year 2022, an amount not to exceed \$300,000 shall be expended by the above agency from such account for fiscal year 2022 for the purposes of funding the hope ranch for women pilot program: *Provided further*, That in addition to other purposes for which expenditures may be made by the above agency from such account for fiscal year 2022, expenditures shall be made by the above agency from such account for fiscal year 2022 for the creation of a report detailing activities conducted during the hope ranch for women pilot program, including the number of women served, the demographics of women served, the client service needs at intake, the length of services, the reasons for any cases closing, the recidivism rate, the client costs and the average project costs, and a budget itemization report and budget transaction report: *And provided further*, That the secretary for children and families shall submit such report to the house of representatives committee on social services budget on or before January 31, 2022.

Sec. 45.

STATE LIBRARY

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

Operating expenditures (434-00-1000-0300).....\$30,000

Provided, That in addition to the other purposes for which expenditures may be made by the above agency from the operating expenditures account (434-00-1000-0300), expenditures may be made for the relocation or remodeling of the state library.

~~Sec. 46.~~

~~UNIVERSITY OF KANSAS MEDICAL CENTER~~

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

~~Midwest stem cell therapy center (683-00-1000-0800).....\$500,000~~

~~*Provided*, That expenditures may be made from the midwest stem cell therapy center account in an amount not to exceed \$500,000 for the purpose of conducting clinical trials to treat COVID-19 patients using MSCTC-0010 cells developed at the midwest stem cell therapy center: *Provided further*, That such expenditures shall be made solely under the direction and control of the director of the midwest stem cell therapy center. *And provided further*, That on June 30, 2022, if such expenditures have not been made for such purpose, then the amount of \$500,000 is hereby lapsed.~~

Sec. 47.

STATE BOARD OF REGENTS

(a) In addition to the other purposes for which expenditures may be made by the above agency from the tuition for technical education account (561-00-1000-0120) of the state general fund for fiscal year 2021 as authorized by section 101(a) of chapter 5 of the 2020 Session Laws of Kansas, section 114(a) of 2021 House Bill No. 2007, this or other appropriation act of the 2021 regular session of the legislature, expenditures may be made by the above agency for the payment of technical education tuition for adult students who are enrolled in technical education classes while pursuing a high school equivalency (HSE) credential using the accelerating opportunity program and for the postsecondary education institution to provide a transcript to each student who completes such technical education course.

Sec. 48.

STATE BOARD OF REGENTS

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

Tuition waivers (561-00-1000-1650)\$215,343

Provided, That any unencumbered balance in the tuition waivers account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Kansas promise scholarship\$10,000,000

Postsecondary education operating grant (including official hospitality)\$15,000,000

Provided, That expenditures shall be made by the above agency from such account during fiscal year 2022 for employee buyouts, reimbursement for the February cold weather event energy bills, economic development and scholarships: *Provided further*, That expenditures may also be made by the university of Kansas medical center for the purposes of employee retention and recruitment.

Municipal university operating grant (561-00-1000-1010)\$665,000

Provided, That expenditures shall be made by the above agency from such account during fiscal year 2022 for scholarships, utilities, student success and retention, minority student engagement, financial forecasting, modeling and reporting system development and to pursue additional economic development initiatives in conjunction with surrounding community.

Comprehensive grant (561-00-1000-4500)\$8,000,000

Community college maintenance of effort\$5,000,000

Provided, That any expenditures made by community colleges from such account during fiscal year 2022 shall be for non-recurring commitments.

Technical colleges equipment fund\$4,335,000

Provided, That expenditures shall be made by the above agency from such account during fiscal year 2022 so that the moneys are divided equally among the seven technical colleges at \$619,285 each and used only for equipment.

Need-based aid scholarships and recruitment\$10,000,000

Provided, That expenditures shall be made by the above agency to the state universities and Washburn university from such account during fiscal year 2022 for need-based aid scholarships and student recruitment, following the board of regents policies on recruitment, if the state universities and Washburn university: (1) Are offering class in person, if such class was previously offered in person in the classroom; (2) have refunded any money for room, board and meal plans related to closure because of the pandemic directly to the student and not by providing a credit; and (3) are following the board of regents policies on deferred maintenance, if such university is required to follow such policies.

(b) During the fiscal year ending June 30, 2022, all expenditures in subsection (a) by the above agency shall be in adherence with federal guidelines for the maintenance of effort requirements included in the coronavirus response and relief supplemental appropriations (CRRSA) act and the American rescue plan act (ARPA): Provided, That in addition to the other purposes for which expenditures may be made for fiscal year 2022, expenditures shall be made to submit a request, in consultation with the governor or the commission of education, for a waiver of the maintenance of effort requirement in such federal acts: Provided further, That expenditures shall be made to submit a report to the legislative budget committee not later than January 10, 2022, detailing how maintenance of effort moneys were spent during fiscal year 2022.

(c) In addition to the other purposes for which expenditures may be made by the above agency from the tuition for technical education account (561-00-1000-0120) of the state general fund for fiscal year 2022 as authorized by section 115(a) of 2021 House Bill No. 2007, this or other appropriation act of the 2021 regular session of the legislature, expenditures may be made by the above agency for the payment of technical education tuition for adult students who are enrolled in technical education classes while pursuing a high school equivalency (HSE) credential using the accelerating opportunity program and for the post-secondary education institution to provide a transcript to each student who completes such technical education course.

Sec. 49.

STATE BOARD OF REGENTS

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

Kansas promise scholarship\$10,000,000

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

Sec. 50.

DEPARTMENT OF CORRECTIONS

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

Operating expenditures (521-00-1000-0603).....\$1,371,826

Provided, That notwithstanding sections 2 through 4 of chapter 1 of the 2020 Special Session Laws of Kansas, for the fiscal year ending June 30, 2021, on or before June 15, 2021, the director of the budget shall determine the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for the February cold weather event energy bills, may be expended at the discretion of the state in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: Provided further, That, of such identified moneys, following transfers required in 2021 Senate Substitute for Substitute House Bill No. 2196, 2021 Senate Substitute for House Bill No. 2208 or any other legislation passed by the legislature during the 2021 regular session and enacted into law, the director of the budget shall determine the remaining moneys available in special revenue funds: And provided further, That if the above agency in consultation with the director of the budget determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2021 to be used for the purposes of this proviso, the director of the budget shall certify the amount of such federal coronavirus relief moneys to the director of accounts and reports and on June 30, 2021, of the \$1,371,826 appropriated for the above agency for the fiscal year ending June 30, 2021, by this section from the state general fund in the operating expenditures account, an amount equal to such certified amount is hereby lapsed: And provided further, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Sec. 51.

DEPARTMENT OF CORRECTIONS

(a) Notwithstanding section 30(c) of 2021 House Bill No. 2007, for the fiscal year ending June 30, 2022, on or before July 15, 2021, the director of the budget shall determine the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for the purposes of the replacement of adult and juvenile offender management data systems, may be expended at the discretion of the state in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: Provided, That, of such identified moneys, following transfers required in 2021 Senate Substitute for Substitute House Bill No. 2196, 2021 Senate Substitute for House Bill No. 2208 or any other legislation passed by the legislature during the 2021 regular session and enacted into law, the director of the budget shall determine the remaining moneys available in special revenue funds: And provided further, That if the above agency in consultation with the director of the budget determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2022 to be used for the purposes of this subsection, the director of the budget shall certify the amount of such federal coronavirus relief moneys to the director of accounts and reports and on the date of such certification, of the \$12,521,500 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 117(a) of 2021 House Bill No. 2007 from the state general fund in the evidence-based programs account (521-00-1000-0050), the sum of up to \$2,000,000 is hereby lapsed: And provided further, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

(b) Notwithstanding section 30(c) of 2021 House Bill No. 2007, for the fiscal year ending June 30, 2022, on or before July 15, 2021, the director of the budget shall determine the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for the purposes of the replacement of adult and juvenile offender management data systems, may be expended at the discretion of the state in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: Provided, That, of such identified moneys, following transfers required in 2021 Senate Substitute for Substitute House Bill No. 2196, 2021 Senate Substitute for House Bill No. 2208 or any other legislation passed by the legislature during the 2021 regular session and enacted into law, the director of the budget shall determine the remaining moneys available in special revenue funds: Provided further, That if the above agency in consultation with the director of the budget determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2022 to be used for the purposes of this subsection, the director of the budget shall certify the amount of such federal coronavirus relief moneys to the director of accounts and reports and on the date of such certification, the sum of up to \$79,182 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 117(a) of 2021 House Bill No. 2007 from the state general fund in the debt service payments – data systems replacement account (521-00-1000) is hereby lapsed: And provided further, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

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

Capital improvements – rehabilitation and repair of juvenile correctional facilities (521-00-8100-8000).....\$200,000

Provided, That expenditures shall be made from the capital improvements – rehabilitation and repair of juvenile correctional facilities account for a study of repurposing the Kansas juvenile correctional complex and establishing three or more smaller regional juvenile facilities: Provided further, That such study shall also address future plans for the former Larned juvenile correctional facility and other underutilized facilities within the correctional system: And provided further, That a report on such study's findings shall be submitted to the legislature prior to July 1, 2022.

(continued)

Sec. 52.

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).....\$179,519

Provided, That notwithstanding sections 2 through 4 of chapter 1 of the 2020 Special Session Laws of Kansas, for the fiscal year ending June 30, 2021, on or before June 15, 2021, the director of the budget shall determine the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for the February cold weather event energy bills, may be expended at the discretion of the state in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: Provided further, That, of such identified moneys, following transfers required in 2021 Senate Substitute for Substitute House Bill No. 2196, 2021 Senate Substitute for House Bill No. 2208 or any other legislation passed by the legislature during the 2021 regular session and enacted into law, the director of the budget shall determine the remaining moneys available in special revenue funds: And provided further, That if the above agency in consultation with the director of the budget determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2021 to be used for the purposes of this proviso, the director of the budget shall certify the amount of such federal coronavirus relief moneys to the director of accounts and reports and on June 30, 2021, of the \$179,519 appropriated for the above agency for the fiscal year ending June 30, 2021, by this section from the state general fund in the operating expenditures account, an amount equal to such certified amount is hereby lapsed: And provided further, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Sec. 53.

KANSAS HIGHWAY PATROL

(a) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$44,835 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.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2021, by section 107(a) of chapter 5 of the 2020 Session Laws of Kansas on the Kansas highway patrol operations fund (280-00-2034-1100) of the Kansas highway patrol is hereby increased from \$55,304,248 to \$55,349,083.

(c) Notwithstanding sections 2 through 4 of chapter 1 of the 2020 Special Session Laws of Kansas, for the fiscal year ending June 30, 2021, on or before June 15, 2021, the director of the budget shall determine the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for the February cold weather event energy bills, may be expended at the discretion of the state in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: Provided further, That, of such identified moneys, following transfers required in 2021 Senate Substitute for Substitute House Bill No. 2196, 2021 Senate Substitute for House Bill No. 2208 or any other legislation passed by the legislature during the 2021 regular session and enacted into law, the director of the budget shall determine the remaining moneys available in special revenue funds: And provided further, That if the above agency in consultation with the director of the budget determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2021 to be used for the purposes of this subsection, the director of the budget shall certify the amount of such federal coronavirus relief moneys to the director of accounts and reports and on June 30, 2021, of the \$44,835 transferred by subsection (a) for the fiscal year ending June 30, 2021, an amount equal to such certified amount is hereby lapsed: And provided further, That such increase in the expenditure limitation by subsection (b) for the fiscal year ending June 30, 2021, shall be decreased by such certified amount: And provided further, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Sec. 54.

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, 2022, the following:

Operating expenditures (083-00-1000-0083).....\$366,552

Provided, That during the fiscal year ending June 30, 2022, the director of the Kansas bureau of investigation shall certify the actual amount of expenditures from the operating expenditures account for contract vendor programming updates and responsibilities for the criminal history repository, including expungement responsibilities, relating to 2021 House Bill No. 2058 to the director of accounts and reports: Provided further, That upon receipt of such certification by the director of accounts and reports, of the \$366,552 appropriated for the above agency for the fiscal year ending June 30, 2022, by this section from the state general fund in the operating expenditures account, the difference between \$250,000 and such certified amount is hereby lapsed: And provided further, That at the same time as the director of the Kansas bureau of investigation transmits certification to the director of accounts and reports, the director of the Kansas bureau of investigation shall transmit a copy of such certification to the director of the budget and the director of legislative research.

Sec. 55.

KANSAS DEPARTMENT OF WILDLIFE AND PARKS

(a) On July 1, 2021, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 136(b) of 2021 House Bill No. 2007 on the wildlife fee fund (710-00-2300-2890) of the Kansas department of wildlife and parks is hereby increased from \$34,732,891 to \$35,855,891.

Sec. 56.

DEPARTMENT OF TRANSPORTATION

(a) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$12,500,000 from the state highway fund (276-00-4100-4100) of the department of transportation to the special city and county highway fund (276-00-4220-4220): Provided, 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 special city and county highway fund under this subsection during fiscal year 2021.

(b) In addition to the other purposes for which expenditures may be made by the above agency from the special city and county highway fund (276-00-4220-4220) for fiscal year 2021, expenditures may be made by the above agency from the special city and county highway fund for fiscal year 2021 for the purposes of an additional allocation and payment to the several counties and several cities in the state: Provided, That prior to July 1, 2021, the state treasurer shall apportion and pay \$12,500,000 to the several counties and several cities in the state in the manner provided in K.S.A. 79-3425c, and amendments thereto.

(c) In addition to the other purposes for which expenditures may be made by the above agency from the county equalization and adjustment fund (276-00-4210-4210) for fiscal year 2021, expenditures may be made by the above agency from the county equalization and adjustment fund for fiscal year 2021 for the purposes of an additional distribution to qualifying counties in the state: Provided, That prior to July 1, 2021, the state treasurer distribute any remaining balance in the county equalization and adjustment fund in the manner provided in K.S.A. 79-3425c, and amendments thereto.

Sec. 57.

DEPARTMENT OF TRANSPORTATION

(a) On July 1, 2021, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 138(b) of 2021 House Bill No. 2007 on the agency operations (276-00-4100-0403) account of the state highway fund (276-00-4100-4100) of the department of transportation is hereby increased from \$283,051,550 to \$283,077,900.

Sec. 58. (a) On June 30, 2022, 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, 2022, 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, 2022, is insufficient to fund the appropriations and transfers that are authorized from the expanded lottery act revenues fund for the fiscal year ending June 30, 2022, 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, 2022. 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. 59. (a) Notwithstanding any other provision of law, no state agency named in 2021 House Bill No. 2007, this or other appropriation act of the 2021 regular session of the legislature shall expend any moneys appropriated from the state general fund or from any special revenue fund or funds for each such state agency for fiscal year 2021 as authorized by chapter 5 of the 2020 Session Laws of Kansas, 2021 House Bill No. 2007, this or other appropriation act of the 2021 regular session of the legislature to: (1) Issue a COVID-19 vaccination passport to any individual without such individual's consent; (2) require an individual to use a COVID-19 vaccination passport within this state for any purpose; or (3) deny housing or refuse access to a place accessible to the general public, or separate from others in a place accessible to the general public, including entry, education, travel and services within this state, based on such individual's COVID-19 vaccination status: *Provided, however,* That nothing in this section shall prohibit a state agency from instituting COVID-19 screening protocols in accordance with state and federal law to protect the public health.

(b) As used in this section:

(1) "COVID-19 vaccination passport" means written or electronic documentation of an individual's COVID-19 vaccination status; and

(2) "screening protocol" means a non-invasive method to determine whether an individual has symptoms or other risk factors for developing COVID-19, including, but not limited to, temperature checks, self-reporting of exposure, self-reported vaccination status and questionnaires.

Sec. 60. (a) Notwithstanding any other provision of law, no state agency named in 2021 House Bill No. 2007, this or other appropriation act of the 2021 regular session of the legislature shall expend any moneys appropriated from the state general fund or from any special revenue fund or funds for each such state agency for fiscal year 2022 as authorized by 2021 House Bill No. 2007, this or other appropriation act of the 2021 regular session of the legislature to: (1) Issue a COVID-19 vaccination passport to any individual without such individual's consent; (2) require an individual to use a COVID-19 vaccination passport within this state for any purpose; or (3) deny housing or refuse access to a place accessible to the general public, or separate from others in a place accessible to the general public, including entry, education, travel and services within this state, based on such individual's COVID-19 vaccination status: *Provided, however,* That nothing in this section shall prohibit a state agency from instituting COVID-19 screening protocols in accordance with state and federal law to protect the public health.

(b) As used in this section:

(1) "COVID-19 vaccination passport" means written or electronic documentation of an individual's COVID-19 vaccination status; and

(2) "screening protocol" means a non-invasive method to determine whether an individual has symptoms or other risk factors for developing COVID-19, including, but not limited to, temperature checks, self-reporting of exposure, self-reported vaccination status and questionnaires.

Sec. 61. (a) Subject to the provisions of subsection (c), in addition to the other purposes for which expenditures may be made by the department of administration from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2022, as authorized by this or other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by the depart-

ment of administration from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2022 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 building No. 3, Docking state office building. Such capital improvement project is hereby approved for the department of administration 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 such statute. The department of administration shall make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project. The aggregate principal from the issuance of any such bonds for such capital improvement project shall not exceed \$120,000,000 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 minus any moneys identified pursuant to subsection (d). All moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants. The debt service for any such bonds for such capital improvement project shall be financed by appropriations from the state general fund or any appropriate special revenue fund or funds. 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. This capital improvement project shall be implemented using the building design-build project delivery procedures pursuant to K.S.A. 75-37,145 et seq., and amendments thereto.

(b) Subject to the provisions of subsection (c), in addition to the other purposes for which expenditures may be made by the department of health and environment from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2022, as authorized by this or other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by the department of health and environment from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2022 to issue a request for proposal for a capital improvement project to construct or renovate a building and to equip a department of health and environment laboratory. Such request for proposal shall be within an eight-mile radius of the capitol complex in Topeka for location of such laboratory. Following receipt of such proposals, the department of health and environment shall present all proposals to the joint committee on state building construction for review. The joint committee on state building construction shall review and make a recommendation to the state finance council concerning the capital improvement project. Following the procedures established in this section, the department of health and environment shall 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 or renovate a building and to equip a department of health and environment laboratory. Such capital improvement project is hereby approved for the department of health and environment 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. The department of health and environment shall make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project. The aggregate principal from the issuance of any such bonds for such capital improvement project shall not exceed \$65,000,000 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 minus any moneys identified pursuant to subsection (d). All moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants. The debt service for any such bonds for such capital improvement project shall be financed by appropriations from the state general fund or any appropriate special revenue fund or funds. 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 constitu-

(continued)

tion of the state of Kansas and shall not pledge the full faith and credit or the taxing power of the state of Kansas.

(c) Prior to proceeding with the capital improvement projects authorized in this section, such projects shall be approved by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711(c), and amendments thereto, except that such approval also may be given while the legislature is in session. Such projects shall be approved in a single resolution of the state finance council.

(d) Prior to issuing any bonds as authorized in this section, the director of the budget, in consultation with the secretary of administration and secretary of health and environment, shall determine the amount of moneys received by the state that are identified as moneys from the federal government for aid to the state of Kansas for coronavirus relief as appropriated in the following acts that are eligible to be used for any such capital improvement projects, may be expended at the discretion of the state, in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: (1) The federal CARES act, public law 116-136; (2) the federal coronavirus preparedness and response supplemental appropriation act, 2020, public law 116-123; (3) the federal families first coronavirus response act, public law 116-127; (4) the federal paycheck protection program and health care enhancement act, public law 116-139; (5) the federal consolidated appropriations act, 2021, public law 116-260; (6) the American rescue plan act of 2021, public law 117-2; and (7) any other federal law that appropriates moneys to the state for aid for coronavirus relief. Upon the identification of such moneys, the director of the budget shall transfer such moneys into the special revenue fund or funds as determined to pay the portion of the costs of such capital improvement projects authorized by this section.

Sec. 62. (a) During the fiscal year ending June 30, 2021, subject to the provisions of K.S.A. 2020 Supp. 32-833, and amendments thereto, the secretary of wildlife, parks and tourism is hereby authorized to acquire by purchase a portion of the Southwest Quarter of Section 05 and a portion of the West Half of Section 08, Township 28 South, Range 09 West of the 6th Principal Meridian, Kingman County, Kansas, more particularly described as:

Commencing at the Southwest Corner of the Southwest Quarter of Section 05, Township 28 South, Range 09 West of the 6th Principal Meridian; thence with a bearing of North 02°07'11" West (basis of bearing is NAD 83 Kansas South Zone) along the West line of said Southwest Quarter 852.00 feet for the point of beginning; thence continuing North 02°07'11" West along the West line of said Southwest Quarter 1,792.50 feet to the Northwest corner of the Southwest Quarter of said Section 05; thence South 89°58'03" East along the North line of said Southwest Quarter 2,626.15 feet to the Northeast corner of said Southwest Quarter; thence South 01°18'12" East along the East line of said Southwest Quarter 2,642.55 feet to the Northwest corner of the Northeast Quarter of Section 08, Township 28 South, Range 09 West; thence South 89°59'10" East along the North line of said Northeast Quarter 1,293.93 feet to the Northeast corner of the Northwest Quarter of said Northeast Quarter; thence South 00°31'01" East along the East line of the West Half of said Northeast Quarter 1,995.13 feet to the Northwest corner of the South Half of the Southeast Quarter of said Northeast Quarter of said Section 08; thence South 89°57'50" East along the North line of the South Half of the Southeast Quarter of said Northeast Quarter 1,298.11 feet to the Northeast corner of the South Half of the Southeast Quarter of said Northeast Quarter; thence South 00°37'39" East along the East line of the South Half of the Southeast Quarter of said Northeast Quarter 665.22 feet to the Northeast corner of the Southeast Quarter of said Section 08; thence South 00°38'05" East along the East line of said Southeast Quarter 2,661.12 feet to the Southeast corner of said Southeast Quarter; thence North 89°55'39" West along the South line of said Southeast Quarter 1,304.87 feet to the Southwest corner of the Southeast Quarter of said Southeast Quarter; thence North 00°31'01" West along the West line of the Southeast Quarter of said Southeast Quarter 1,330.21 feet; thence North 89°56'32" West along the South line of the Northwest Quarter of said Southeast Quarter 1,302.13 feet to the Southwest corner of the Northwest Quarter of said Southeast Quarter; thence continuing North 89°56'32" West along the South line of the North Half of the Southwest Quarter of said Section 08 a distance of 2,214.43 feet to a point that is 390.01 feet East of the Southwest corner of the North Half of said Southwest Quarter; thence North 00°10'14" West parallel with the West line of said Southwest Quarter 309.73 feet; thence South

89°49'45" West 390.00 feet to the West line of said Southwest Quarter; thence North 00°10'14" West 537.00 feet to a point that is 484.00 feet South of the Northwest corner of said Southwest Quarter; thence South 89°57'23" East 400.51 feet; thence North 26°42'54" East 523.05 feet; thence North 46°19'16" East 947.98 feet; thence North 60°03'35" East 364.25 feet; thence North 00°44'32" East 1,838.40 feet to the North line of the Northwest Quarter of said Section 08; thence North 54°39'38" West 1,472.49 feet; thence North 89°59'07" West parallel with the South line of the Southwest Quarter of Section 05 a distance of 500.35 feet to the point of beginning, containing 493.791 Acres, subject to a Road Right-of-way easement across the West 30.00 feet thereof and any other easements or restrictions of record.

(b) The provisions of K.S.A. 75-3739, and amendments thereto, shall not apply to the acquisition authorized by this section or any contracts required therefor.

(c) In the event that the secretary of wildlife, parks and tourism determines that the legal description of the parcel described by this section is incorrect, the secretary of wildlife, parks and tourism may purchase the property utilizing the correct legal description.

Sec. 63.

STATE FINANCE COUNCIL

(a) During the fiscal year ending June 30, 2022, for any expenditure requested to be made from or obligation requested to be incurred against any federal grant or other federal receipt of moneys from the federal government received by the state of Kansas for aid for coronavirus relief for which state finance council authorization is required, no such authorization shall be granted without recommendation from the strengthening people and revitalizing Kansas executive committee: *Provided*, That the strengthening people and revitalizing Kansas executive committee shall meet and review each such request and shall report such executive committee's recommendation to the state finance council: *Provided further*, That the membership of such executive committee shall consist of seven individuals, including a chairperson appointed by the governor, one public sector individual appointed by the governor, one private sector individual appointed by the governor, the president of the senate or the president's designee, one private sector individual appointed by the president of the senate, the speaker of the house of representatives or the speaker's designee and one private sector individual appointed by the speaker of the house of representatives.

Sec. 64. K.S.A. 2020 Supp. 17-12a601 is hereby amended to read as follows: 17-12a601. (a) *Administration*. (1) This act shall be administered by the securities commissioner of Kansas.

(2) All fees herein provided for shall be collected by the administrator. All salaries and expenses necessarily incurred in the administration of this act shall be paid from the securities act fee fund.

(3) The administrator shall remit all moneys received from all fees, charges, deposits or penalties which have been collected under this act or other laws of this state regulating the issuance, sale or disposal of securities or regulating dealers in this state to the state treasurer at least monthly. Upon receipt of any such remittance, the state treasurer shall deposit the entire amount thereof in the state treasury. In accordance with K.S.A. 75-3170a, and amendments thereto, 10% of each such deposit shall be credited to the state general fund and, except as provided in subsection (d), the balance shall be credited to the securities act fee fund.

(4) *Except as provided further*, on the last day of each fiscal year, the director of accounts and reports shall transfer from the securities act fee fund to the state general fund any remaining unencumbered amount in the securities act fee fund exceeding \$50,000 so that the beginning unencumbered balance in the securities act fee fund on the first day of each fiscal year is \$50,000. *During the fiscal years ending June 30, 2021, and June 30, 2022, no moneys shall be transferred from the securities act fee fund to the state general fund pursuant to this paragraph*. All expenditures from the securities act fee fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the administrator or by a person or persons designated by the administrator.

(5) All amounts transferred from the securities act fee fund to the state general fund under paragraph (4) are to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state agency involved by other state agencies which receive appropriations from the state general fund to provide such services.

(b) *Prohibited conduct*. (1) It is unlawful for the administrator or an officer, employee, or designee of the administrator to use for personal

benefit or the benefit of others records or other information obtained by or filed with the administrator that are not public under K.S.A. 17-12a607(b), and amendments thereto. This act does not authorize the administrator or an officer, employee, or designee of the administrator to disclose the record or information, except in accordance with K.S.A. 17-12a602, 17-12a607(c), or 17-12a608, and amendments thereto.

(2) Neither the administrator nor any employee of the administrator shall be interested as an officer, director, or stockholder in securing any authorization to sell securities under the provisions of this act.

(c) *No privilege or exemption created or diminished.* This act does not create or diminish a privilege or exemption that exists at common law, by statute or rule, or otherwise.

(d) *Investor education and protection.* (1) The administrator may develop and implement investor education and protection initiatives to inform the public about investing in securities and protect the public from violations of the Kansas uniform securities act, K.S.A. 17-12a101 et seq., and amendments thereto. Such initiatives shall have a particular emphasis on the prevention, detection, enforcement and prosecution of securities fraud. In developing and implementing these initiatives, the administrator may collaborate with public and nonprofit organizations with an interest in investor education or protection. The administrator may accept a grant or donation from a person that is not affiliated with the securities industry or from a nonprofit organization, regardless of whether the organization is affiliated with the securities industry, to develop and implement investor education and protection initiatives. This subsection does not authorize the administrator to require participation or monetary contributions of a registrant in an investor education program.

(2) There is hereby established in the state treasury the investor education and protection fund. Such fund shall be administered by the administrator for the purposes described in subsection (d)(1) and for the education of registrants, including official hospitality. Moneys collected as civil penalties under this act shall be credited to the investor education and protection fund. The administrator may also receive payments designated to be credited to the investor education and protection fund as a condition in settlements of cases arising out of investigations or examinations. All expenditures from the investor education and protection 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 administrator or by a person or persons designated by the administrator.

Sec. 65. K.S.A. 74-4920 is hereby amended to read as follows: 74-4920. (1) (a) Upon the basis of each annual actuarial valuation and appraisal as provided for in K.S.A. 74-4908(3)(a), and amendments thereto, the board shall certify, on or before July 15 of each year, to the division of the budget in the case of the state and to the agent for each other participating employer an actuarially determined estimate of the rate of contribution which will be required, together with all accumulated contributions and other assets of the system, to be paid by each such participating employer to pay all liabilities which shall exist or accrue under the system, including amortization of the actuarial accrued liability as determined by the board. The board shall determine the actuarial cost method to be used in annual actuarial valuations, to determine the employer contribution rates that shall be certified by the board. Such certified rate of contribution, amortization methods and periods and actuarial cost method shall be based on the standards set forth in K.S.A. 74-4908(3)(a), and amendments thereto, and shall not be based on any other purpose outside of the needs of the system.

(b) (i) For employers affiliating on and after January 1, 1999, upon the basis of an annual actuarial valuation and appraisal of the system conducted in the manner provided for in K.S.A. 74-4908, and amendments thereto, the board shall certify, on or before July 15 of each year to each such employer an actuarially determined estimate of the rate of contribution which shall be required to be paid by each such employer to pay all of the liabilities which shall accrue under the system from and after the entry date as determined by the board, upon recommendation of the actuary. Such rate shall be termed the employer's participating service contribution and shall be uniform for all participating employers. Such additional liability shall be amortized as determined by the board. For all participating employers described in this section, the board shall determine the actuarial cost method to be used in annual actuarial valuations to determine the employer contribution rates that shall be certified by the board.

(ii) The board shall determine for each such employer separately an amount sufficient to amortize all liabilities for prior service costs which shall have accrued at the time of entry into the system. On the

basis of such determination the board shall annually certify to each such employer separately an actuarially determined estimate of the rate of contribution which shall be required to be paid by that employer to pay all of the liabilities for such prior service costs. Such rate shall be termed the employer's prior service contribution.

(2) The division of the budget and the governor shall include in the budget and in the budget request for appropriations for personal services the sum required to satisfy the state's obligation under this act as certified by the board and shall present the same to the legislature for allowance and appropriation.

(3) Each other participating employer shall appropriate and pay to the system a sum sufficient to satisfy the obligation under this act as certified by the board.

(4) Each participating employer is hereby authorized to pay the employer's contribution from the same fund that the compensation for which such contribution is made is paid from or from any other funds available to it for such purpose. Each political subdivision, other than an instrumentality of the state, which is by law authorized to levy taxes for other purposes, may levy annually at the time of its levy of taxes, a tax which may be in addition to all other taxes authorized by law for the purpose of making its contributions under this act and, in the case of cities and counties, to pay a portion of the principal and interest on bonds issued under the authority of K.S.A. 12-1774, and amendments thereto, by cities located in the county, which tax, together with any other fund available, shall be sufficient to enable it to make such contribution. In lieu of levying the tax authorized in this subsection, any taxing subdivision may pay such costs from any employee benefits contribution fund established pursuant to K.S.A. 12-16,102, and amendments thereto. Each participating employer which is not by law authorized to levy taxes as described above, but which prepares a budget for its expenses for the ensuing year and presents the same to a governing body which is authorized by law to levy taxes as described above, may include in its budget an amount sufficient to make its contributions under this act which may be in addition to all other taxes authorized by law. Such governing body to which the budget is submitted for approval, may levy a tax sufficient to allow the participating employer to make its contributions under this act, which tax, together with any other fund available, shall be sufficient to enable the participating employer to make the contributions required by this act.

(5) (a) The rate of contribution certified to a participating employer as provided in this section shall apply during the fiscal year of the participating employer which begins in the second calendar year following the year of the actuarial valuation.

(b) (i) Except as specifically provided in this section, for fiscal years commencing in calendar year 1996 and in each subsequent calendar year, the rate of contribution certified to the state of Kansas shall in no event exceed the state's contribution rate for the immediately preceding fiscal year by more than 0.2% of the amount of compensation upon which members contribute during the period.

(ii) Except as specifically provided in this subsection, for the fiscal years commencing in the following calendar years, the rate of contribution certified to the state of Kansas and to the participating employers under K.S.A. 74-4931, and amendments thereto, shall in no event exceed the state's contribution rate for the immediately preceding fiscal year by more than the following amounts expressed as a percentage of compensation upon which members contribute during the period: (A) For the fiscal year commencing in calendar years 2010 through 2012, an amount not to exceed more than 0.6% of the amount of the immediately preceding fiscal year; (B) for the fiscal year commencing in calendar year 2013, an amount not to exceed more than 0.9% of the amount of the immediately preceding fiscal year; (C) for the fiscal year commencing in calendar year 2014, an amount not to exceed more than 1% of the amount of the immediately preceding fiscal year; (D) for the fiscal year commencing in calendar year 2015, the employer rate of contribution shall be 10.91%; (E) for the fiscal year commencing in calendar year 2016, the employer rate of contribution shall be 10.81%, except as provided by section 37(b) of chapter 54 of 2017 Session Laws of Kansas, and amendments thereto, for the participating employers under K.S.A. 74-4931, and amendments thereto; (F) for the fiscal year commencing in calendar year 2017, the employer rate of contribution shall be 12.01% and for participating employers under K.S.A. 74-4931, and amendments thereto, an additional percentage of compensation corresponding to the level dollar repayment amount certified by the board pursuant to subsection (17); and (G) for the fiscal year commencing in calendar year 2021, the employer rate of contribution shall be 13.33%; (H)

(continued)

for the fiscal year commencing in calendar year 2022, the employer rate of contribution shall be 13.11%; and (I) in each subsequent calendar year, an amount not to exceed more than 1.2% of the amount of the immediately preceding fiscal year and for participating employers under K.S.A. 74-4931, and amendments thereto, an additional percentage of compensation corresponding to the level dollar repayment amount certified by the board pursuant to subsections (17) and (18).

(iii) Except as specifically provided in this section, for fiscal years commencing in calendar year 1997 and in each subsequent calendar year, the rate of contribution certified to participating employers other than the state of Kansas shall in no event exceed such participating employer's contribution rate for the immediately preceding fiscal year by more than 0.15% of the amount of compensation upon which members contribute during the period.

(iv) Except as specifically provided in this subsection, for the fiscal years commencing in the following calendar years, the rate of contribution certified to participating employers other than the state of Kansas shall in no event exceed the contribution rate for such employers for the immediately preceding fiscal year by more than the following amounts expressed as a percentage of compensation upon which members contribute during the period: (A) For the fiscal year commencing in calendar years 2010 through 2013, an amount not to exceed more than 0.6% of the amount of the immediately preceding fiscal year; (B) for the fiscal year commencing in calendar year 2014, an amount not to exceed more than 0.9% of the amount of the immediately preceding fiscal year; (C) for the fiscal year commencing in calendar year 2015, an amount not to exceed more than 1% of the amount of the immediately preceding fiscal year; (D) for the fiscal year commencing in calendar year 2016, an amount not to exceed more than 1.1% of the amount of the immediately preceding fiscal year; and (E) for the fiscal year commencing in calendar year 2017, and in each subsequent calendar year, an amount not to exceed more than 1.2% of the amount of the immediately preceding fiscal year.

(v) As part of the annual actuarial valuation, there shall be a separate employer rate of contribution calculated for the state of Kansas, a separate employer rate of contribution calculated for participating employers under K.S.A. 74-4931, and amendments thereto, a combined employer rate of contribution calculated for the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto, and a separate employer rate of contribution calculated for all other participating employers.

(vi) There shall be a combined employer rate of contribution certified to the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto. There shall be a separate employer rate of contribution certified to all other participating employers.

(vii) If the combined employer rate of contribution calculated for the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto, is greater than the separate employer rate of contribution for the state of Kansas, the difference in the two rates applied to the actual payroll of the state of Kansas for the applicable fiscal year shall be calculated. This amount shall be certified by the board for deposit as additional employer contributions to the retirement benefit accumulation reserve for the participating employers under K.S.A. 74-4931, and amendments thereto.

(6) The actuarial cost of any legislation enacted in the 1994 session of the Kansas legislature will be included in the June 30, 1994, actuarial valuation in determining contribution rates for participating employers.

(7) The actuarial cost of the provisions of K.S.A. 74-4950i, and amendments thereto, will be included in the June 30, 1998, actuarial valuation in determining contribution rates for participating employers. The actuarial accrued liability incurred for the provisions of K.S.A. 74-4950i, and amendments thereto, shall be amortized over 15 years.

(8) Except as otherwise provided by law, the actuarial cost of any legislation enacted by the Kansas legislature, except the actuarial cost of K.S.A. 74-49,114a, and amendments thereto, shall be in addition to the employer contribution rates certified for the employer contribution rate in the fiscal year immediately following such enactment. Such actuarial cost shall be determined by the qualified actuary employed or retained by the system pursuant to K.S.A. 74-4908, and amendments thereto, and reported to the system and the joint committee on pensions, investments and benefits.

(9) Notwithstanding the provisions of subsection (8), the actuarial cost of the provisions of K.S.A. 74-49,109 et seq., and amendments thereto, shall be first reflected in employer contribution rates effective with the first day of the first payroll period for the fiscal year 2005. The actuarial accrued liability incurred for the provisions of K.S.A. 74-49,109 et seq., and amendments thereto, shall be amortized over 10 years.

(10) The cost of the postretirement benefit payment provided pursuant to the provisions of K.S.A. 74-49,114b, and amendments thereto, for retirants other than local retirants as described in subsection (11) or insured disability benefit recipients shall be paid in the fiscal year commencing on July 1, 2007.

(11) The actuarial accrued liability incurred for the provisions of K.S.A. 74-49,114b, and amendments thereto, for the KPERS local group and retirants who were employees of local employers which affiliated with the Kansas police and firemen's retirement system shall be amortized over 10 years.

(12) The cost of the postretirement benefit payment provided pursuant to the provisions of K.S.A. 74-49,114c, and amendments thereto, for retirants other than local retirants as described in subsection (13) or insured disability benefit recipients shall be paid in the fiscal year commencing on July 1, 2008.

(13) The actuarial accrued liability incurred for the provisions of K.S.A. 74-49,114c, and amendments thereto, for the KPERS local group and retirants who were employees of local employers which affiliated with the Kansas police and firemen's retirement system shall be amortized over 10 years.

(14) The board with the advice of the actuary may fix the contribution rates for participating employers joining the system after one year from the first entry date or for employers who exercise the option contained in K.S.A. 74-4912, and amendments thereto, at rates different from the rate fixed for employers joining within one year of the first entry date.

(15) Employer contributions shall in no way be limited by any other act which now or in the future establishes or limits the compensation of any member.

(16) Notwithstanding any provision of law to the contrary, each participating employer shall remit quarterly, or as the board may otherwise provide, all employee deductions and required employer contributions to the executive director for credit to the Kansas public employees retirement fund within three days after the end of the period covered by the remittance by electronic funds transfer. Remittances of such deductions and contributions received after such date are delinquent. Delinquent payments due under this subsection shall be subject to interest at the rate established for interest on judgments under K.S.A. 16-204(a), and amendments thereto. At the request of the board, delinquent payments which are due or interest owed on such payments, or both, may be deducted from any other moneys payable to such employer by any department or agency of the state.

(17) The actuarial cost of the reduction of employer contributions for eligible employers as specified in K.S.A. 74-4931(1), (2) and (3), and amendments thereto, pursuant to the provisions of section 37 of chapter 54 of the 2017 session laws of Kansas, and amendments thereto, shall be amortized over 20 years as a level dollar amount, as certified by the board upon recommendation of the consulting actuary, through an additional percentage of compensation for participating employers under K.S.A. 74-4931, and amendments thereto. This additional percentage of compensation shall first be reflected in employer contribution rates for participating employers under K.S.A. 74-4931, and amendments thereto, effective on the first day of the first payroll period for the fiscal year 2018.

(18) The actuarial cost of \$194,022,683 shall be amortized over 20 years as a level dollar amount, as certified by the board upon recommendation of the consulting actuary, through an additional percentage of compensation for participating employers under K.S.A. 74-4931, and amendments thereto. This additional percentage of compensation shall first be reflected in employer contribution rates for participating employers under K.S.A. 74-4931, and amendments thereto, effective on the first day of the first payroll period for the fiscal year 2020.

Sec. 66. *Severability.* If any provision or clause of this act or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

Sec. 67. *Appeals to exceed expenditure limitations.* (a) Upon written application to the governor and approval of the state finance council, expenditures from special revenue funds may exceed the amounts specified in this act.

(b) This section shall not apply to the expanded lottery act revenues fund, the state economic development initiatives fund, the children's initiatives fund, the state water plan fund or the Kansas endowment for youth fund, or to any account of any of such funds.

Sec. 68. 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. 69. K.S.A. 74-4920 and K.S.A. 2020 Supp. 17-12a601 are hereby repealed.

Sec. 70. This act shall take effect and be in force from and after its publication in the Kansas register.

Doc. No. 049182

State of Kansas

Office of the Governor

Message from the Governor Regarding Senate Bill 159

Senate Bill 159, this session's omnibus budget bill, makes many important investments in our state. But as with many omnibus budget bills, not every appropriation included is necessary or appropriate. Therefore, pursuant to Article 2, Section 14(b) of the Constitution of the State of Kansas, I hereby return Senate Bill 159 with my signature approving the bill, except for the item enumerated below.

\$500,000 from the State General Fund to the University of Kansas Medical Center for clinical trials on a COVID-19 treatment using MSCTC-0010 cells developed at the Midwest Stem Cell Therapy Center

- *Section 46(a) has been line-item vetoed in its entirety.*

This section provides \$500,000 to the University of Kansas Medical Center to conduct clinical trials for a COVID-19 treatment using MSCTC-0010 cells developed at the Midwest Stem Cell Therapy Center. During debate on the Senate's original budget, contained in Substitute for Senate Bill 267, an amendment to add this funding was wisely withdrawn. The medical experts who lead the research associated with this proviso have clearly and plainly communicated to the Legislature that such a clinical trial would not be realistic or even feasible given the timeframe and funding provided. A 2018 article in the Journal of the American Medical Association found that the average cost of a clinical trial is \$19 million, with the total cost of developing a new drug closer to \$2 to \$3 billion. Given those realities and the proven effectiveness of COVID-19 vaccines and treatments that are now widely available, we should focus our efforts on increasing the number of Kansans who are vaccinated so that we can prevent infections, severe illnesses, and deaths. We should listen to those with knowledge of how clinical trials work when they tell us that the proposal outlined in this proviso is unrealistic and unneeded, and we should focus on saving lives by expediting vaccinations for as many Kansans as possible throughout the state.

Dated May 21, 2021.

Laura Kelly
Governor

Doc. No. 049183

INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended, and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. Temporary regulations are designated with a (T) in the Action column. This cumulative index supplements the 2009 Volumes of the *Kansas Administrative Regulations* and the 2020 Supplement of the *Kansas Administrative Regulations*. Regulations can also be found at http://www.sos.ks.gov/pubs/pubs_kar.aspx.

AGENCY 4: DEPARTMENT OF AGRICULTURE

Reg. No.	Action	Register
4-8-13	Amended	V. 40, p. 320
4-8-14a	Amended	V. 40, p. 320
4-8-27	Amended	V. 40, p. 320
4-8-28	Amended	V. 40, p. 320
4-8-29	Amended	V. 40, p. 320
4-8-30	Amended	V. 40, p. 320
4-8-31	Amended	V. 40, p. 320
4-8-32	Amended	V. 40, p. 320
4-8-33	Amended	V. 40, p. 320
4-8-34	Amended	V. 40, p. 321
4-8-35	Amended	V. 40, p. 321
4-8-36	Amended	V. 40, p. 321
4-8-37	Amended	V. 40, p. 321
4-8-38	Amended	V. 40, p. 321
4-8-39	Amended	V. 40, p. 321
4-8-40	Amended	V. 40, p. 321
4-8-41	Revoked	V. 40, p. 321
4-8-42	Revoked	V. 40, p. 321
4-8-43	Revoked	V. 40, p. 321
4-8-44	New	V. 40, p. 321
4-8-45	New	V. 40, p. 322
4-8-46	New	V. 40, p. 322
4-8-47	New	V. 40, p. 322
4-8-48	New	V. 40, p. 322
4-34-1	Amended	V. 40, p. 191
4-34-22	New	V. 39, p. 1578
4-34-23	New	V. 39, p. 1579
4-34-24	New	V. 39, p. 1580
4-34-25	New	V. 39, p. 1581
4-34-26	New	V. 39, p. 1581
4-34-27	New	V. 39, p. 1581
4-34-28	New	V. 39, p. 1582
4-34-29	New	V. 39, p. 1582
4-34-30	New	V. 39, p. 1583

AGENCY 7: SECRETARY OF STATE

Reg. No.	Action	Register
7-48-1	New	V. 40, p. 263

AGENCY 9: DEPARTMENT OF AGRICULTURE—DIVISION OF ANIMAL HEALTH

Reg. No.	Action	Register
9-2-35	New	V. 39, p. 1358
9-3-9	Amended	V. 39, p. 1359

AGENCY 10: KANSAS BUREAU OF INVESTIGATION

Reg. No.	Action	Register
10-24-1	New (T)	V. 39, p. 732
10-24-1	New	V. 39, p. 1074
10-24-2	New (T)	V. 39, p. 732
10-24-2	New	V.39, p. 1074

10-24-3	New (T)	V. 39, p. 732
10-24-3	New	V. 39, p. 1075

AGENCY 11: DEPARTMENT OF AGRICULTURE—DIVISION OF CONSERVATION

Reg. No.	Action	Register
11-9-5	Amended	V. 40, p. 427

AGENCY 16: ATTORNEY GENERAL

Reg. No.	Action	Register
16-14-1	Amended	V. 39, p. 1155
16-14-10	Amended	V. 39, p. 1155
16-14-11	Amended	V. 39, p. 1155
16-19-1	New	V. 39, p. 208
16-19-2	New	V. 39, p. 208
16-19-3	New	V. 39, p. 208
16-20-1	New (T)	V. 39, p. 462
16-20-1	New	V. 39, p. 1075

AGENCY 17: OFFICE OF THE STATE BANK COMMISSIONER

Reg. No.	Action	Register
17-23-9	Revoked	V. 39, p. 146

AGENCY 21: HUMAN RIGHTS COMMISSION

Reg. No.	Action	Register
21-40-10	Revoked	V. 40, p. 265
21-41-1	Revoked	V. 40, p. 265
21-41-2	Amended	V. 40, p. 265
21-41-3	Amended	V. 40, p. 265
21-41-4	Revoked	V. 40, p. 265
21-41-6	Amended	V. 40, p. 265
21-41-8	Amended	V. 40, p. 265
21-41-10	Amended	V. 40, p. 265
21-41-11	Revoked	V. 40, p. 265

AGENCY 22: STATE FIRE MARSHAL

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22-26-3	New (T)	V. 40, p. 163
22-26-4	New (T)	V. 40, p. 163
22-26-5	New (T)	V. 40, p. 164
22-26-6	New (T)	V. 40, p. 164
22-26-7	New (T)	V. 40, p. 164
22-26-8	New (T)	V. 40, p. 164
22-26-9	New (T)	V. 40, p. 164
22-26-10	New (T)	V. 40, p. 165
22-26-11	New (T)	V. 40, p. 165
22-26-12	New (T)	V. 40, p. 165
22-26-13	New (T)	V. 40, p. 166
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AGENCY 26: DEPARTMENT FOR AGING AND DISABILITY SERVICES

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26-38-3	New	V. 39, p. 1157
26-38-4	New	V. 39, p. 1157
26-38-5	New	V. 39, p. 1157
26-38-6	New	V. 39, p. 1158
26-38-7	New	V. 39, p. 1158
26-38-8	New	V. 39, p. 1159
26-38-9	New	V. 39, p. 1160
26-38-10	New	V. 39, p. 1160
26-38-11	New	V. 39, p. 1160

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

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28-1-40	New	V. 39, p. 1384
28-1-41	New (T)	V. 39, p. 1018
28-1-41	New	V. 39, p. 1384
28-1-42	New (T)	V. 39, p. 1018
28-1-42	New	V. 39, p. 1384
28-1-43	New (T)	V. 39, p. 1018
28-1-43	New	V. 39, p. 1385
28-1-44	New (T)	V. 39, p. 1019
28-1-44	New	V. 39, p. 1385
28-15-52	Amended	V. 39, p. 171
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28-19-720	Amended	V. 39, p. 1459
28-24-1	Amended	V. 39, p. 336
28-24-2	Amended	V. 39, p. 336
28-24-3	Amended	V. 39, p. 336
28-24-4	Amended	V. 39, p. 337
28-24-5	Amended	V. 39, p. 337
28-24-6	Amended	V. 39, p. 337
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28-38-18	Revoked	V. 39, p. 1160
28-38-19	Revoked	V. 39, p. 1160
28-38-20	Revoked	V. 39, p. 1160
28-38-21	Revoked	V. 39, p. 1160
28-38-22	Revoked	V. 39, p. 1161
28-38-23	Revoked	V. 39, p. 1161
28-38-26	Revoked	V. 39, p. 1161
28-38-28	Revoked	V. 39, p. 1161
28-38-29	Revoked	V. 39, p. 1161
28-38-30	Revoked	V. 39, p. 1161
28-44-12	Amended	V. 39, p. 819
28-44-13	Amended	V. 39, p. 819
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28-44-25	Amended	V. 39, p. 822
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28-44-30	New	V. 39, p. 825
28-44-31	New	V. 39, p. 825
28-65-1	Amended	V. 40, p. 318
28-65-2	Amended	V. 40, p. 318
28-65-3	Amended	V. 40, p. 318
28-65-4	Amended	V. 40, p. 319

AGENCY 36: KANSAS DEPARTMENT OF TRANSPORTATION

Reg. No.	Action	Register
36-45-1	New (T)	V. 39, p. 1104
36-45-1	New	V. 39, p. 1490
36-45-2	New (T)	V. 39, p. 1105
36-45-2	New	V. 39, p. 1491
36-45-3	New (T)	V. 39, p. 1105
36-45-3	New	V. 39, p. 1491
36-45-4	New (T)	V. 39, p. 1106
36-45-4	New	V. 39, p. 1491
36-45-5	New (T)	V. 39, p. 1106
36-45-5	New	V. 39, p. 1492
36-45-6	New (T)	V. 39, p. 1106

36-45-6	New	V. 39, p. 1492
36-45-7	New (T)	V. 39, p. 1106
36-45-7	New	V. 39, p. 1492
36-45-8	New (T)	V. 39, p. 1107
36-45-8	New	V. 39, p. 1493
36-45-10	New (T)	V. 39, p. 1108
36-45-10	New	V. 39, p. 1494

AGENCY 40: INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-1-28	Amended	V. 40, p. 191
40-1-52	New	V. 40, p. 191

AGENCY 60: BOARD OF NURSING

Reg. No.	Action	Register
60-11-116	Amended	V. 39, p. 1021
60-11-119	Amended	V. 39, p. 1022
60-13-110	Amended	V. 39, p. 1022
60-16-101	Amended	V. 39, p. 12
60-16-103	Amended	V. 39, p. 12
60-16-104	Amended	V. 39, p. 13

AGENCY 61: BOARD OF BARBERING

Reg. No.	Action	Register
61-4-3	New	V. 40, p. 161

AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

Reg. No.	Action	Register
66-6-1	Amended	V. 39, p. 1425
66-6-10	Amended	V. 39, p. 1426
66-7-1	Amended	V. 39, p. 1427
66-8-3	Amended	V. 39, p. 1427
66-8-4	Amended	V. 39, p. 1427
66-9-5	Amended	V. 39, p. 1427
66-10-4	Amended	V. 39, p. 1427
66-10-9	Amended	V. 39, p. 1428
66-10-10b	Amended	V. 39, p. 1428
66-10-10c	New	V. 39, p. 1428
66-10-12	Amended	V. 39, p. 1428
66-10-13	Amended	V. 39, p. 1429
66-11-5	Amended	V. 39, p. 1429
66-12-1	Amended	V. 40, p. 670
66-14-1	Amended	V. 39, p. 1429
66-14-2	Amended	V. 39, p. 1430
66-14-3	Amended	V. 39, p. 1430
66-14-5	Amended	V. 39, p. 1430
66-14-6	Amended	V. 39, p. 1431
66-14-7	Amended	V. 39, p. 1431
66-14-8	Amended	V. 39, p. 1431
66-14-9	Amended	V. 39, p. 1431
66-14-10	Revoked	V. 39, p. 1431
66-14-11	Revoked	V. 39, p. 1431
66-14-12	Amended	V. 39, p. 1431
66-15-1	New	V. 39, p. 14

AGENCY 68: BOARD OF PHARMACY

Reg. No.	Action	Register
68-2-5	Amended	V. 39, p. 105
68-5-16	Amended	V. 39, p. 106

AGENCY 69: BOARD OF COSMETOLOGY

Reg. No.	Action	Register
69-3-8	Amended (T)	V. 39, p. 1186
69-3-8	Amended	V. 39, p. 1583

AGENCY 70: BOARD OF VETERINARY EXAMINERS

Reg. No.	Action	Register
70-5-1	Amended	V. 39, p. 1495

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No.	Action	Register
74-1-3	Amended	V. 38, p. 1337

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No.	Action	Register
82-4-3a	Amended (T)	V. 39, p. 1188
82-4-3a	Amended	V. 39, p. 1608
82-4-30a	Amended (T)	V. 39, p. 1383
82-4-30a	Amended	V. 40, p. 160

AGENCY 86: REAL ESTATE COMMISSION

Reg. No.	Action	Register
86-1-10	Amended	V. 39, p. 54
86-1-11	Amended	V. 39, p. 55
86-1-12	Amended	V. 39, p. 56
86-1-13	Revoked	V. 39, p. 56
86-1-16	Revoked	V. 39, p. 56
86-1-17	Amended	V. 39, p. 56
86-1-18	Revoked	V. 39, p. 56
86-3-6a	Revoked	V. 39, p. 56
86-3-7	Amended	V. 39, p. 56
86-3-10	Amended	V. 40, p. 497
86-3-18	Amended	V. 40, 497
86-3-20	Revoked	V. 39, p. 57
86-3-21	Revoked	V. 40, p. 498
86-3-22	Amended	V. 40, p. 498

AGENCY 88: BOARD OF REGENTS

Reg. No.	Action	Register
88-10-1	Revoked	V. 39, p. 1270
88-10-2	Revoked	V. 39, p. 1270
88-10-3	Revoked	V. 39, p. 1270
88-10-4	Revoked	V. 39, p. 1270
88-10-5	Revoked	V. 39, p. 1270
88-10-6	Revoked	V. 39, p. 1270
88-10-7	Revoked	V. 39, p. 1270
88-10-8	Revoked	V. 39, p. 1270
88-10-10	Revoked	V. 39, p. 1270
88-10-12	Revoked	V. 39, p. 1270
88-11-1	Revoked	V. 39, p. 1270
88-11-2	Revoked	V. 39, p. 1270
88-11-3	Revoked	V. 39, p. 1270
88-11-4	Revoked	V. 39, p. 1270
88-11-5	Revoked	V. 39, p. 1270
88-11-6	Revoked	V. 39, p. 1270
88-11-7	Revoked	V. 39, p. 1270
88-11-8	Revoked	V. 39, p. 1270
88-11-9	Revoked	V. 39, p. 1270
88-11-11	Revoked	V. 39, p. 1270
88-11-12	Revoked	V. 39, p. 1270
88-25-1	New	V. 39, p. 748
88-25-2	New	V. 39, p. 748
88-25-3	New	V. 39, p. 748
88-25-4	New	V. 39, p. 748
88-25-5	New	V. 39, p. 748
88-29-1	Revoked	V. 39, p. 1215
88-29-3	Amended	V. 39, p. 1215
88-29-11	Revoked	V. 39, p. 1216
88-29-12	Amended	V. 39, p. 1216
88-29-13	Amended	V. 39, p. 1216
88-29-14	Amended	V. 39, p. 1218
88-29-15	Amended	V. 39, p. 1218
88-29-16	Amended	V. 39, p. 1219
88-29-17	Amended	V. 39, p. 1220
88-29-18	Revoked	V. 39, p. 1221
88-29-19	Revoked	V. 39, p. 1221
88-29a-1	Amended	V. 39, p. 1221
88-29a-5	Amended	V. 39, p. 1223
88-29a-6	Amended	V. 39, p. 1223
88-29a-7	Amended	V. 39, p. 1223
88-29a-7a	Amended	V. 39, p. 1224

88-29a-9	Amended	V. 39, p. 1224
88-29a-10	Amended	V. 39, p. 1225
88-29a-11	Amended	V. 39, p. 1227
88-29a-18	Amended	V. 39, p. 1228
88-29a-19	Amended	V. 39, p. 1229
88-29b-1	Amended	V. 39, p. 1229
88-29b-3	Amended	V. 39, p. 1231
88-29b-5	Amended	V. 39, p. 1231
88-29b-6	Amended	V. 39, p. 1232
88-29b-7	Amended	V. 39, p. 1233
88-29b-7a	Amended	V. 39, p. 1234
88-29b-9	Amended	V. 39, p. 1234
88-29b-10	Amended	V. 39, p. 1235
88-29c-1	Amended	V. 39, p. 1236
88-29c-5	Amended	V. 39, p. 1238
88-29c-7	Amended	V. 39, p. 1238
88-29c-9	Amended	V. 39, p. 1238
88-29c-10	Amended	V. 39, p. 1239
88-29d-1	Amended	V. 39, p. 1240
88-29d-5	Amended	V. 39, p. 1241
88-29d-7	Amended	V. 39, p. 1242
88-29d-9	Amended	V. 39, p. 1242
88-29d-10	Amended	V. 39, p. 1243
88-30-1	Amended (T)	V. 39, p. 890
88-30-1	Amended	V. 39, p. 1269
88-30-2	Amended	V. 39, p. 1270

AGENCY 92: DEPARTMENT OF REVENUE

Reg. No.	Action	Register
92-19-47	Revoked	V. 40, p. 290
92-19-67	Revoked	V. 40, p. 290

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-6-2	Amended	V. 40, p. 571
100-6-2a	New	V. 40, p. 290
100-7-1	Amended	V. 39, p. 1359
100-8-3	New	V. 40, p. 572
100-15-4	Amended	V. 40, p. 572
100-15-5	Amended	V. 40, p. 573
100-76-6	Amended	V. 39, p. 1360
100-78-1	New (T)	V. 39, p. 250
100-78-1	New	V. 39, p. 570
100-78-2	New (T)	V. 39, p. 250
100-78-2	New	V. 39, p. 570

AGENCY 105: BOARD OF INDIGENTS' DEFENSE SERVICES

Reg. No.	Action	Register
105-5-2	Amended	V. 39, p. 252
105-5-3	Amended	V. 39, p. 252
105-5-6	Amended	V. 39, p. 252
105-5-7	Amended	V. 39, p. 252
105-5-8	Amended	V. 39, p. 252

AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES

Reg. No.	Action	Register
109-3-3	Amended	V. 39, p. 30
109-3-4	Amended	V. 39, p. 31
109-5-1a	Amended	V. 39, p. 32
109-11-1a	Amended	V. 39, p. 32

AGENCY 111: KANSAS LOTTERY

A complete index listing all regulations filed by the Kansas Lottery from 1988 through 2000 can be found in the Vol. 19, No. 52, December 28, 2000 *Kansas Register*. A list of regulations filed from 2001 through 2003 can be found in the Vol. 22, No. 52, December 25, 2003 *Kansas Register*. A list of regulations filed from 2004 through 2005 can be found in the Vol. 24, No. 52, December 29, 2005 *Kansas Register*. A list of regulations filed from 2006 through 2007

can be found in the Vol. 26, No. 52, December 27, 2007 *Kansas Register*. A list of regulations filed from 2008 through November 2009 can be found in the Vol. 28, No. 53, December 31, 2009 *Kansas Register*. A list of regulations filed from December 1, 2009, through December 21, 2011, can be found in the Vol. 30, No. 52, December 29, 2011 *Kansas Register*. A list of regulations filed from December 22, 2011, through November 6, 2013, can be found in the Vol. 32, No. 52, December 26, 2013 *Kansas Register*. A list of regulations filed from November 7, 2013, through December 31, 2015, can be found in the Vol. 34, No. 53, December 31, 2015 *Kansas Register*. A list of regulations filed from 2016 through 2017, can be found in the Vol. 36, No. 52, December 28, 2017 *Kansas Register*. A list of regulations filed from 2018 through 2019, can be found in the Vol. 38, No. 52, December 26, 2019 *Kansas Register*.

Reg. No.	Action	Register
111-2-328	New	V. 39, p. 1460
111-4-3595	New	V. 39, p. 57
111-4-3596	New	V. 39, p. 58
111-4-3597	New	V. 39, p. 59
111-4-3598	New	V. 39, p. 60
111-4-3599	New	V. 39, p. 61
111-4-3600	New	V. 39, p. 63
111-4-3601	New	V. 39, p. 532
111-4-3602	New	V. 39, p. 533
111-4-3603	New	V. 39, p. 570
111-4-3604	New	V. 39, p. 572
111-4-3605	New	V. 39, p. 573
111-4-3606	New	V. 39, p. 574
111-4-3607	New	V. 39, p. 576
111-4-3608	New	V. 39, p. 621
111-4-3609	New	V. 39, p. 623
111-4-3610	New	V. 39, p. 624
111-4-3611	New	V. 39, p. 854
111-4-3612	New	V. 39, p. 855
111-4-3613	New	V. 39, p. 856
111-4-3614	New	V. 39, p. 858
111-4-3615	New	V. 39, p. 859
111-4-3616	New	V. 39, p. 860
111-4-3617	New	V. 39, p. 861
111-4-3618	New	V. 39, p. 862
111-4-3619	New	V. 39, p. 862
111-4-3620	New	V. 39, p. 864
111-4-3621	New	V. 39, p. 865
111-4-3623	New	V. 39, p. 866
111-4-3624	New	V. 39, p. 891
111-4-3625	New	V. 39, p. 892
111-4-3626	New	V. 39, p. 893
111-4-3627	New	V. 39, p. 894
111-4-3628	New	V. 39, p. 896
111-4-3629	New	V. 39, p. 897
111-4-3630	New	V. 39, p. 900
111-4-3631	New	V. 39, p. 1076
111-4-3632	New	V. 39, p. 1077
111-4-3633	New	V. 39, p. 1109
111-4-3634	New	V. 39, p. 1109
111-4-3635	New	V. 39, p. 1110
111-4-3636	New	V. 39, p. 1111
111-4-3637	New	V. 39, p. 1113
111-4-3638	New	V. 39, p. 1114
111-4-3639	New	V. 39, p. 1333
111-4-3640	New	V. 39, p. 1334
111-4-3641	New	V. 39, p. 1335
111-4-3642	New	V. 39, p. 1336
111-4-3643	New	V. 39, p. 1404
111-4-3644	New	V. 39, p. 1460
111-4-3645	New	V. 39, p. 1462
111-4-3646	New	V. 39, p. 1463

111-4-3647	New	V. 39, p. 1465
111-4-3648	New	V. 39, p. 1466
111-4-3649	New	V. 40, p. 40
111-4-3650	New	V. 40, p. 41
111-4-3651	New	V. 40, p. 192
111-4-3652	New	V. 40, p. 193
111-4-3653	New	V. 40, p. 194
111-4-3654	New	V. 40, p. 196
111-4-3655	New	V. 40, p. 197
111-4-3656	New	V. 40, p. 199
111-4-3657	New	V. 40, p. 427
111-4-3658	New	V. 40, p. 573
111-4-3659	New	V. 40, p. 575
111-4-3660	New	V. 40, p. 576
111-4-3661	New	V. 40, p. 920
111-4-3662	New	V. 40, p. 921
111-5-22	Amended	V. 40, p. 922
111-5-24	Amended	V. 40, p. 922
111-5-223	Amended	V. 40, p. 428
111-5-245	New	V. 39, p. 577
111-5-246	New	V. 40, p. 429
111-9-223	New	V. 39, p. 625
111-9-224	New	V. 39, p. 867
111-9-225	New	V. 40, p. 578
111-9-226	New	V. 40, p. 923
111-9-227	New	V. 40, p. 923
111-9-228	New	V. 40, p. 924
111-15-1	Amended	V. 39, p. 1405
111-15-3	Amended	V. 39, p. 1080
111-15-4	Amended	V. 39, p. 1081
111-15-5	Amended	V. 39, p. 1081
111-15-6	Amended	V. 39, p. 1081
111-15-10	Amended	V. 39, p. 1082
111-19-72	Amended	V. 39, p. 64
111-19-73	New	V. 39, p. 64
111-19-74	New	V. 39, p. 65
111-19-75	New	V. 39, p. 65
111-19-76	New	V. 39, p. 74
111-19-77	New	V. 39, p. 578
111-19-78	New	V. 39, p. 579
111-19-79	New	V. 39, p. 580
111-19-80	New	V. 39, p. 626
111-19-81	New	V. 39, p. 626
111-19-82	New	V. 39, p. 868
111-19-83	New	V. 39, p. 868
111-19-84	New	V. 39, p. 868
111-19-85	New	V. 39, p. 869
111-19-86	New	V. 39, p. 870
111-19-87	New	V. 39, p. 901
111-19-88	New	V. 39, p. 901
111-19-89	New	V. 39, p. 1082
111-19-90	New	V. 39, p. 1115
111-19-91	New	V. 39, p. 1116
111-19-92	New	V. 39, p. 1116
111-19-93	New	V. 39, p. 1337
111-19-94	New	V. 39, p. 1405
111-19-95	New	V. 39, p. 1405
111-19-96	New	V. 39, p. 1406
111-19-97	New	V. 40, p. 42
111-19-98	New	V. 40, p. 43
111-19-99	New	V. 40, p. 44
111-19-100	New	V. 40, p. 200
111-19-101	New	V. 40, p. 430
111-19-102	New	V. 40, p. 578
111-19-103	New	V. 40, p. 579
111-301-3	Amended	V. 40, p. 925
111-301-4	Amended	V. 39, p. 534
111-301-5	Amended	V. 40, p. 925
111-301-6	Amended	V. 40, p. 926
111-301-43	Amended	V. 39, p. 537
111-301-60	Amended	V. 39, p. 66
111-301-62	Amended	V. 39, p. 67
111-301-64	Amended	V. 39, p. 538

111-301-66	Amended	V. 39, p. 538
111-301-72	New	V. 39, p. 1338
111-301-73	New	V. 39, p. 1338
111-301-74	Amended	V. 40, p. 928
111-301-75	Amended	V. 40, p. 928
111-301-76	Amended	V. 40, p. 928
111-302-4	Amended	V. 39, p. 68
111-302-5	Amended	V. 39, p. 1082
111-305-5	Amended	V. 39, p. 539
111-305-6	Amended	V. 39, p. 539
111-401-253	New	V. 39, p. 69
111-401-254	New	V. 39, p. 69
111-401-255	New	V. 39, p. 71
111-501-44	Amended	V. 40, p. 929
111-501-45	Amended	V. 40, p. 932
111-501-71	Amended	V. 39, p. 1340
111-501-81	Amended	V. 39, p. 1340
111-501-105	Amended	V. 40, p. 430
111-501-107	Amended	V. 40, p. 431
111-501-108	Amended	V. 40, p. 431
111-501-109	Amended	V. 40, p. 431
111-501-149	New	V. 39, p. 72
111-501-150	New	V. 39, p. 72
111-501-151	New	V. 39, p. 73
111-501-152	New	V. 39, p. 73
111-501-153	New	V. 39, p. 74
111-601-4	Amended	V. 39, p. 1117
111-601-6	Amended	V. 39, p. 1117
111-601-35	Amended	V. 40, p. 580

AGENCY 112: KANSAS RACING AND GAMING COMMISSION

Reg. No.	Action	Register
112-105-1	Amended	V. 39, p. 251

AGENCY 115: DEPARTMENT OF WILDLIFE, PARKS AND TOURISM

Reg. No.	Action	Register
115-1-1	Amended	V. 40, p. 498
115-2-1	Amended	V. 39, p. 1525
115-3-2	Amended	V. 40, p. 721
115-4-2	Amended	V. 39, p. 617
115-4-4	Amended	V. 39, p. 618
115-4-4a	Amended	V. 39, p. 1527
115-4-6	Amended	V. 40, p. 500
115-5-1	Amended	V. 39, p. 1103
115-6-1	Amended	V. 39, p. 1103
115-7-3	Amended	V. 39, p. 1528
115-7-10	Amended	V. 39, p. 1528
115-9-6	Amended	V. 40, p. 721
115-14-12	Amended	V. 39, p. 1271
115-14-13	Amended	V. 39, p. 1273
115-14-14	Amended	V. 39, p. 1275
115-18-7	Revoked	V. 39, p. 1528
115-18-10	Amended	V. 39, p. 1528
115-18-12	Amended	V. 39, p. 1529
115-18-13	Revoked	V. 40, p. 721

AGENCY 117: REAL ESTATE APPRAISAL BOARD

Reg. No.	Action	Register
117-8-3	Amended	V. 40, p. 920

AGENCY 129: DEPARTMENT OF HEALTH AND ENVIRONMENT – DIVISION OF HEALTH CARE FINANCE

Reg. No.	Action	Register
129-6-103	Amended	V. 39, p. 1557
129-9-9	New (T)	V. 39, p. 647
129-9-9	New	V. 39, p. 1019
129-10-31	Amended	V. 39, p. 800

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