

HOUSE BILL No. 2690

By Committee on Energy, Utilities and Telecommunications

Requested by Representative Delperdang on behalf of Representative Hoffman and Representative Carmichael

2-5

1 AN ACT concerning emergency communication services; establishing the
2 state 911 board; abolishing the 911 coordinating council; transferring the
3 powers, duties and functions of the 911 coordinating council to the
4 state 911 board; authorizing the board to appoint an executive director
5 and other employees to carry out the powers, duties and functions of
6 the board; abolishing the 911 operations fund, the 911 state grant fund
7 and the 911 state fund and establishing the state 911 operations fund,
8 the state 911 grant fund and the state 911 fund in the state treasury;
9 authorizing ***governing bodies of cities or*** counties to contract for the
10 provision of 911 PSAP services with another ~~county~~ ***governing body of***
11 ***a PSAP; increasing the amount of 911 fee distributions to PSAPs and***
12 ***governing bodies***; amending K.S.A. 12-5362, 12-5363, 12-5364, 12-
13 5365, 12-5366, 12-5367, 12-5368, 12-5368, as amended by section 16
14 of this act, 12-5368, as amended by section 17 of this act, 12-5369, 12-
15 5370, 12-5371, 12-5372, 12-5374, 12-5374, as amended by section 23
16 of this act, 12-5374, as amended by section 24 of this act, 12-5375, 12-
17 5375, as amended by section 26 of this act, 12-5375, as amended by
18 section 27 of this act, and 12-5377 and repealing the existing sections;
19 also repealing K.S.A. 12-5364, as amended by section 12 of this act,
20 12-5378 and 12-5379.

21

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

23 New Section 1. (a) There is hereby established the state 911 board.
24 The board shall consist of 19 voting members and shall include individuals
25 with technical expertise regarding 911 systems, internet technology and
26 GIS technology.

27 (1) The following 15 voting members shall be appointed by the
28 governor:

29 (A) Two members representing information technology personnel
30 from governmental units;

31 (B) one member representing the Kansas sheriff's association;

32 (C) one member representing the Kansas association of chiefs of

1 police;

2 (D) one member representing ~~a fire chief~~ *the Kansas state*
3 *association of fire chiefs*;

4 (E) one member recommended by the adjutant general;

5 (F) one member recommended by the Kansas *board of* emergency
6 medical services ~~board~~;

7 (G) one member recommended by the Kansas commission for the
8 deaf and hard of hearing;

9 (H) two members representing PSAPs located in counties having a
10 population less than 75,000, at least one of which shall be an administrator
11 of a PSAP or have extensive prior 911 experience in Kansas;

12 (I) two members representing PSAPs located in counties having a
13 population of 75,000 or more, at least one of which shall be an
14 administrator of a PSAP or have extensive prior 911 experience in Kansas;

15 (J) one member representing the Kansas chapter of the association of
16 public safety communications officials;

17 (K) one member recommended by the league of Kansas
18 municipalities; and

19 (L) one member recommended by the Kansas association of counties.

20 (2) The following four voting members shall be appointed as follows:

21 (A) One member of the Kansas house of representatives appointed by
22 the speaker of the house;

23 (B) one member of the Kansas house of representatives appointed by
24 the minority leader of the house;

25 (C) one member of the Kansas senate appointed by the president of
26 the senate; and

27 (D) one member of the Kansas senate appointed by the minority
28 leader of the senate.

29 (b) The state 911 board shall include the following nine nonvoting
30 members to be appointed by the governor:

31 (1) One member representing rural telecommunications companies
32 recommended by the ~~Kansas rural independent telephone companies~~
33 **communications coalition of Kansas**;

34 (2) one member representing incumbent local exchange carriers with
35 over 50,000 access lines;

36 (3) one member representing large wireless providers;

37 (4) one member representing VoIP providers;

38 (5) one member recommended by the Kansas geographic information
39 systems policy board;

40 (6) one member recommended by the Kansas office of information
41 technology services;

42 (7) one member recommended by the Mid-America regional council
43 who shall be a Kansas resident; and

1 (8) two members representing non-traditional PSAPs, one of whom
2 shall be a representative of tribal government.

3 (c) (1) The governor shall select the chairperson of the state 911
4 board. The chairperson shall serve as chairperson at the pleasure of the
5 governor and shall have extensive prior 911 experience in Kansas. The
6 chairperson shall serve subject to the direction of the board and ensure that
7 policies adopted by the board are carried out.

8 (2) The chairperson of the board or the chairperson's designee may
9 sign any certifications required for federal grants pursuant to 47 C.F.R part
10 400.

11 (d) (1) Except as otherwise provided in this subsection, the terms of
12 office for members of the board shall commence upon appointment. Each
13 member shall serve a term of three years and until a successor has been
14 appointed pursuant to this section. No voting member shall serve longer
15 than two successive three-year terms, except that any person appointed to
16 fulfill an unexpired term of a voting member may finish the term of the
17 predecessor and such appointment shall not preclude the person from
18 subsequently serving two successive three-year terms. ***This paragraph***
19 ***shall not apply to the members appointed pursuant to subsection (a)(2).***

20 (2) On July 1, 2025, each member appointed to and currently serving
21 a term on the 911 coordinating council pursuant to K.S.A. 12-5364, prior
22 to it repeal, shall be deemed to be appointed to and a member of the state
23 911 board. The initial term of each such member shall expire at the time
24 such member's original term would have expired as a member of the 911
25 coordinating council pursuant to K.S.A. 12-5364, prior to its repeal, and
26 until a successor has been appointed pursuant to this section.

27 (3) The term of all members of the board shall expire on June 30 in
28 the year that such member's term expires.

29 (e) Members of the board and other persons appointed to
30 subcommittees by the board may receive reimbursement for meals and
31 travel expenses, but shall serve without other compensation with the
32 exception of legislative members, who shall receive compensation
33 pursuant to K.S.A. 75-3212, and amendments thereto.

34 (f) The provisions of this section shall take effect and be in force on
35 and after July 1, 2025.

36 New Sec. 2. (a) The state 911 board shall:

37 (1) Coordinate E-911 services and next generation 911 services in the
38 state;

39 (2) implement statewide 911 communications planning;

40 (3) monitor the delivery of 911 communications services in the state;

41 (4) develop strategies for future enhancements to the 911 system;

42 (5) administer and oversee grants to PSAPs;

43 (6) develop technology standards;

1 (7) establish minimum training requirements for PSAP personnel,
2 GIS technicians and information technology technicians with respect to the
3 statewide NG911 call handling system technology to ensure public safety
4 across Kansas;

5 (8) employ a full-time executive director; and

6 (9) make an annual report of all expenditures from the 911 fees
7 imposed pursuant to K.S.A. 12-5369 and 12-5371, and amendments
8 thereto, to the house of representatives standing committee on energy,
9 utilities and telecommunications and the senate standing committee on
10 utilities or their successor committees.

11 (b) The state 911 board may:

12 (1) Contract with any person to assist in the performance of the
13 powers, duties and functions of the board;

14 (2) reimburse state agencies or independent contractors for expenses
15 incurred in carrying out the powers, duties and functions of the board;

16 (3) apply for grants under the federal 911 grant program;

17 (4) recommend training for general PSAP operations; ~~and~~

18 (5) ***enter into and support agreements for the interstate and***
19 ***interlocal interconnection of ESI²net service; and***

20 (6) adopt rules and regulations as the board deems necessary for the
21 implementation and administration of the Kansas 911 act, except that the
22 board shall not establish a mandatory certification program for PSAP
23 operations or PSAP emergency communications personnel.

24 (c) The state 911 board may impose a civil penalty upon any provider
25 that fails to collect the 911 fees pursuant to K.S.A. 12-5369, and
26 amendments thereto, or remit such fees pursuant to K.S.A. 12-5370, and
27 amendments thereto. Such written order shall state the violation, the
28 penalty to be imposed and the right of the provider to appeal and request a
29 hearing before the board. Any such provider may, within 15 days after
30 service of the order, make a written request to the board for a hearing
31 thereon. Hearings under this subsection shall be conducted in accordance
32 with the provisions of the Kansas administrative procedure act. Any action
33 of the board to impose a penalty shall be subject to review in accordance
34 with the Kansas judicial review act. Any civil penalty recovered pursuant
35 to this subsection shall be deposited in the 911 state grant fund.

36 (d) (1) The executive director of the state 911 board shall:

37 (A) Be the administrative officer of the board;

38 (B) be in the unclassified service of the Kansas civil service act; and

39 (C) receive an annual salary set by the board.

40 (2) The executive director may hire, subject to the approval of the
41 board, assistant directors and employees as deemed necessary by the
42 board. Any such assistant directors or employees shall be in the
43 unclassified service of the Kansas civil service act.

1 (e) The provisions of this section shall take effect and be in force on
2 and after July 1, 2025.

3 New Sec. 3. (a) On July 1, 2025, the 911 coordinating council
4 established pursuant to K.S.A. 12-5364, prior to its repeal, is hereby
5 abolished and the powers, duties and functions vested in and imposed
6 upon the 911 coordinating council are hereby transferred to, vested in and
7 imposed upon the state 911 board.

8 (b) On July 1, 2025, all employees of the 911 coordinating council
9 who, immediately prior to such date, were engaged in the performance of
10 the powers, duties or functions that are transferred pursuant to this act, and
11 who, in the opinion of the board, are necessary to perform the powers,
12 duties and functions of the board, shall be transferred to and shall become
13 employees of the board. Any such employee shall retain all retirement
14 benefits and all rights of civil service that had accrued to or vested in such
15 employee. The service of each such employee so transferred shall be
16 deemed to have been continuous.

17 (c) The state 911 board shall succeed to all property and records of
18 the 911 coordinating council. Any conflict as to the proper disposition of
19 property or records arising under this section shall be determined by the
20 governor and the decision of the governor shall be final.

21 (d) Whenever the 911 coordinating council, or words of like effect, is
22 referred to or designated by any statute, rule or regulation, contract or
23 other document, such reference or designation shall be deemed to apply to
24 state 911 board.

25 (e) All rules and regulations of the 911 coordinating council in
26 existence on July 1, 2025, shall continue to be effective and shall be
27 deemed to be duly adopted rules and regulations of the state 911 board
28 until amended, revoked or nullified pursuant to law.

29 (f) The provisions of this section shall take effect and be in force on
30 and after July 1, 2025.

31 New Sec. 4 (a) (1) Every provider shall submit contact information
32 for the provider to the state 911 board. Any provider that has not
33 previously provided wireless telecommunications service in this state shall
34 submit contact information for the provider to the board within three
35 months of first offering wireless telecommunications services in this state.

36 (2) A provider of wireless telecommunications service shall:

37 (A) Receive prior approval from each PSAP within the provider's
38 service area before directing emergency calls to such PSAP; and

39 (B) establish the unique emergency telephone number "911" across
40 the state.

41 (3) Nothing in this act shall be construed to limit the ability of a
42 provider from recovering directly from the provider's customers the costs
43 associated with designing, developing, deploying and maintaining 911

1 service and the cost of collection and administration of the fees imposed
2 by K.S.A. 12-5369, and amendments thereto, whether such costs are
3 itemized on the customer's bill as a surcharge or by any other lawful
4 method.

5 (b) (1) Each PSAP and ~~county~~ **governing body** that contracts with
6 another ~~county~~ **governing body of a PSAP** for the provision of 911 PSAP
7 services shall file an annual report with the state 911 board by March 1 of
8 each year demonstrating how such PSAP or ~~county~~ **governing body** has
9 spent the moneys earned from the 911 fees during the preceding calendar
10 year. The board shall designate the content and form of such report and
11 may require additional associated documentation that shall be included.

12 (2) If a PSAP or ~~county~~ **governing body** that contracts with another
13 ~~county~~ **governing body of a PSAP** for the provision of 911 PSAP services
14 fails to file and finalize an annual report, the board shall provide notice of
15 such failure to the PSAP ~~or county and~~, the governing body of such PSAP
16 **and, if applicable, the governing body that contracts with another**
17 **governing body of a PSAP for the provision of 911 PSAP services**. If such
18 PSAP or ~~county~~ **governing body** fails to file or finalize an annual report
19 within 60 days of receiving such notice, the board shall withhold 10% of
20 each subsequent distribution of 911 fees to such PSAP or ~~county~~
21 **governing body** pursuant to K.S.A. 12-5374, and amendments thereto. The
22 board shall not discontinue such withholding until the PSAP or ~~county~~
23 **governing body** submits a report in compliance with this section.

24 (c) (1) If the state 911 board finds that the GIS data for a PSAP or
25 ~~county~~ **governing body** that contracts with another ~~county~~ **governing body**
26 **of a PSAP** for the provision of 911 PSAP services is inaccurate, the board
27 shall give written notice to the governing body that oversees the PSAP ~~or~~
28 ~~county~~, **the PSAP and, if applicable, the governing body that contracts**
29 **with another governing body of a PSAP for the provision of 911 PSAP**
30 **services** of such finding. If the board does not receive an acceptable
31 proposal for the PSAP or ~~county~~ **governing body** to bring the GIS data into
32 compliance within 60 days following such notice, the board may contract
33 with a third party to review and update the GIS data.

34 (2) If the board finds that the GIS data for a PSAP or ~~county~~
35 **governing body** that contracts with another ~~county~~ **governing body of a**
36 **PSAP** for the provision of 911 PSAP services has not been updated for one
37 year or more, the board shall give written notice to the governing body that
38 oversees the PSAP ~~or county~~, **the PSAP and, if applicable, the governing**
39 **body that contracts with another governing body of a PSAP for the**
40 **provision of 911 PSAP services** of such finding. Such PSAP or ~~county~~
41 **governing body** may provide an attestation that the GIS data has been
42 reviewed and remains accurate. If the board receives such attestation and
43 has information that the data may not be accurate, the board shall provide

1 a written notice to the PSAP or ~~county~~ ***governing body*** that describes the
2 areas the board believes to be inaccurate. The PSAP or ~~county~~ ***governing***
3 ***body*** shall have 30 days following receipt of such written notice to submit
4 updated GIS data. If the updated GIS data is not received prior to such
5 deadline, the board may contract with a third party to review and update
6 the GIS data and may assess any costs incurred in updating the GIS data
7 upon the governing body that oversees the PSAP ***or the governing body***
8 ***that contracts with another governing body of a PSAP for the provision***
9 ***of 911 PSAP services.***

10 (d) The provisions of this section shall take effect and be in force on
11 and after July 1, 2025.

12 New Sec. 5. (a) There is hereby created in the state treasury the state
13 911 operations fund. All moneys received pursuant to K.S.A. 12-5368, 12-
14 5372 and 12-5374, and amendments thereto, for purposes of such fund
15 shall be deposited into the state 911 operations fund. All expenditures from
16 the state 911 operations fund shall be made in accordance with
17 appropriation acts upon warrants of the director of accounts and reports
18 issued pursuant to vouchers approved by the chairperson of the state 911
19 board or the chairperson's designee.

20 (b) The state 911 operations fund shall be used only for the following
21 purposes:

22 (1) Administrative and operational expenses of the state 911 board,
23 including salaries of persons employed by the board;

24 (2) payment and expenses incurred pursuant to contracts entered into
25 by the board for the performance of the powers, duties and functions of the
26 board;

27 (3) payment to state agencies or independent contractors for expenses
28 incurred in carrying out the powers, duties and functions of the board; and

29 (4) development, deployment, implementation and maintenance of
30 the statewide next generation 911 system.

31 (c) On or before the 10th of each month, the director of accounts and
32 reports shall transfer from the state general fund to the state 911 operations
33 fund interest earnings based on:

34 (1) The average daily balance of moneys in the state 911 operations
35 fund for the preceding month; and

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

38 (d) The state 911 operations fund shall be used for the purposes set
39 forth in this act and for no other governmental purposes. Moneys in the
40 state 911 operations fund shall not be subject to the provisions of K.S.A.
41 75-3722, 75-3725a and 75-3726a, and amendments thereto.

42 (e) On January 1, 2026:

43 (1) The LCPA shall remit to the state treasurer **in accordance with**

1 **the provisions of K.S.A. 75-4215, and amendments thereto**, the balance
2 of all moneys in the 911 operations fund established pursuant to K.S.A.
3 12-5368, and amendments thereto. Upon receipt of such remittance, the
4 state treasurer shall deposit the entire amount in the state treasury and
5 credit such amount to the state 911 operations fund.

6 (2) All liabilities of the 911 operations fund are hereby transferred to
7 and imposed on the state 911 operations fund.

8 (3) The 911 operations fund established by the LCPA pursuant to
9 K.S.A. 12-5368, and amendments thereto, is hereby abolished.

10 (f) The provisions of this section shall take effect and be in force on
11 and after January 1, 2026.

12 New Sec. 6. (a) There is hereby created in the state treasury the state
13 911 grant fund. All moneys received pursuant to K.S.A. 12-5368 and 12-
14 5374, and amendments thereto, for purposes of such fund shall be
15 deposited into the state 911 grant fund. All expenditures from the state 911
16 grant fund shall be made in accordance with appropriation acts upon
17 warrants of the director of accounts and reports issued pursuant to
18 vouchers approved by the chairperson of the state 911 board or the
19 chairperson's designee.

20 (b) The state 911 grant fund shall be used only for the following
21 purposes:

22 (1) Providing state grants for projects involving the development and
23 implementation of next generation 911 services;

24 (2) provide grants to PSAPs based on demonstrated need; and

25 (3) costs associated with PSAP consolidation or cost-sharing projects.

26 (c) On or before the 10th of each month, the director of accounts and
27 reports shall transfer from the state general fund to the state 911 grant fund
28 interest earnings based on:

29 (1) The average daily balance of moneys in the state 911 grant fund
30 for the preceding month; and

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

33 (d) The state 911 grant fund shall be used for the purposes set forth in
34 this act and for no other governmental purposes. Moneys in the state 911
35 grant fund shall not be subject to the provisions of K.S.A. 75-3722, 75-
36 3725a and 75-3726a, and amendments thereto.

37 (e) On January 1, 2026:

38 (1) The LCPA shall remit to the state treasurer **in accordance with**
39 **the provisions of K.S.A. 75-4215, and amendments thereto**, the balance
40 of all moneys in the 911 state grant fund established pursuant to K.S.A.
41 12-5368, and amendments thereto. Upon receipt of such remittance, the
42 state treasurer shall deposit the entire amount in the state treasury and
43 credit such amount to the state 911 grant fund.

1 (2) All liabilities of the 911 state grant fund are hereby transferred to
2 and imposed on the state 911 grant fund.

3 (3) The 911 state grant fund established by the LCPA pursuant to
4 K.S.A. 12-5368, and amendments thereto, is hereby abolished.

5 (f) The provisions of this section shall take effect and be in force on
6 and after January 1, 2026.

7 New Sec. 7. (a) There is hereby created in the state treasury the state
8 911 fund. All moneys received pursuant to K.S.A. 12-5368 and 12-5374,
9 and amendments thereto, for purposes of such fund shall be deposited into
10 the state 911 fund. All expenditures from the state 911 fund shall be made
11 in accordance with appropriation acts upon warrants of the director of
12 accounts and reports issued pursuant to vouchers approved by the
13 chairperson of the state 911 board or the chairperson's designee.

14 (b) The state 911 fund shall be used for direct distributions of moneys
15 pursuant to K.S.A. 12-5374, and amendments thereto.

16 (c) On or before the 10th of each month, the director of accounts and
17 reports shall transfer from the state general fund to the state 911 fund
18 interest earnings based on:

19 (1) The average daily balance of moneys in the state 911 fund for the
20 preceding month; and

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

23 (d) The state 911 fund shall be used for the purposes set forth in this
24 act and for no other governmental purposes. Moneys in the state 911 fund
25 shall not be subject to the provisions of K.S.A. 75-3722, 75-3725a and 75-
26 3726a, and amendments thereto.

27 (e) On January 1, 2026:

28 (1) The LCPA shall remit to the state treasurer **in accordance with**
29 **the provisions of K.S.A. 75-4215, and amendments thereto**, the balance
30 of all moneys in the 911 state fund established pursuant to K.S.A. 12-5368,
31 and amendments thereto. Upon receipt of such remittance, the state
32 treasurer shall deposit the entire amount in the state treasury and credit
33 such amount to the state 911 fund.

34 (2) All liabilities of the 911 state fund are hereby transferred to and
35 imposed on the state 911 fund.

36 (3) The 911 state fund established by the LCPA pursuant to K.S.A.
37 12-5368, and amendments thereto, is hereby abolished.

38 (f) The provisions of this section shall take effect and be in force on
39 and after January 1, 2026.

40 New Sec. 8. (a) ~~On July 1, 2025, and on the first day of each calendar~~
41 ~~month thereafter through January 1, 2026~~ **or before the 15th day of each**
42 **month**, the state 911 board shall require the LCPA to provide a **monthly**
43 report that accounts for every transaction that has occurred during the

1 previous month in the 911 state fund, 911 state grant fund and the 911
2 operations fund established outside the state treasury pursuant to K.S.A.
3 12-5368, and amendments thereto. Such report shall include line item
4 amounts and details for every transaction, including debits, credits,
5 transfers, fees assessed, interest earned, change in ownership, change in
6 authorized signatories or any other event that may have altered the
7 structure or balance of the account. The LCPA shall submit each monthly
8 report to the secretary of administration and to the director of legislative
9 research. On or before January ~~12~~ **31**, 2026, the state 911 board shall
10 prepare and submit to the legislature a report that summarizes the
11 transactions ~~that impacted the account between July 1, 2025, and January~~
12 ~~1, 2026, reported in such monthly reports~~ and shall confirm that the
13 accounts have been closed and all assets have been transferred to the state
14 treasury in accordance with the requirements of sections 5 through 7, and
15 amendments thereto.

16 (b) The provisions of this section shall take effect and be in force on
17 and after July 1, 2025.

18 (c) ***This section shall expire on February 1, 2026.***

19 New Sec. 9. (a) ~~On and after July 1, 2024,~~ The 911 coordinating
20 council may take any actions necessary to prepare for a seamless and
21 orderly transition of the powers, duties and functions of the 911
22 coordinating council to the state 911 board established pursuant to section
23 1, and amendments thereto. Such actions may include, but shall not be
24 limited to:

25 (1) Employing one or more individuals who the council deems
26 necessary to assist with the transition, including the employment of an
27 individual who shall assume the role of executive director of the state 911
28 board upon the establishment of the board pursuant to this act; and

29 (2) preparing a budget that reflects the establishment of the state 911
30 board and the state 911 operations fund within the state treasury pursuant
31 to this act.

32 (b) Any persons employed pursuant to this section shall be in the
33 unclassified service and receive compensation fixed by the council.

34 (c) Any expenses incurred for the employment of individuals
35 pursuant to this section shall be considered administrative expenses of the
36 council pursuant to K.S.A. 12-5368, and amendments thereto, and the
37 council shall have authority to use any moneys held in or transferred to the
38 911 operations fund to provide for the employment and compensation
39 authorized pursuant to this section.

40 Sec. 10. On and after July 1, 2025, K.S.A. 12-5362 is hereby
41 amended to read as follows: 12-5362. K.S.A. 12-5362 through 12-5381,
42 and amendments thereto, *and sections 1 through 9, and amendments*
43 *thereto*, shall be known and may be cited as the Kansas 911 act.

1 Sec. 11. On and after July 1, 2025, K.S.A. 12-5363 is hereby
2 amended to read as follows: 12-5363. As used in the Kansas 911 act:

3 (a) "Board" means the state 911 board.

4 (b) "Consumer" means a person who purchases prepaid wireless
5 service in a retail transaction.

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

7 (c)(d) "Enhanced 911 service" or "E-911 service" means an
8 emergency telephone service that generally may provide, but is not limited to,
9 to, selective routing, automatic number identification and automatic
10 location identification features.

11 (d)(e) "Exchange telecommunications service" means the service that
12 provides local telecommunications exchange access to a service user.

13 (e)(f) "GIS" means a geographic information system for capturing,
14 storing, displaying, analyzing and managing data and associated attributes
15 that are spatially referenced.

16 (f)(g) "GIS data" means the geometry and associated attributes
17 packaged in a geodatabase that defines the roads, address points and
18 boundaries within a PSAP's jurisdiction.

19 (g)(h) "Governing body" means the board of county commissioners
20 of a county or the governing body of a city.

21 (h)(i) "Local collection point administrator" or "LCPA" means the
22 person designated by the ~~911 coordinating council board~~ to serve as the
23 local collection point administrator ~~to collect and distribute 911 fees, 911~~
24 ~~operations fund moneys and distribute 911 state grant fund moneys~~
25 **pursuant to K.S.A. 12-5367, and amendments thereto.**

26 (i)(j) "Multi-line telephone system" means a system comprised of
27 common control units, telephones and control hardware and software
28 providing local telephone service to multiple end-use customers that may
29 include VoIP service and network and premises based systems such as
30 centrex, private branch exchange and hybrid key telephone systems.

31 (j)(k) "Next generation 911" means 911 service that conforms with
32 national emergency number association (NENA) i3 standards and enables
33 PSAPs to receive Enhanced 911 service calls and emergency calls from
34 Internet Protocol (IP) based technologies and applications that may include
35 text messaging, image, video and data information from callers.

36 (k)(l) "Non-traditional PSAP" means a PSAP not operated by a city
37 or county, including, but not limited to, PSAPs operated by universities,
38 tribal governments or the state *or* federal government.

39 (l)(m) "Person" means any individual, firm, partnership,
40 copartnership, joint venture, association, cooperative organization,
41 corporation, municipal or private, and whether organized for profit or not,
42 state, county, political subdivision, state department, commission, board,
43 bureau or fraternal organization, nonprofit organization, estate, trust,

1 business or common law trust, receiver, assignee for the benefit of
2 creditors, trustee or trustee in bankruptcy or any other legal entity.

3 ~~(m)~~(n) "Prepaid wireless service" means a wireless
4 telecommunications service that allows a caller to dial 911 to access the
5 911 system, ~~which service must be~~ *that is* paid for in advance and is sold
6 in predetermined units or dollars of which the number declines with use in
7 a known amount.

8 ~~(n)~~(o) "Place of primary use" has the meaning provided in the mobile
9 telecommunications act as defined by 4 U.S.C. § 116 et seq., as in effect
10 ~~on the effective date of this act~~ *July 1, 2025*.

11 ~~(o)~~(p) "Provider" means any person providing exchange
12 telecommunications service, wireless telecommunications service, VoIP
13 service or other service capable of contacting a PSAP. ~~A provider may also~~
14 ~~be~~ "Provider" *includes* a 911 system operator.

15 ~~(p)~~(q) "PSAP" means a public safety answering point operated by a
16 city or county.

17 ~~(q)~~(r) "Retail transaction" means the purchase of prepaid wireless
18 service from a seller for any purpose other than resale, not including the
19 use, storage or consumption of such services.

20 ~~(r)~~(s) "Seller" means a person who sells prepaid wireless service to
21 another person.

22 ~~(s)~~(t) "Service user" means any person who is provided exchange
23 telecommunications service, wireless telecommunications service, VoIP
24 service, prepaid wireless service or any other service capable of contacting
25 a PSAP.

26 ~~(t)~~(u) "Subscriber account" means the 10-digit access number
27 assigned to a service user by a provider for the purpose of billing a service
28 user up to the maximum capacity of the simultaneous outbound calling
29 capability of a multi-line telephone system or equivalent service.

30 ~~(u)~~(v) "Subscriber radio equipment" means mobile and portable radio
31 equipment installed in vehicles or carried by persons for voice
32 communication with a radio system.

33 ~~(v)~~(w) "VoIP service" means voice over internet protocol.

34 ~~(w)~~(x) "Wireless telecommunications service" means commercial
35 mobile radio service as defined by 47 C.F.R. § 20.3 as in effect ~~on the~~
36 ~~effective date of this act~~ *July 1, 2025*.

37 ~~(x)~~(y) "911 call" means any electronic request for emergency
38 response, presented by means of wireline, wireless, VoIP or
39 telecommunications device for the deaf (TDD) technology, text message or
40 any other technology by which a service user initiates an immediate
41 information interchange or conversation with a PSAP.

42 ~~(y)~~(z) "911 system operator" means any entity that accepts 911 calls
43 from providers, processes those calls and presents those calls to the

1 appropriate PSAP. A "911 system operator" may also be a provider.

2 Sec. 12. ***On and after July 1, 2024***, K.S.A. 12-5364 is hereby
3 amended to read as follows: 12-5364. (a) (1) There is hereby created the
4 911 coordinating council which shall monitor the delivery of 911 services,
5 develop strategies for future enhancements to the 911 system and
6 distribute available grant funds to PSAPs ~~and counties~~ ***governing bodies***
7 ***that contract with other counties*** ***another governing body of a PSAP*** for
8 ***the provision of 911 PSAP services***. In as much as possible, the council
9 shall include individuals with technical expertise regarding 911 systems,
10 internet technology and GIS technology.

11 (2) (A) The 911 coordinating council shall consist of 13 voting
12 members to be appointed by the governor:

13 (i) Two members representing information technology personnel
14 from government units;

15 (ii) one member representing the Kansas sheriff's association;

16 (iii) one member representing the Kansas association of chiefs of
17 police;

18 (iv) one member representing a fire chief;

19 (v) one member recommended by the adjutant general;

20 (vi) one member recommended by the Kansas emergency medical
21 services board;

22 (vii) one member recommended by the Kansas commission for the
23 deaf and hard of hearing;

24 (viii) two members representing PSAPs located in counties with less
25 than 75,000 in population;

26 (ix) two members representing PSAPs located in counties with
27 greater than 75,000 in population; and

28 (x) one member representing the Kansas chapter of the association of
29 public safety communications officials.

30 (B) At least two of the members representing PSAPs shall be
31 administrators of a PSAP or have extensive prior 911 experience in
32 Kansas.

33 (3) Other voting members of the 911 coordinating council shall
34 include:

35 (A) One member of the Kansas house of representatives as appointed
36 by the speaker of the house;

37 (B) one member of the Kansas house of representatives as appointed
38 by the minority leader of the house;

39 (C) one member of the Kansas senate as appointed by the senate
40 president; and

41 (D) one member of the Kansas senate as appointed by the senate
42 minority leader.

43 (4) The 911 coordinating council shall also include nonvoting

1 members to be appointed by the governor:

2 (A) One member representing rural telecommunications companies
3 recommended by the ~~Kansas rural independent telephone companies~~
4 **communications coalition of Kansas**;

5 (B) one member representing incumbent local exchange carriers with
6 over 50,000 access lines;

7 (C) one member representing large wireless providers;

8 (D) one member representing VoIP providers;

9 (E) one member recommended by the league of Kansas
10 municipalities;

11 (F) one member recommended by the Kansas association of counties;

12 (G) one member recommended by the Kansas geographic
13 information systems policy board;

14 (H) one member recommended by the Kansas office of information
15 technology services;

16 (I) one member, a Kansas resident, recommended by the Mid-
17 America regional council; and

18 (J) two members representing non-traditional PSAPs, one of whom
19 shall be a representative of tribal government.

20 (b) (1) ~~Except as provided in subsection (b)(2) and (b)(3), the terms~~
21 ~~of office for~~ Voting members of the 911 coordinating council shall
22 commence on the effective date of this act and shall be subject to
23 ~~reappointment every~~ *serve for a term of* three years. No voting member
24 shall serve longer than two successive three-year terms. A voting member
25 appointed as a replacement for another voting member may finish the term
26 of the predecessor and may serve two additional successive three-year
27 terms. ***This paragraph shall not apply to the members appointed***
28 ***pursuant to subsection (a)(3).***

29 (2) ~~The following members, whose terms began on the effective date~~
30 ~~of this act, shall serve initial terms as follows:~~

31 (A) ~~One member representing information technology personnel from~~
32 ~~government units, one member recommended by the adjutant general, one~~
33 ~~member representing PSAPs located in counties with less than 75,000 in~~
34 ~~population and one member representing PSAPs located in counties with~~
35 ~~75,000 or more in population shall serve a term of two years;~~

36 (B) ~~one member representing information technology personnel from~~
37 ~~government units, one member recommended by the Kansas emergency~~
38 ~~medical services board, one member representing PSAPs located in~~
39 ~~counties with less than 75,000 in population and one member representing~~
40 ~~PSAPs without regard to size shall serve a term of three years; and~~

41 (C) ~~one member representing a fire chief, one member recommended~~
42 ~~by the Kansas commission for the deaf and hard of hearing, one member~~
43 ~~representing the Kansas association of chiefs of police and one member~~

1 representing PSAPs located in counties with 75,000 or more in population
2 shall serve a term of four years.

3 ~~(3) The initial term for one member representing the Kansas sheriff's~~
4 ~~association shall begin on July 1, 2014, and be for a period of three years.~~

5 ~~(4) The terms of members specified in this subsection shall expire on~~
6 ~~June 30 in the last year of such member's term.~~

7 (c) (1) The governor shall select the chair of the 911 coordinating
8 council, who shall serve at the pleasure of the governor and have extensive
9 prior 911 experience in Kansas.

10 (2) The chair shall serve as the coordinator of E-911 services and next
11 generation 911 services in the state, implement statewide 911 planning,
12 have the authority to sign all certifications required under 47 C.F.R. part
13 400 and administer the 911 federal grant fund and 911 state maintenance
14 fund. The chair shall serve subject to the direction of the council and
15 ensure that policies adopted by the council are carried out. The chair shall
16 serve as the liaison between the council and the LCPA. The chair shall
17 preside over all meetings of the council and assist the council in
18 effectuating the provisions of this act.

19 (d) The 911 coordinating council, by an affirmative vote of nine
20 voting members, shall select the local collection point administrator,
21 pursuant to K.S.A. 12-5367, and amendments thereto, to collect 911 fees
22 and to distribute such fees to PSAPs ~~and counties~~ **governing bodies that**
23 **contract with ~~other counties~~ another governing body of a PSAP for the**
24 **provision of 911 PSAP services** and to distribute 911 operations fund
25 moneys and 911 state grant fund moneys as directed by the council. The
26 council shall adopt rules and regulations for the terms of the contract with
27 the LCPA. All contract terms and conditions shall satisfy all contract
28 requirements as established by the secretary of administration. The council
29 shall determine the compensation of the LCPA who shall provide the
30 council with any staffing necessary in carrying out the business of the
31 council or effectuating the provisions of this act. The moneys used to
32 reimburse these expenses shall be paid from the 911 operations fund,
33 pursuant to subsection (j).

34 (e) (1) The 911 coordinating council is hereby authorized to adopt
35 rules and regulations necessary to effectuate the provisions of this act,
36 including, but not limited to: (A) Creating a uniform reporting form
37 designating how moneys, including 911 fees, have been spent by the
38 PSAPs ~~and counties~~ **governing bodies that contract with ~~other counties~~**
39 **another governing body of a PSAP for the provision of 911 PSAP**
40 **services**; (B) requiring service providers to notify the council pursuant to
41 subsection (k); (C) establishing standards for coordinating and purchasing
42 equipment; (D) recommending standards for general operations training of
43 PSAP personnel; (E) establishing training standards and programs related

1 to the technology and operations of the NG911 hosted solution; (F)
2 establishing data standards, maintenance policies and data reporting
3 requirements for GIS data; and (G) assessing civil penalties pursuant to
4 subsection (m).

5 (2) The chair of the council shall work with the council to adopt rules
6 and regulations necessary for the administration of this act, but the council
7 shall not adopt any rules and regulations or impose any requirements that
8 creates a mandatory certification program of PSAP operations or PSAP
9 emergency communications personnel.

10 (f) If the 911 coordinating council finds that the GIS data for a PSAP
11 *or ~~county~~ governing body that contracts with another ~~county~~ governing*
12 *body of a PSAP for the provision of 911 PSAP services* is inaccurate or has
13 not been updated for one year or more, the council shall give written
14 notice to the governing body that oversees the PSAP *or ~~county~~, the PSAP*
15 *and, if applicable, the governing body that contracts with another*
16 *governing body of a PSAP for the provision of 911 PSAP services*. If,
17 within 60 days of providing such notice, the council does not receive an
18 acceptable proposal for the PSAP *or ~~county~~ governing body* to bring the
19 GIS data into compliance, the council may contract with a third party to
20 review and update the GIS data. A PSAP *or ~~county~~ governing body* with
21 GIS data that has not been updated for one year or more may provide a
22 certification attesting that the GIS data has been reviewed and remains
23 accurate. If the council receives such certification and has information that
24 the data may not be accurate, the council shall provide a written notice to
25 the PSAP *or ~~county~~ governing body* that describes the areas the council
26 believes to be inaccurate and a deadline of 30 days for the PSAP *or ~~county~~*
27 *governing body* to submit updated GIS data. If the updated GIS data is not
28 received within the deadline, the council may contract with a third party to
29 review and update the GIS data. The council shall assess the governing
30 body that oversees the PSAP *or ~~county~~ governing body that contracts*
31 *with another governing body of a PSAP for the provision of 911 PSAP*
32 *services* for any costs incurred in updating the GIS data.

33 (g) The council may, pursuant to rules and regulations, lower the 911
34 fee established pursuant to K.S.A. 12-5369, and amendments thereto, upon
35 a finding based on information submitted on the uniform reporting forms,
36 that moneys generated by such fee are in excess of the costs required to
37 operate PSAPs in the state.

38 (h) The council may appoint subcommittees as necessary to
39 administer grants, oversee collection and distribution of moneys by the
40 LCPA, develop technology standards, develop training recommendations
41 and other issues as deemed necessary by the council. Subcommittees, if
42 appointed, shall include members of the council and other persons as
43 needed.

1 (i) The council may reimburse independent contractors or state
2 agencies for expenses incurred in carrying out the business of the council,
3 including salaries, that are directly attributable to effectuating the
4 provisions of this act. The moneys used to reimburse these expenses shall
5 be paid from the 911 operations fund, pursuant to subsection (j).

6 (j) All expenses related to the council shall be paid from the 911
7 operations fund. No more than 2.0% of the total receipts from providers
8 and the department received by the LCPA shall be used to pay for
9 administrative expenses of the council. Members of the council and other
10 persons appointed to subcommittees by the council may receive
11 reimbursement for meals and travel expenses, but shall serve without other
12 compensation with the exception of legislative members who shall receive
13 compensation pursuant to K.S.A. 75-3212, and amendments thereto.

14 (k) Every provider shall submit contact information for the provider
15 to the council. Any provider that has not previously provided wireless
16 telecommunications service in this state shall submit contact information
17 for the provider to the council within three months of first offering
18 wireless telecommunications services in this state.

19 (l) (1) Each PSAP ~~and county governing body~~ **governing body** that contracts with
20 another ~~county governing body of a PSAP~~ **governing body of a PSAP** for the provision of 911 PSAP
21 services shall file an annual report with the council by March 1 of each
22 year demonstrating how such PSAP ~~or county governing body~~ **governing body** has spent
23 the moneys earned from the 911 fee during the preceding calendar year.
24 The council shall designate the content and form of such report and any
25 associated documentation that is required to finalize such report.

26 (2) If a PSAP ~~or county governing body~~ **governing body** that contracts with another
27 ~~county governing body of a PSAP~~ **governing body of a PSAP** for the provision of 911 PSAP services
28 fails to file and finalize an annual report, the council shall provide notice
29 of such failure to the PSAP ~~or county and~~, the governing body of such
30 PSAP ~~or county governing body~~ **governing body**. If such PSAP ~~or county governing body~~
31 fails to file or finalize an annual report within 60 days of receiving such
32 notice, 10% of each subsequent distribution of 911 fees to such PSAP ~~or~~
33 ~~county governing body~~ **governing body** pursuant to K.S.A. 12-5373, and amendments
34 thereto, shall be withheld by the LCPA and only distributed to such PSAP
35 ~~or county governing body~~ **governing body** once the report has been submitted.

36 (m) The council, upon a finding that a provider has violated any
37 provision of this act, may impose a civil penalty. No civil penalty shall be
38 imposed pursuant to this section except upon the written order of the
39 council. Such order shall state the violation, the penalty to be imposed and
40 the right of such person to appeal to a hearing before the council. Any such
41 person may, within 15 days after service of the order, make a written
42 request to the council for a hearing thereon. Hearings under this subsection
43 shall be conducted in accordance with the provisions of the Kansas

1 administrative procedure act.

2 (n) Any action of the council pursuant to subsection (m) is subject to
3 review in accordance with the Kansas judicial review act.

4 (o) Any civil penalty recovered pursuant to this section shall be
5 transferred to the LCPA for deposit in the 911 state grant fund.

6 (p) The 911 coordinating council shall make an annual report, to
7 include a detailed description of all expenditures made from 911 fees
8 received by the PSAPs ~~and counties~~ **governing bodies that contract with**
9 ~~other counties~~ **another governing body of a PSAP for the provision of 911**
10 **PSAP services**, to the house committee on energy, utilities and
11 telecommunications and the senate committee on utilities.

12 Sec. 13. On and after July 1, 2025, K.S.A. 12-5365 is hereby
13 amended to read as follows: 12-5365. (a) There is hereby established in the
14 state treasury the 911 federal grant fund. *All moneys received by the state*
15 *from the federal government for the purposes provided in this section shall*
16 *be remitted to the state treasurer in accordance with the provisions of*
17 *K.S.A. 75-4215, and amendments thereto. Upon receipt of each such*
18 *remittance, the state treasurer shall deposit the entire amount in the state*
19 *treasury to the credit of the 911 federal grant fund.*

20 (b) ~~The chair of the 911 coordinating council shall serve as the~~
21 ~~administrator of the 911 federal grant fund and shall distribute grants in~~
22 ~~accordance with the recommendations of the 911 coordinating council.~~
23 Subject to the conditions and in accordance with the requirements of this
24 act and 47 C.F.R. part 400, *as in effect on July 1, 2025*, the ~~chair~~
25 ~~chairperson of the board~~ is authorized to perform such acts necessary for
26 the effectuation of this act.

27 (c) ~~Moneys received by the state from the federal government for the~~
28 ~~purposes of the fund shall be credited to the fund.~~

29 (d)(1) Subject to the conditions and in accordance with the
30 requirements of ~~this act~~ *the Kansas 911 act* and 47 C.F.R. part 400, *as in*
31 *effect on July 1, 2025*, moneys credited to the fund shall be used only:

32 (A) To pay all expenses incurred in the administration of the fund;
33 and

34 (B) to provide grants to eligible municipalities only for necessary
35 and reasonable costs incurred or to be incurred by PSAPs for:

36 (A)(i) Implementation of enhanced 911 service and next generation
37 911 service, ~~as defined in K.S.A. 12-5363, and amendments thereto;~~

38 (B)(ii) purchase of equipment and upgrades and modification to
39 equipment used solely to process the data elements of enhanced 911
40 service and next generation 911 service, ~~as defined in K.S.A. 12-5363, and~~
41 ~~amendments thereto;~~ and

42 (C)(iii) maintenance and license fees for such equipment and training
43 of personnel to operate such equipment, including costs of training PSAP

1 personnel to provide effective service to all users of the emergency
2 telephone system who have communications disabilities.

3 (2) Such costs shall not include expenditures to lease, construct,
4 expand, acquire, remodel, renovate, repair, furnish or make improvements
5 to buildings or similar facilities or for other capital outlay or equipment
6 not expressly authorized by this act.

7 ~~(e)~~(d) All payments and disbursements from the fund shall be made
8 in accordance with appropriation acts upon warrants of the director of
9 accounts and reports issued pursuant to vouchers approved by the ~~chair or~~
10 ~~by a person or persons designated by the chair~~ *chairperson of the board or*
11 *the chairperson's designee.*

12 Sec. 14. On and after July 1, 2025, K.S.A. 12-5366 is hereby
13 amended to read as follows: 12-5366. (a) There is hereby established in the
14 state treasury the 911 state maintenance fund. *All moneys received*
15 *pursuant to this section shall be remitted to the state treasurer in*
16 *accordance with the provisions of K.S.A. 75-4215, and amendments*
17 *thereto. Upon receipt of each such remittance, the state treasurer shall*
18 *deposit the entire amount in the state treasury to the credit of the 911 state*
19 *maintenance fund.*

20 ~~(b) The chair of the 911 coordinating council shall serve as the~~
21 ~~administrator of the 911 state maintenance fund and shall distribute grants~~
22 ~~in accordance with the recommendations of the 911 coordinating council.~~
23 ~~Subject to the conditions and in accordance with the requirements of this~~
24 ~~act and 47 C.F.R. part 400, the chair is authorized to perform such acts~~
25 ~~necessary for the effectuation of this act.~~

26 ~~(e)~~—Moneys from the following sources shall be credited to the fund:

27 (1) Amounts appropriated or otherwise made available by the
28 legislature for the purposes of the fund;

29 (2) interest attributable to investment of moneys in the fund; and

30 (3) amounts received from any public or private entity for the
31 purposes of the fund.

32 ~~(d)~~(c) (1) Moneys credited to the fund shall be used only:

33 ~~(A)~~(A) To pay all expenses incurred in the administration of the fund;
34 and

35 ~~(B)~~(B) *development, deployment, implementation and maintenance of*
36 *the statewide next generation 911 system; and*

37 (C) to provide grants to eligible municipalities only for necessary and
38 reasonable costs incurred or to be incurred by PSAPs for:

39 ~~(A)~~(i) Implementation of enhanced 911 service and next generation
40 911 service, ~~as defined in K.S.A. 12-5363, and amendments thereto;~~

41 ~~(B)~~(ii) purchase of equipment and upgrades and modification to
42 equipment used solely to process the data elements of enhanced 911
43 service and next generation 911 service, ~~as defined in K.S.A. 12-5363, and~~

1 ~~amendments thereto~~; and

2 ~~(C)(iii)~~ maintenance and license fees for such equipment and training
3 of personnel to operate such equipment, including costs of training PSAP
4 personnel to provide effective service to all users of the emergency
5 telephone system who have communications disabilities.

6 (2) Such costs shall not include expenditures to lease, construct,
7 expand, acquire, remodel, renovate, repair, furnish or make improvements
8 to buildings or similar facilities or for other capital outlay or equipment
9 not expressly authorized by this act.

10 (e) On or before the 10th of each month, the director of accounts and
11 reports shall transfer from the state general fund to the 911 state
12 maintenance fund interest earnings based on:

13 (1) The average daily balance of moneys in the 911 state maintenance
14 fund for the preceding month; and

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

17 (f) All payments and disbursements from the fund shall be made in
18 accordance with appropriation acts upon warrants of the director of
19 accounts and reports issued pursuant to vouchers approved by the ~~chair or~~
20 ~~by a person or persons designated by the chair~~ *chairperson of the board or*
21 *the chairperson's designee.*

22 Sec. 15. On and after July 1, 2025, K.S.A. 12-5367 is hereby
23 amended to read as follows: 12-5367. ~~(a) The 911 coordinating council~~
24 ~~state 911 board~~, by an affirmative vote of nine voting members, shall
25 select the local collection point administrator. In selecting the LCPA, the
26 ~~council board~~ shall contract with the LCPA for services for no longer than
27 two years, however, the ~~council board~~ may, by an affirmative vote of nine
28 voting members, extend such contract for up to two additional years. The
29 ~~911 coordinating council board~~ shall receive the approval of the legislative
30 coordinating council in selecting an LCPA if the entity to be designated as
31 the LCPA is different than the previous entity designated as the LCPA. The
32 ~~911 coordinating council board~~ shall annually review the designation of
33 the LCPA and the contract with the LCPA ~~for services.~~

34 (b) *Any contract made between the 911 coordinating council and an*
35 *LCPA that is in existence on January 1, 2025, shall continue to be valid,*
36 *effective and enforceable until extended, revised, revoked or terminated by*
37 *the board.*

38 (c) The LCPA shall be subject to the requirements of the Kansas open
39 meetings act *and, except as provided in K.S.A. 12-5374, and amendments*
40 *thereto*, the Kansas open records act ~~and~~. *The LCPA shall treat all moneys*
41 *received by the LCPA as public funds pursuant to article 14 of chapter 9 of*
42 *the Kansas Statutes Annotated, and amendments thereto. Notwithstanding*
43 *any other provision of law to the contrary, the LCPA shall not be*

1 considered a state agency.

2 Sec. 16. ***On and after July 1, 2024***, K.S.A. 12-5368 is hereby
3 amended to read as follows: 12-5368. (a) Upon the approval of the 911
4 coordinating council, the LCPA shall establish the following funds, which
5 shall not be a part of the state treasury: (1) The 911 state fund for the
6 collection and distribution of 911 fees; (2) the 911 operations fund for
7 administrative costs of the 911 coordinating council and deployment and
8 maintenance of the statewide NG911 system; and (3) the 911 state grant
9 fund for grants to individual PSAPs. All moneys originating from 911 fees,
10 and any interest accrued on such fees, shall be paid to the LCPA for
11 deposit in the 911 state fund or 911 operations fund pursuant to subsection
12 (b). All unobligated federal moneys, and any interest accrued on such
13 moneys, shall be transferred to the 911 federal grant fund.

14 (b) (1) Except as provided for in paragraph (2), prior to the
15 distribution ~~to the PSAPs~~ of moneys pursuant to K.S.A. 12-5374, and
16 amendments thereto, the LCPA shall withhold \$.23 from every 911 fee
17 remitted pursuant to K.S.A. 12-5369, and amendments thereto, and shall
18 deposit such amount in the 911 operations fund for the deployment and
19 maintenance of the statewide NG911 system and standardized
20 functionality upgrades to that system.

21 (2) If the ~~funds~~ moneys withheld from distribution pursuant to
22 paragraph (1) exceed 15% of the total receipts received by the LCPA from
23 providers and the department over the prior three years, such ~~funds~~
24 moneys in excess of that 15% total shall be deposited in the 911 state grant
25 fund and used for PSAP grants based on demonstrated need pursuant to
26 subsection (d).

27 (3) If the balance in the 911 state grant fund is less than \$2,000,000,
28 prior to the distribution ~~to the PSAPs~~ pursuant to K.S.A. 12-5374, and
29 amendments thereto, the LCPA shall withhold \$.01 from every 911 fee
30 remitted pursuant to K.S.A. 12-5369, and amendments thereto, and shall
31 deposit such amount in the 911 state grant fund. If the balance in the 911
32 state grant fund exceeds \$2,000,000, the LCPA shall not withhold such
33 amount.

34 (c) The council shall be responsible for ensuring that the 911
35 operations fund and the 911 state grant fund and any interest earned on
36 money credited to the fund is only expended for the following purposes:
37 (1) Projects involving the development and implementation of next
38 generation 911 services; (2) costs associated with PSAP consolidation or
39 cost-sharing projects; (3) expenses related to the 911 coordinating council;
40 (4) costs of audits conducted pursuant to K.S.A. 12-5377, and amendments
41 thereto; and (5) other costs pursuant to K.S.A. 12-5375, and amendments
42 thereto.

43 (d) The council shall develop criteria ~~for PSAPs~~ for eligible

1 purchases and for grant applicants and make the final determination as to
2 the distribution of grant funds. Such criteria shall promote the procurement
3 of equipment that meets open architecture and national technical
4 standards. ~~Distribution of Grant funds moneys shall not include~~
5 ~~expenditures be used~~ to procure, maintain or upgrade subscriber radio
6 equipment.

7 (e) The LCPA shall be authorized to maintain an action to collect any
8 ~~funds moneys~~ owed by any ~~providers~~ *provider* in the district court in the
9 county of the registered office of such provider or, if such provider does
10 not have a registered office in the state, such an action may be maintained
11 in the county where such provider's principal office is located. If such
12 provider has no principal office in the state, such an action may be
13 maintained in the district court of any county ~~in which~~ *where* such
14 provider provides service.

15 Sec. 17. On and after July 1, 2025, K.S.A. 12-5368, as amended by
16 section 16 of this act, is hereby amended to read as follows: 12-5368. (a)
17 Upon the approval of the ~~911 coordinating council~~ *state 911 board*, the
18 LCPA shall establish the following funds, which shall not be a part of the
19 state treasury: (1) The 911 state fund for the collection and distribution of
20 911 fees; (2) the 911 operations fund for administrative costs of the ~~911~~
21 ~~coordinating council~~ *state 911 board* and deployment and maintenance of
22 the statewide PSAPs system; and (3) the 911 state grant fund for grants to
23 individual PSAPs. All moneys originating from 911 fees, and any interest
24 accrued on such fees, shall be paid to the LCPA for deposit in the 911 state
25 fund or 911 operations fund pursuant to subsection (b). All unobligated
26 federal moneys, and any interest accrued on such moneys, shall be
27 transferred to the 911 federal grant fund.

28 (b) (1) Except as provided for in paragraph (2), prior to the
29 distribution of moneys pursuant to K.S.A. 12-5374, and amendments
30 thereto, the LCPA shall withhold \$.23 from every 911 fee remitted
31 pursuant to K.S.A. 12-5369, and amendments thereto, and shall deposit
32 such amount in the 911 operations fund for the deployment and
33 maintenance of the statewide NG911 system and standardized
34 functionality upgrades to that system.

35 (2) If the moneys withheld from distribution pursuant to paragraph
36 (1) exceed 15% of the total receipts received by the LCPA from providers
37 and the department over the prior three years, such moneys in excess of
38 that 15% total shall be deposited in the 911 state grant fund and used for
39 PSAP grants based on demonstrated need pursuant to subsection (d).

40 (3) If the balance in the 911 state grant fund is less than \$2,000,000,
41 prior to the distribution pursuant to K.S.A. 12-5374, and amendments
42 thereto, the LCPA shall withhold \$.01 from every 911 fee remitted
43 pursuant to K.S.A. 12-5369, and amendments thereto, and shall deposit

1 such amount in the 911 state grant fund. If the balance in the 911 state
2 grant fund exceeds \$2,000,000, the LCPA shall not withhold such amount.

3 (c) ~~The council~~ *state 911 board* shall be responsible for ensuring that
4 the 911 operations fund and the 911 state grant fund and any interest
5 earned on money credited to the fund is only expended for the following
6 purposes: (1) Projects involving the development and implementation of
7 next generation 911 services; (2) costs associated with PSAP consolidation
8 or cost-sharing projects; (3) expenses related to the 911 coordinating
9 council; ~~(4) costs of audits conducted pursuant to K.S.A. 12-5377, and~~
10 ~~amendments thereto; and (5) (4) other costs pursuant to K.S.A. 12-5375,~~
11 and amendments thereto.

12 (d) ~~The council~~ *state 911 board* shall develop criteria for eligible
13 purchases and for grant applicants and make the final determination as to
14 the distribution of grant funds. Such criteria shall promote the procurement
15 of equipment that meets open architecture and national technical
16 standards. Grant moneys shall not be used to procure, maintain or upgrade
17 subscriber radio equipment.

18 (e) *The state 911 board or the LCPA* shall be authorized to maintain
19 an action to collect any moneys owed by any provider in the district court
20 in the county of the registered office of such provider or, if such provider
21 does not have a registered office in the state, such an action may be
22 maintained in the county where such provider's principal office is located.
23 If such provider has no principal office in the state, such an action may be
24 maintained in the district court of any county where such provider
25 provides service.

26 Sec. 18. On and after January 1, 2026, K.S.A. 12-5368, as amended
27 by section 17 of this act, is hereby amended to read as follows: 12-5368.

28 ~~(a) Upon the approval of the state 911 board, the LCPA shall establish the~~
29 ~~following funds, which shall not be a part of the state treasury: (1) The 911~~
30 ~~state fund for the collection and distribution of 911 fees; (2) the 911~~
31 ~~operations fund for administrative costs of the state 911 board and~~
32 ~~deployment and maintenance of the statewide NG911 system; and (3) the~~
33 ~~911 state grant fund for grants to individual PSAPs. All moneys~~
34 ~~originating from 911 fees, and any interest accrued on such fees, shall be~~
35 ~~paid to the LCPA for deposit in the 911 state fund or 911 operations fund~~
36 ~~pursuant to subsection (b). All unobligated federal moneys, and any~~
37 ~~interest accrued on such moneys, shall be transferred to the 911 federal~~
38 ~~grant fund.~~

39 ~~(b) (1) Except as provided for in paragraph (2), prior to the~~
40 ~~distribution of moneys pursuant to K.S.A. 12-5374, and amendments~~
41 ~~thereto, the LCPA shall withhold \$.23 from every 911 fee remitted~~
42 ~~pursuant to K.S.A. 12-5369, and amendments thereto, and shall deposit~~
43 ~~such amount in the 911 operations fund for the deployment and~~

1 ~~maintenance of the statewide NG911 system and standardized~~
2 ~~functionality upgrades to that system remit such moneys to the state~~
3 ~~treasurer in accordance with the provisions of K.S.A. 75-4215, and~~
4 ~~amendments thereto. Upon receipt of each such remittance, the state~~
5 ~~treasurer shall deposit the entire amount in the state treasury and credit~~
6 ~~such amount to the state 911 operations fund established pursuant to~~
7 ~~section 5, and amendments thereto.~~

8 (2) If the moneys withheld from distribution pursuant to paragraph
9 (1) exceed 15% of the total receipts received by the LCPA from providers
10 and the department over the prior three years, such moneys in excess of
11 that 15% total shall be deposited in the 911 state grant fund and used for
12 ~~PSAP grants based on demonstrated need pursuant to subsection (d)~~
13 ~~remitted to the state treasurer in accordance with the provisions of K.S.A.~~
14 ~~75-4215, and amendments thereto. Upon receipt of each such remittance,~~
15 ~~the state treasurer shall deposit the entire amount in the state treasury and~~
16 ~~credit such amount to the state 911 grant fund established pursuant to~~
17 ~~section 6, and amendments thereto.~~

18 (3) If the balance in the ~~state 911~~ state grant fund is less than
19 \$2,000,000, prior to the distribution pursuant to K.S.A. 12-5374, and
20 amendments thereto, the LCPA shall withhold \$.01 from every 911 fee
21 remitted pursuant to K.S.A. 12-5369, and amendments thereto, and shall
22 deposit such amount in the 911 state grant fund. ~~If the balance in the 911~~
23 ~~state grant fund exceeds \$2,000,000, the LCPA shall not withhold such~~
24 ~~amount remit such moneys to the state treasurer in accordance with the~~
25 ~~provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of~~
26 ~~each such remittance, the state treasurer shall deposit the entire amount in~~
27 ~~the state treasury and credit such amount to the state 911 grant fund~~
28 ~~established pursuant to section 6, and amendments thereto.~~

29 ~~(e)(b)~~ The state 911 board shall be responsible for ensuring that the
30 ~~911 operations fund and the 911 state grant fund and any interest earned on~~
31 ~~money credited to the fund is only expended for the following purposes:~~
32 ~~(1) Projects involving the development and implementation of next~~
33 ~~generation 911 services; (2) costs associated with PSAP consolidation or~~
34 ~~cost-sharing projects; (3) expenses related to the 911 coordinating council;~~
35 ~~and (4) other costs pursuant to K.S.A. 12-5375, and amendments thereto~~
36 ~~moneys collected from 911 fees and prepaid wireless 911 fees are only~~
37 ~~expended for purposes authorized pursuant to the Kansas 911 act.~~

38 ~~(d)(c)~~ The state 911 board shall develop criteria for eligible purchases
39 and for grant applicants and make the final determination as to the
40 distribution of grant funds. Such criteria shall promote the procurement of
41 equipment that meets open architecture and national technical standards.
42 Grant moneys shall not be used to procure, maintain or upgrade subscriber
43 radio equipment.

1 (e)(d) The state 911 board or the LCPA shall be authorized to
2 maintain an action to collect any moneys owed by any provider in the
3 district court in the county of the registered office of such provider or, if
4 such provider does not have a registered office in the state, such an action
5 may be maintained in the county where such provider's principal office is
6 located. If such provider has no principal office in the state, such an action
7 may be maintained in the district court of any county where such provider
8 provides service.

9 Sec. 19. On and after July 1, 2025, K.S.A. 12-5369 is hereby
10 amended to read as follows: 12-5369. ~~Subject to the provisions of K.S.A.~~
11 ~~12-5364(g), and amendments thereto~~(a) *Except as provided in subsection*
12 *(b), there is hereby imposed a 911 fee in the amount of \$.90 per month per*
13 *subscriber account of any exchange telecommunications service, wireless*
14 *telecommunications service, VoIP service, or other service capable of*
15 *contacting a PSAP. Such fee shall not be imposed on prepaid wireless*
16 *service. It shall be the duty of each exchange telecommunications service*
17 *provider, wireless telecommunications service provider, VoIP service*
18 *provider or other service provider to remit such fees to the LCPA as*
19 *provided in K.S.A. 12-5370, and amendments thereto.*

20 (b) *The state 911 board may, pursuant to rules and regulations, lower*
21 *the 911 fee established pursuant to subsection (a) upon a finding that the*
22 *moneys generated by such 911 fee exceed the costs required to operate*
23 *PSAPs in the state.*

24 Sec. 20. On and after July 1, 2025, K.S.A. 12-5370 is hereby
25 amended to read as follows: 12-5370. (a) Every billed service user shall be
26 liable for the 911 fee until such fees have been paid to the exchange
27 telecommunications service provider, wireless telecommunications service
28 provider, VoIP service provider or other service provider.

29 (b) All providers shall have the duty to collect the ~~fees~~ *911 fee*
30 *imposed pursuant to this act K.S.A. 12-5369, and amendments thereto.*
31 *Such fees 911 fee shall be added to and may be stated separately in billings*
32 *for the subscriber account. If stated separately in billings, the fees shall be*
33 *labeled "911 fees."*

34 (c) The provider shall have no obligation to take any legal action to
35 enforce the collection of the ~~fees imposed by this act~~ *911 fee*. The provider
36 shall provide annually to the LCPA a list of the amount of uncollected 911
37 fees along with the names and addresses of those service users ~~which~~ *that*
38 *carry a balance that can be determined by the provider to be nonpayment*
39 *of such fees.*

40 (d) ~~The fees imposed by this act~~ *911 fee* shall be collected insofar as
41 practicable at the same time as, and along with, the charges for local
42 exchange, wireless, VoIP, or other service in accordance with regular
43 billing practice of the provider.

1 (e) ~~The 911 fees and the amounts required to be collected therefor are~~
2 ~~due monthly. Each provider shall remit the amount of such all 911 fees~~
3 ~~collected in one each calendar month by the provider shall be remitted to~~
4 ~~the LCPA not more than 15 days after the close of the such calendar~~
5 ~~month. On or before the 15th day of each calendar month following, Upon~~
6 ~~each such remittance, the provider shall file a return for the preceding~~
7 ~~month shall be filed with the LCPA. Such return shall be provided in such~~
8 ~~form and shall contain such information manner as required by the LCPA~~
9 ~~board.~~ The provider required to file the return shall deliver the return
10 together with a remittance of the amount of fees payable to the LCPA. The
11 provider shall maintain records of the amount of any such fees collected in
12 accordance with this act for a period of three years from the time the fees
13 are collected.

14 (f) The provisions of this section shall not be construed to apply to
15 ~~the prepaid wireless service 911 fee.~~

16 Sec. 21. On and after July 1, 2025, K.S.A. 12-5371 is hereby
17 amended to read as follows: 12-5371. (a) There is hereby imposed a
18 prepaid wireless 911 fee of 2.06% per retail transaction or, on and after the
19 effective date of an adjusted amount per retail transaction that is
20 established under subsection (f), such adjusted amount.

21 (b) The prepaid wireless 911 fee shall be collected by the seller from
22 the consumer with respect to each retail transaction occurring in this state.
23 The amount of the prepaid wireless 911 fee shall be either separately stated
24 on an invoice, receipt or other similar document that is provided to the
25 consumer by the seller, or otherwise disclosed to the consumer.

26 (c) For purposes of subsection (b), a retail transaction that is effected
27 in person by a consumer in a business location of the seller shall be treated
28 as occurring in this state if that business location is in this state, and any
29 other retail transaction shall be treated as occurring in this state if the retail
30 transaction is treated as occurring in this state for the purposes of K.S.A.
31 79-3673(c)(3), and amendments thereto.

32 (d) The prepaid wireless 911 fee is the liability of the consumer and
33 not of the seller nor of any provider, except that the seller shall be liable to
34 remit all prepaid wireless 911 fees that the seller collects from consumers
35 pursuant to this section, ~~and amendments thereto,~~ including all such fees
36 that the seller is deemed to collect ~~where~~ when the amount of the charge
37 has not been separately stated in an invoice, receipt or other similar
38 document provided to the consumer by the seller.

39 (e) The amount of the prepaid wireless 911 fee that is collected by a
40 seller from a consumer, if such amount is separately stated on an invoice,
41 receipt or other similar document provided to the consumer by the seller,
42 shall not be included in the base for measuring any tax, fee, surcharge or
43 other charge that is imposed by this state, any political subdivision of this

1 state or any intergovernmental agency.

2 (f) The prepaid wireless 911 fee shall be proportionately reduced
3 upon any reduction to the fee imposed by K.S.A. 12-5369(a), and
4 amendments thereto, pursuant to the ~~911 coordinating council's board's~~
5 authority to reduce the 911 fee under K.S.A. ~~12-5364(g)~~ 12-5369(b), and
6 amendments thereto. The adjusted amount shall be the product of dividing
7 the numeric amount of the new 911 fee adjusted pursuant to K.S.A. ~~12-~~
8 ~~5364(g)~~ 12-5369(b), and amendments thereto, by 50. Such reduction shall
9 be effective on the effective date of the reduction of the 911 fee imposed
10 by K.S.A. 12-5369(a), and amendments thereto, or, if later, the first day of
11 the calendar quarter to occur at least 60 days after the enactment of the
12 reduction of the 911 fee imposed by K.S.A. 12-5369(a), and amendments
13 thereto. The department shall provide not less than 60 days' notice of such
14 decrease on the department's website.

15 (g) When prepaid wireless service is sold with one or more other
16 products or services for a single, non-itemized price, then the percentage
17 specified in subsection (a) shall apply to the entire non-itemized price
18 unless the seller elects to apply such percentage to: (1) If the amount of the
19 prepaid wireless service is disclosed to the consumer as a dollar amount,
20 such dollar amount; or (2) if the seller can identify the portion of the price
21 that is attributable to the prepaid wireless service by reasonable and
22 verifiable standards from its books and records that are kept in the regular
23 course of business for other purposes, including, but not limited to, non-
24 tax purposes, such portion.

25 Sec. 22. On and after January 1, 2026, K.S.A. 12-5372 is hereby
26 amended to read as follows: 12-5372. (a) Prepaid wireless 911 fees
27 collected by sellers shall be remitted to the department by electronic filing
28 that is consistent with the provisions of article 36 of chapter 79 of the
29 Kansas Statutes Annotated, and amendments thereto. The department shall
30 establish registration and payment procedures for the collection of the
31 prepaid wireless 911 fee.

32 (b) To minimize additional costs to the department, the department
33 may conduct audits of sellers in conjunction with sales and use tax audits.
34 The department is authorized to provide the *board and* LCPA with
35 information obtained in such audits if such information indicates that a
36 seller may not be complying with the provisions of this section and K.S.A.
37 12-5371, and amendments thereto. The *board or* LCPA may request the
38 department to initiate collection or audit procedures on individual sellers if
39 collection efforts by the *board or* LCPA are unsuccessful.

40 (c) The department shall establish procedures by which a seller may
41 document that a sale is not a retail sale, which procedures shall
42 substantially coincide with procedures for documenting sale for resale
43 transactions for article 36 of chapter 79 of the Kansas Statutes Annotated,

1 and amendments thereto.

2 (d) (1) ~~The department shall transfer all remitted prepaid wireless 911~~
3 ~~fees to the LCPA within 30 days of receipt for distribution as provided in~~
4 ~~K.S.A. 12-5374, and amendments thereto~~ *Except as provided in*
5 *paragraph (2), the department shall remit all moneys collected from the*
6 *prepaid wireless 911 fees to the state treasurer in accordance with K.S.A.*
7 *75-4215, and amendments thereto. Upon receipt of each such remittance,*
8 *the state treasurer shall deposit the entire amount in the state treasury and*
9 *credit such amount to the state 911 operations fund established pursuant*
10 *to section 5, and amendments thereto.*

11 (2) *If the department remits \$3,000,000 to the state treasurer*
12 *pursuant to paragraph (1) in any given year, then all remaining moneys*
13 *collected from the prepaid wireless 911 fee shall be remitted to the state*
14 *treasurer in accordance with K.S.A. 75-4215, and amendments thereto.*
15 *Upon receipt of each such remittance, the state treasurer shall deposit the*
16 *entire amount in the state treasury and credit such amount to the state 911*
17 *fund established pursuant to section 7, and amendments thereto. Such*
18 *moneys shall be distributed to ~~the counties~~ **governing bodies and PSAPs***
19 *in an amount proportional to each county's population as a percentage*
20 *share of the population of the state. For each PSAP within a county, such*
21 *moneys shall be distributed to each PSAP in an amount proportional to*
22 *the PSAP's population as a percentage share of the population of the*
23 *county. If there is no PSAP within a county, then such moneys shall be*
24 *distributed to the ~~PSAP providing service to such county~~ **governing body***
25 ***that contracts with another governing body of a PSAP for the provision***
26 ***of 911 PSAP services.** Moneys distributed pursuant to this paragraph*
27 *shall only be used for the uses authorized in K.S.A. 12-5375, and*
28 *amendments thereto.*

29 Sec. 23. ***On and after July 1, 2024,*** K.S.A. 12-5374 is hereby
30 amended to read as follows: 12-5374. (a) (1) Except for the amounts
31 withheld by the LCPA pursuant to K.S.A. 12-5368(b), and amendments
32 thereto, and any amounts withheld pursuant to K.S.A. 12-5364(1), and
33 amendments thereto, not later than 30 days after the receipt of ~~moneys~~ *911*
34 *fees from providers pursuant to K.S.A. 12-5370 ~~and 12-5371,~~ and*
35 *amendments thereto, and prepaid wireless 911 fees from the department*
36 *pursuant to K.S.A. 12-5372, and amendments thereto, the LCPA shall*
37 *distribute such moneys to the PSAPs ~~or to counties~~ **governing bodies that***
38 ***contract with ~~other counties~~ another governing body of a PSAP for the***
39 ***provision of 911 PSAP services ~~pursuant to this section.~~** The amount of*
40 *money distributed to the PSAPs in each county, ~~or to any county~~*
41 ***governing body that contracts with another ~~county~~ governing body of a***
42 ***PSAP for the provision of 911 PSAP services,** shall be based upon the*
43 *amount of 911 fees collected from service users located in that county,*

1 based on place of primary use information provided by the providers, by
 2 using the following distribution method:

3 Population of county 4 where PSAP is located	Percentage of collected 911 fees to distribute
5 Over 80,000.....	82% 85%
6 65,000 to 79,999.....	85% 88%
7 55,000 to 64,999.....	88% 91%
8 45,000 to 54,999.....	91% 94%
9 35,000 to 44,999.....	94% 97%
10 25,000 to 34,999	97%
11 Less than 25,000 35,000	100%

12 (2) ~~There shall be a minimum county distribution of \$60,000 \$70,000~~
 13 ~~and no county shall receive less than \$60,000 \$70,000 of direct~~
 14 ~~distribution moneys~~**If the calculated amount for distribution within a**
 15 **county is less than \$70,000, the \$70,000 shall be distributed for services**
 16 **within that county.**

17 (3) **If there is a single PSAP providing services for a county, such**
 18 **PSAP shall receive the governing body's distribution, if any.** If there is
 19 more than one PSAP in a county then ~~the direct distribution allocated to~~
 20 ~~that county by population shall be deducted from the minimum county~~
 21 ~~distribution and the difference~~ **distributions to each PSAP** shall be
 22 proportionately divided between the PSAPs in the county.

23 (4) All moneys remaining after distribution, moneys withheld
 24 pursuant to K.S.A. 12-5368(b)(1), and amendments thereto, and any
 25 moneys that cannot be attributed to a specific PSAP ~~or county governing~~
 26 ~~body~~ shall be transferred to the 911 operations fund.

27 (b) All fees remitted to the LCPA shall be deposited in the 911 state
 28 fund and for the purposes of this act be treated as if they are public funds,
 29 pursuant to article 14 of chapter 9 of the Kansas Statutes Annotated, and
 30 amendments thereto.

31 (c) All moneys in the 911 state fund that have been collected from the
 32 prepaid wireless 911 fee shall be deposited in the 911 operations fund
 33 unless \$3 million of such moneys have been deposited in any given year
 34 then all remaining moneys shall be distributed to the ~~counties governing~~
 35 ~~bodies of PSAPs~~ **bodies of PSAPs** in an amount proportional to each county's population as
 36 a percentage share of the population of the state. ~~For each PSAP within If~~
 37 ~~there is more than one PSAP in a county, such moneys shall be distributed~~
 38 ~~to each PSAP in an amount proportional to the PSAP's population as a~~
 39 ~~percentage share of the population of the county. If there is no PSAP~~
 40 ~~within a county, then such moneys shall be distributed to the PSAP~~
 41 ~~providing service to such county governing body that contracts with~~
 42 ~~another governing body of a PSAP for the provision of 911 PSAP~~
 43 ~~services.~~ ~~Such Moneys distributed to~~ ~~counties governing bodies~~ and

1 PSAPs pursuant to this section only shall be used for the uses authorized
 2 in K.S.A. 12-5375, and amendments thereto.

3 (d) The LCPA shall keep accurate accounts of all receipts and
 4 disbursements of moneys from the 911 fees.

5 (e) ~~Information~~Records provided by ~~providers~~ any provider to the
 6 local ~~collection point administrator~~ LCPA or to the 911 coordinating
 7 council pursuant to this act ~~will~~ shall be treated as proprietary records that
 8 ~~will and~~ shall be withheld from the public upon request of the ~~party~~
 9 provider submitting such records.

10 ~~Sec. 24. On and after July 1, 2025, K.S.A. 12-5374, as amended by~~
 11 ~~section 23 of this act, is hereby amended to read as follows: 12-5374. (a)~~
 12 ~~(1) Except for the amounts withheld by the LCPA pursuant to K.S.A. 12-~~
 13 ~~5368(b), and amendments thereto, and any amounts withheld pursuant to~~
 14 ~~K.S.A. 12-5364(l) section 4, and amendments thereto, not later than 30~~
 15 ~~days after the receipt of 911 fees from providers pursuant to K.S.A. 12-~~
 16 ~~5370, and amendments thereto, and prepaid wireless 911 fees from the~~
 17 ~~department pursuant to K.S.A. 12-5372, and amendments thereto, the~~
 18 ~~LCPA shall distribute such moneys to the PSAPs or to counties that~~
 19 ~~contract with other counties for the provision of 911 PSAP services~~
 20 ~~pursuant to this section. The amount of money distributed to the PSAPs in~~
 21 ~~each county, or to any county that contracts with another county for the~~
 22 ~~provision of 911 PSAP services, shall be based upon the amount of 911~~
 23 ~~fees collected from service users located in that county, based on place of~~
 24 ~~primary use information provided by the providers, by using the following~~
 25 ~~distribution method:~~

26 Population of county	27 Percentage of collected 911 fees to distribute
28 Over 80,000.....	82%
29 65,000 to 79,999.....	85%
30 55,000 to 64,999.....	88%
31 45,000 to 54,999.....	91%
32 35,000 to 44,999.....	94%
33 25,000 to 34,999.....	97%
34 Less than 25,000.....	100%

35 (2) ~~There shall be a minimum county distribution of \$70,000 and no~~
 36 ~~county shall receive less than \$70,000 of direct distribution moneys. If~~
 37 ~~there is more than one PSAP in a county then the direct distribution~~
 38 ~~allocated to that county by population shall be deducted from the~~
 39 ~~minimum county distribution and the difference shall be proportionately~~
 40 ~~divided between the PSAPs in the county. The state 911 board may~~
 41 ~~increase the minimum county distribution amount not more than once~~
 42 ~~per calendar year by an amount that shall not exceed the minimum~~
 43 ~~county distribution amount established for the preceding calendar~~

~~1 year multiplied by the average percentage increase in the consumer
2 price index for all urban consumers in the midwest region as
3 published by the bureau of labor statistics of the United States
4 department of labor for the preceding calendar year. Prior to
5 increasing the minimum county distribution amount, the state 911
6 board shall evaluate:~~

~~7 (A) Whether an increase is needed based on the expenditures of
8 the counties that are subject to such minimum distribution; and~~

~~9 (B) the impact of any such proposed increase to the long term
10 financial stability of all other distributions to PSAPs and counties
11 made pursuant to this section.~~

~~12 (3) All moneys remaining after distribution, moneys withheld
13 pursuant to K.S.A. 12-5368(b)(1), and amendments thereto, and any
14 moneys that cannot be attributed to a specific PSAP or county shall be
15 transferred to the 911 operations fund.~~

~~16 (b) All fees remitted to the LCPA shall be deposited in the 911 state
17 fund and for the purposes of this act be treated as if they are public funds,
18 pursuant to article 14 of chapter 9 of the Kansas Statutes Annotated, and
19 amendments thereto.~~

~~20 (c) All moneys in the 911 state fund that have been collected from the
21 prepaid wireless 911 fee shall be deposited in the 911 operations fund
22 unless \$3 million of such moneys have been deposited in any given year
23 then all remaining moneys shall be distributed to the counties in an amount
24 proportional to each county's population as a percentage share of the
25 population of the state. If there is more than one PSAP in a county, such
26 moneys shall be distributed to each PSAP in an amount proportional to the
27 PSAP's population as a percentage share of the population of the county. If
28 there is no PSAP within a county, then such moneys shall be distributed to
29 the county. Moneys distributed to counties and PSAPs pursuant to this
30 section only shall be used for the uses authorized in K.S.A. 12-5375, and
31 amendments thereto.~~

~~32 (d) The LCPA shall keep accurate accounts of all receipts and
33 disbursements of moneys from the 911 fees.~~

~~34 (e) Records provided by any provider to the LCPA or to the 911
35 coordinating council *state 911 board* pursuant to this act shall be treated as
36 proprietary records and shall be withheld from the public upon request of
37 the provider submitting such records.~~

*Sec. 24. On and after July 1, 2025, K.S.A. 12-5374, as amended by
39 section 23 of this act, is hereby amended to read as follows: 12-5374. (a)
40 (1) Except for the amounts withheld by the LCPA pursuant to K.S.A. 12-
41 5368(b), and amendments thereto, and any amounts withheld pursuant
42 to K.S.A. 12-5364(1) section 4, and amendments thereto, not later than
43 30 days after the receipt of 911 fees from providers pursuant to K.S.A.*

1 *12-5370, and amendments thereto, and prepaid wireless 911 fees from*
 2 *the department pursuant to K.S.A. 12-5372, and amendments thereto,*
 3 *the LCPA shall distribute such moneys to the PSAPs or to governing*
 4 *bodies that contract with another governing body of a PSAP for the*
 5 *provision of 911 PSAP services. The amount of money distributed to the*
 6 *PSAPs in each county, or to any governing body that contracts with*
 7 *another governing body of a PSAP for the provision of 911 PSAP*
 8 *services, shall be based upon the amount of 911 fees collected from*
 9 *service users located in that county, based on place of primary use*
 10 *information provided by the providers, by using the following*
 11 *distribution method:*

<i>Population of county</i>	<i>Percentage of collected 911 fees to distribute</i>
14 <i>Over 80,000.....</i>	<i>85%</i>
15 <i>65,000 to 79,999.....</i>	<i>88%</i>
16 <i>55,000 to 64,999.....</i>	<i>91%</i>
17 <i>45,000 to 54,999.....</i>	<i>94%</i>
18 <i>35,000 to 44,999.....</i>	<i>97%</i>
19 <i>Less than 35,000.....</i>	<i>100%</i>

20 (2) *If the calculated amount for distribution within a county is less*
 21 *than \$70,000, the \$70,000 shall be distributed for services within that*
 22 *county.*

23 (3) *The state 911 board may increase the minimum county*
 24 *distribution amount not more than once per calendar year by an amount*
 25 *that shall not exceed the minimum county distribution amount established*
 26 *for the preceding calendar year multiplied by the average percentage*
 27 *increase in the consumer price index for all urban consumers in the*
 28 *midwest region as published by the bureau of labor statistics of the United*
 29 *States department of labor for the preceding calendar year. Prior to*
 30 *increasing the minimum county distribution amount, the state 911 board*
 31 *shall evaluate:*

32 (A) *Whether an increase is needed based on the expenditures of the*
 33 *counties that are subject to such minimum distribution; and*

34 (B) *the impact of any such proposed increase to the long-term*
 35 *financial stability of all other distributions made pursuant to this section.*

36 (4) *If there is a single PSAP providing services for a county, such*
 37 *PSAP shall receive the governing body's distribution, if any. If there is*
 38 *more than one PSAP in a county then distributions to each PSAP shall*
 39 *be proportionately divided between the PSAPs in the county.*

40 (4)(5) *All moneys remaining after distribution, moneys withheld*
 41 *pursuant to K.S.A. 12-5368(b)(1), and amendments thereto, and any*
 42 *moneys that cannot be attributed to a specific PSAP or governing body*
 43 *shall be transferred to the 911 operations fund.*

1 ***(b) All fees remitted to the LCPA shall be deposited in the 911 state***
2 ***fund and for the purposes of this act be treated as if they are public***
3 ***funds, pursuant to article 14 of chapter 9 of the Kansas Statutes***
4 ***Annotated, and amendments thereto.***

5 ***(c) All moneys in the 911 state fund that have been collected from***
6 ***the prepaid wireless 911 fee shall be deposited in the 911 operations fund***
7 ***unless \$3 million of such moneys have been deposited in any given year***
8 ***then all remaining moneys shall be distributed to the governing bodies***
9 ***of PSAPs in an amount proportional to each county's population as a***
10 ***percentage share of the population of the state. If there is more than one***
11 ***PSAP in a county, such moneys shall be distributed to each PSAP in an***
12 ***amount proportional to the PSAP's population as a percentage share of***
13 ***the population of the county. If there is no PSAP within a county, then***
14 ***such moneys shall be distributed to the governing body that contracts***
15 ***with another governing body of a PSAP for the provision of 911 PSAP***
16 ***services. Moneys distributed to governing bodies and PSAPs pursuant to***
17 ***this section only shall be used for the uses authorized in K.S.A. 12-5375,***
18 ***and amendments thereto.***

19 ***(d) The LCPA shall keep accurate accounts of all receipts and***
20 ***disbursements of moneys from the 911 fees.***

21 ***(e) Records provided by any provider to the LCPA or to the state 911***
22 ***coordinating council board pursuant to this act shall be treated as***
23 ***proprietary records and shall be withheld from the public upon request***
24 ***of the provider submitting such records.***

25 Sec. 25.— On and after January 1, 2026, K.S.A. 12-5374, as amended
26 by section 24 of this act, is hereby amended to read as follows: 12-5374-

27 ~~(a) (1) Except for the amounts withheld by the LCPA pursuant to K.S.A.~~
28 ~~12-5368(b) 12-5368, and amendments thereto, and any amounts withheld~~
29 ~~pursuant to section 4, and amendments thereto, not later than 30 days after~~
30 ~~the receipt of 911 fees from providers pursuant to K.S.A. 12-5370, and~~
31 ~~amendments thereto, and prepaid wireless 911 fees from the department~~
32 ~~pursuant to K.S.A. 12-5372, and amendments thereto, the LCPA state 911~~
33 ~~board shall distribute such moneys to the PSAPs or to counties that~~
34 ~~contract with other counties for the provision of 911 PSAP services~~
35 ~~pursuant to this section. The amount of money distributed to the PSAPs in~~
36 ~~each county, or to any county that contracts with another county for the~~
37 ~~provision of 911 PSAP services, shall be based upon the amount of 911~~
38 ~~fees collected from service users located in that county, based on place of~~
39 ~~primary use information provided by the providers, by using the following~~
40 ~~distribution method:~~

41	Population of county	_____	Percentage of collected
42		_____	911 fees to distribute
43	Over 80,000	82%

1	65,000 to 79,999.....	85%
2	55,000 to 64,999.....	88%
3	45,000 to 54,999.....	91%
4	35,000 to 44,999.....	94%
5	25,000 to 34,999.....	97%
6	Less than 25,000.....	100%

7 (2) ~~There shall be a minimum county distribution of \$70,000 and no~~
 8 ~~county shall receive less than \$70,000 of direct distribution moneys. If~~
 9 ~~there is more than one PSAP in a county then the direct distribution~~
 10 ~~allocated to that county by population shall be deducted from the~~
 11 ~~minimum county distribution and the difference shall be proportionately~~
 12 ~~divided between the PSAPs in the county. All moneys remaining after~~
 13 ~~distribution, moneys withheld pursuant to K.S.A. 12-5368(b)(1), and~~
 14 ~~amendments thereto, and any moneys that cannot be attributed to a~~
 15 ~~specific PSAP or county shall be transferred to the 911 operations fund.~~

16 (b) ~~All fees remitted to the LCPA shall be deposited in the 911 state~~
 17 ~~fund and for the purposes of this act be treated as if they are public funds,~~
 18 ~~pursuant to article 14 of chapter 9 of the Kansas Statutes Annotated, and~~
 19 ~~amendments thereto.~~

20 (e) ~~All moneys in the 911 state fund that have been collected from the~~
 21 ~~prepaid wireless 911 fee shall be deposited in the 911 operations fund~~
 22 ~~unless \$3 million of such moneys have been deposited in any given year~~
 23 ~~then all remaining moneys shall be distributed to the counties in an amount~~
 24 ~~proportional to each county's population as a percentage share of the~~
 25 ~~population of the state. If there is more than one PSAP in a county, such~~
 26 ~~moneys shall be distributed to each PSAP in an amount proportional to the~~
 27 ~~PSAP's population as a percentage share of the population of the county. If~~
 28 ~~there is no PSAP within a county, then such moneys shall be distributed to~~
 29 ~~the county. Moneys distributed to counties and PSAPs pursuant to this~~
 30 ~~section only shall be used for the uses authorized in K.S.A. 12-5375, and~~
 31 ~~amendments thereto.~~

32 (d) ~~The state 911 board and the LCPA shall keep accurate accounts of~~
 33 ~~all receipts and disbursements of moneys from the 911 fees.~~

34 (e)(c) ~~Records provided by any provider to the LCPA or to the state~~
 35 ~~911 board pursuant to this act shall be treated as proprietary records and~~
 36 ~~shall be withheld from the public upon request of the provider submitting~~
 37 ~~such records.~~

38 Sec. 25. On and after January 1, 2026, K.S.A. 12-5374, as amended
 39 by section 24 of this act, is hereby amended to read as follows: 12-5374.
 40 (a) (1) Except for the amounts withheld by the LCPA pursuant to K.S.A.
 41 12-5368(b) 12-5368, and amendments thereto, and any amounts withheld
 42 pursuant to section 4, and amendments thereto, not later than 30 days after
 43 the receipt of 911 fees from providers pursuant to K.S.A. 12-5370, and

1 ~~amendments thereto, and prepaid wireless 911 fees from the department~~
 2 ~~pursuant to K.S.A. 12-5372, and amendments thereto, the LCPA state 911~~
 3 ~~board shall distribute such moneys to the PSAPs or to counties that~~
 4 ~~contract with other counties for the provision of 911 PSAP services~~
 5 ~~pursuant to this section. The amount of money distributed to the PSAPs in~~
 6 ~~each county, or to any county that contracts with another county for the~~
 7 ~~provision of 911 PSAP services, shall be based upon the amount of 911~~
 8 ~~fees collected from service users located in that county, based on place of~~
 9 ~~primary use information provided by the providers, by using the following~~
 10 ~~distribution method:~~

11 Population of county	12 Percentage of collected 911 fees to distribute
13 Over 80,000.....	82%
14 65,000 to 79,999.....	85%
15 55,000 to 64,999.....	88%
16 45,000 to 54,999.....	91%
17 35,000 to 44,999.....	94%
18 25,000 to 34,999.....	97%
19 Less than 25,000.....	100%

20 ~~(2) There shall be a minimum county distribution of \$70,000 and no~~
 21 ~~county shall receive less than \$70,000 of direct distribution moneys. If~~
 22 ~~there is more than one PSAP in a county then the direct distribution~~
 23 ~~allocated to that county by population shall be deducted from the~~
 24 ~~minimum county distribution and the difference shall be proportionately~~
 25 ~~divided between the PSAPs in the county. The state 911 board may~~
 26 ~~increase the minimum county distribution amount not more than once per~~
 27 ~~calendar year by an amount that shall not exceed the minimum county~~
 28 ~~distribution amount established for the preceding calendar year multiplied~~
 29 ~~by the average percentage increase in the consumer price index for all~~
 30 ~~urban consumers in the midwest region as published by the bureau of labor~~
 31 ~~statistics of the United States department of labor for the preceding~~
 32 ~~calendar year. Prior to increasing the minimum county distribution~~
 33 ~~amount, the state 911 board shall evaluate:~~

34 ~~(A) Whether an increase is needed based on the expenditures of the~~
 35 ~~counties that are subject to such minimum distribution; and~~

36 ~~(B) the impact of any such proposed increase to the long term~~
 37 ~~financial stability of all other distributions to PSAPs and counties made~~
 38 ~~pursuant to this section.~~

39 ~~(3) All moneys remaining after distribution, moneys withheld~~
 40 ~~pursuant to K.S.A. 12-5368(b)(1), and amendments thereto, and any~~
 41 ~~moneys that cannot be attributed to a specific PSAP or county shall be~~
 42 ~~transferred to the 911 operations fund~~
 43 ~~After each distribution that is made pursuant to this section, the state 911 board or LCPA shall certify to the:~~

~~1 director of accounts and reports the total amount of unencumbered-
2 moneys remaining in the state 911 fund and amount of moneys that could-
3 not be attributed to a specific PSAP or county. Upon receipt of such-
4 certification, the director of accounts and reports shall transfer such-
5 certified amount from the state 911 fund to the state 911 operations fund.~~

6 (b) All fees remitted to the LCPA shall be deposited in the 911 state
7 fund and for the purposes of this act be treated as if they are public funds,
8 pursuant to article 14 of chapter 9 of the Kansas Statutes Annotated, and
9 amendments thereto.

10 (e) All moneys in the 911 state fund that have been collected from the
11 prepaid wireless 911 fee shall be deposited in the 911 operations fund
12 unless \$3 million of such moneys have been deposited in any given year
13 then all remaining moneys shall be distributed to the counties in an amount
14 proportional to each county's population as a percentage share of the
15 population of the state. If there is more than one PSAP in a county, such
16 moneys shall be distributed to each PSAP in an amount proportional to the
17 PSAP's population as a percentage share of the population of the county. If
18 there is no PSAP within a county, then such moneys shall be distributed to
19 the county. Moneys distributed to counties and PSAPs pursuant to this
20 section only shall be used for the uses authorized in K.S.A. 12-5375, and
21 amendments thereto.

22 (d) ~~The state 911 board and the LCPA shall keep accurate accounts of~~
23 ~~all receipts and disbursements of moneys from the 911 fees.~~

24 (e)(c) ~~Records provided by any provider to the LCPA or to the state~~
25 ~~911 board pursuant to this act shall be treated as proprietary records and~~
26 ~~shall be withheld from the public upon request of the provider submitting~~
27 ~~such records.~~

28 **Sec. 25. On and after January 1, 2026, K.S.A. 12-5374, as amended**
29 **by section 24 of this act, is hereby amended to read as follows: 12-5374.**

30 **(a) (1) Except for the amounts withheld by the LCPA pursuant to K.S.A.**
31 **12-5368(b) 12-5368, and amendments thereto, and any amounts**
32 **withheld pursuant to section 4, and amendments thereto, not later than**
33 **30 days after the receipt of 911 fees from providers pursuant to K.S.A.**
34 **12-5370, and amendments thereto, and prepaid wireless 911 fees from**
35 **the department pursuant to K.S.A. 12-5372, and amendments thereto,**
36 **the LCPA state 911 board shall distribute such moneys to the PSAPs or**
37 **to governing bodies that contract with another governing body of a**
38 **PSAP for the provision of 911 PSAP services. The amount of money**
39 **distributed to the PSAPs in each county, or to any governing body that**
40 **contracts with another governing body of a PSAP for the provision of**
41 **911 PSAP services, shall be based upon the amount of 911 fees collected**
42 **from service users located in that county, based on place of primary use**
43 **information provided by the providers, by using the following**

1 *distribution method:*
 2 *Population of county* *Percentage of collected*
 3 *911 fees to distribute*
 4 *Over 80,000..... 85%*
 5 *65,000 to 79,999..... 88%*
 6 *55,000 to 64,999..... 91%*
 7 *45,000 to 54,999..... 94%*
 8 *35,000 to 44,999..... 97%*
 9 *Less than 35,000..... 100%*

10 (2) *If the calculated amount for distribution within a county is less*
 11 *than \$70,000, the \$70,000 shall be distributed for services within that*
 12 *county.*

13 (3) *The state 911 board may increase the minimum county*
 14 *distribution amount not more than once per calendar year by an amount*
 15 *that shall not exceed the minimum county distribution amount*
 16 *established for the preceding calendar year multiplied by the average*
 17 *percentage increase in the consumer price index for all urban*
 18 *consumers in the midwest region as published by the bureau of labor*
 19 *statistics of the United States department of labor for the preceding*
 20 *calendar year. Prior to increasing the minimum county distribution*
 21 *amount, the state 911 board shall evaluate:*

22 (A) *Whether an increase is needed based on the expenditures of the*
 23 *counties that are subject to such minimum distribution; and*

24 (B) *the impact of any such proposed increase to the long-term*
 25 *financial stability of all other distributions to PSAPs and counties made*
 26 *pursuant to this section.*

27 (4) *If there is a single PSAP providing services for a county, such*
 28 *PSAP shall receive the governing body's distribution, if any. If there is*
 29 *more than one PSAP in a county then distributions to each PSAP shall*
 30 *be proportionately divided between the PSAPs in the county.*

31 (5) ~~All moneys remaining after distribution, moneys withheld~~
 32 ~~pursuant to K.S.A. 12-5368(b)(1), and amendments thereto, and any~~
 33 ~~moneys that cannot be attributed to a specific PSAP or governing body~~
 34 ~~shall be transferred to the 911 operations fund.~~ *After each distribution that*
 35 *is made pursuant to this section, the state 911 board or LCPA shall certify*
 36 *to the director of accounts and reports the total amount of unencumbered*
 37 *moneys remaining in the state 911 fund and the amount of moneys that*
 38 *could not be attributed to a specific PSAP or governing body. Upon*
 39 *receipt of such certification, the director of accounts and reports shall*
 40 *transfer such certified amount from the state 911 fund to the state 911*
 41 *operations fund.*

42 (b) ~~All fees remitted to the LCPA shall be deposited in the 911 state~~
 43 ~~fund and for the purposes of this act be treated as if they are public funds;~~

1 pursuant to article 14 of chapter 9 of the Kansas Statutes Annotated, and
 2 amendments thereto.

3 ~~(e) All moneys in the 911 state fund that have been collected from the~~
 4 ~~prepaid wireless 911 fee shall be deposited in the 911 operations fund~~
 5 ~~unless \$3 million of such moneys have been deposited in any given year~~
 6 ~~then all remaining moneys shall be distributed to the governing bodies of~~
 7 ~~PSAPs in an amount proportional to each county's population as a~~
 8 ~~percentage share of the population of the state. If there is more than one~~
 9 ~~PSAP in a county, such moneys shall be distributed to each PSAP in an~~
 10 ~~amount proportional to the PSAP's population as a percentage share of the~~
 11 ~~population of the county. If there is no PSAP within a county, then such~~
 12 ~~moneys shall be distributed to the governing body that contracts with~~
 13 ~~another governing body of a PSAP for the provision of 911 PSAP services.~~
 14 ~~Moneys distributed to governing bodies and PSAPs pursuant to this~~
 15 ~~section only shall be used for the uses authorized in K.S.A. 12-5375, and~~
 16 ~~amendments thereto.~~

17 ~~(d) The state 911 board and the LCPA shall keep accurate accounts~~
 18 ~~of all receipts and disbursements of moneys from the 911 fees.~~

19 ~~(e)(c) Records provided by any provider to the LCPA or to the state~~
 20 ~~911 board pursuant to this act shall be treated as proprietary records and~~
 21 ~~shall be withheld from the public upon request of the provider~~
 22 ~~submitting such records.~~

23 Sec. 26. **On and after July 1, 2024**, K.S.A. 12-5375 is hereby
 24 amended to read as follows: 12-5375. (a) ~~(1) The proceeds of the 911 fees~~
 25 ~~imposed pursuant to this act~~ **Moneys distributed to counties governing**
 26 **bodies and PSAPs pursuant to K.S.A. 12-5374, and amendments thereto,**
 27 and any interest earned on revenue derived from such ~~fee moneys~~, shall be
 28 used only for necessary and reasonable costs incurred or to be incurred by
 29 **counties governing bodies and PSAPs** for:

- 30 ~~(1)(A)~~ **(1)(A)** Implementation of 911 services;
- 31 ~~(2)(B)~~ **(2)(B)** purchase of 911 equipment and upgrades;
- 32 ~~(3)(C)~~ **(3)(C)** maintenance and license fees for 911 equipment;
- 33 ~~(4)(D)~~ **(4)(D)** training of personnel, not to include salaries;
- 34 ~~(5)(E)~~ **(5)(E)** monthly recurring charges billed by service suppliers;
- 35 ~~(6)(F)~~ **(6)(F)** installation, service establishment and nonrecurring start-up
 36 charges billed by the service supplier;
- 37 ~~(7)(G)~~ **(7)(G)** charges for capital improvements and equipment or other
 38 physical enhancements to the 911 system; ~~or~~
- 39 ~~(8)(H)~~ **(8)(H)** *maintenance and updates that are necessary to maintain*
 40 *accurate GIS data;*
- 41 **(I)** *emergency repair or replacement of a radio tower; or*
- 42 **(J)** the original acquisition and installation of road signs designed to
 43 aid in the delivery of emergency service.

1 (2) Such costs shall not include expenditures to lease, construct,
2 expand, acquire, remodel, renovate, repair, furnish or make improvements
3 to buildings or similar facilities. Such costs shall also not include
4 expenditures to purchase, procure, maintain or upgrade subscriber radio
5 equipment.

6 (3) ~~A county governing body~~ **may contract with another county**
7 **governing body of a PSAP for the provision of 911 PSAP services**
8 **provided that the moneys distributed to any such county governing body**
9 **pursuant to K.S.A. 12-5374, and amendments thereto, shall only be used**
10 **as authorized by this section. If a governing body serves as the provider**
11 **of PSAP services for another governing body, both governing bodies**
12 **shall enter into a contract or memorandum of agreement that addresses**
13 **contingency plans and overflow arrangements. Any such contract or**
14 **memorandum of agreement shall be reviewed by the 911 coordinating**
15 **council with respect to the provisions that relate to contingency plans**
16 **and overflow arrangements or that may conflict with the function of the**
17 **statewide 911 system. If the 911 coordinating council determines that**
18 **any such provisions are not acceptable, the 911 coordinating council**
19 **and the governing bodies shall collaborate and work to resolve such**
20 **concerns prior to the effective date of such contract or memorandum of**
21 **agreement. Any governing body contracting with another governing**
22 **body of a PSAP for the provision of 911 PSAP services shall establish in**
23 **the contract or memorandum of agreement an agreed upon percentage**
24 **of the governing body's distribution amount for the LCPA to distribute to**
25 **the governing body of the PSAP that is providing the 911 services.**

26 (b) The 911 coordinating council shall, pursuant to rules and
27 regulations, establish a process for a PSAP ~~or county governing body that~~
28 ~~contracts with another county governing body of a PSAP for the provision~~
29 ~~of 911 PSAP services, at the discretion of the PSAP,~~ to seek pre-approval
30 of an expenditure. The council shall respond in writing to any pre-approval
31 request within 30 days and inform the PSAP ~~if stating whether~~ the
32 requested expenditure is approved or disapproved. If the expenditure is
33 disapproved, the written notification shall state the reason for the
34 disapproval and such PSAP ~~or county governing body~~ may, within 15 days
35 after service of the notification, make a written request to the council to
36 appeal the council's decision and for a hearing to be conducted in
37 accordance with the provisions of the Kansas administrative procedure act.

38 (c) The 911 coordinating council shall annually review expenditures
39 of 911 ~~funds moneys~~ reported on the annual report for each PSAP ~~or~~
40 ~~county governing body that contracts with another county governing body~~
41 **of a PSAP for the provision of 911 PSAP services** and shall appoint a
42 committee to review such expenditures. If the committee determines that a
43 reported expenditure was not authorized by this act, the committee shall

1 request that the expenditure be refunded by the PSAP ~~or-county governing~~
 2 **body** to the PSAP's ~~or-county's governing body's~~ 911 account. If a PSAP
 3 ~~or-county governing body~~ does not concur with the finding of the
 4 committee, the PSAP ~~or-county governing body~~ may request a review of
 5 the decision of the committee before the 911 coordinating council. If the
 6 911 coordinating council, based upon information obtained from an audit
 7 of the PSAPs, determines that any PSAP ~~or-county governing body~~ has
 8 used any 911 fees for any purpose other than those authorized in this act,
 9 the governing body for such PSAP ~~or-county governing body that~~
 10 **contracts with another governing body of a PSAP for the provision of**
 11 **911 PSAP services** shall repay all such moneys used for any unauthorized
 12 purposes to the 911 fee fund of such PSAP ~~or-county governing body~~.
 13 Upon a finding that the expenditure was made intentionally from the 911
 14 fee fund of such PSAP for a purpose clearly established as an unauthorized
 15 expenditure, the 911 coordinating council may require such PSAP ~~or~~
 16 **county governing body** to pay the lesser of \$500 or 10%, of such misused
 17 moneys, to the LCPA for deposit in the 911 state grant fund. No such
 18 repayment of 911 fees shall be imposed pursuant to this section except
 19 upon the written order of the council. Such order shall state the
 20 unauthorized purposes for which the funds were used, the amount of funds
 21 to be repayed ~~repaid~~ and the right of such PSAP ~~or-county governing body~~
 22 to appeal to a hearing before the Kansas office of administrative hearings.
 23 Any such PSAP ~~or-county governing body~~ may, within 15 days after
 24 service of the order, make a written request to the council for a hearing
 25 thereon. Hearings under this subsection shall be conducted in accordance
 26 with the provisions of the Kansas administrative procedure act.

27 (d) Any final action of the council pursuant to subsection (b) or (c) is
 28 subject to review in accordance with the Kansas judicial review act.

29 ~~Sec. 27. On and after July 1, 2025, K.S.A. 12-5375, as amended by~~
 30 ~~section 26 of this act, is hereby amended to read as follows: 12-5375. (a)~~

31 ~~(1) The moneys distributed to counties and PSAPs pursuant to K.S.A. 12-~~
 32 ~~5374, and amendments thereto, and any interest earned on revenue derived~~
 33 ~~from such moneys, shall be used only for necessary and reasonable costs~~
 34 ~~incurred or to be incurred by counties and PSAPs for:~~

- 35 ~~(A) Implementation of 911 services;~~
- 36 ~~(B) purchase of 911 equipment and upgrades;~~
- 37 ~~(C) maintenance and license fees for 911 equipment;~~
- 38 ~~(D) training of personnel, not to include salaries;~~
- 39 ~~(E) monthly recurring charges billed by service suppliers;~~
- 40 ~~(F) installation, service establishment and nonrecurring start-up~~
 41 ~~charges billed by the service supplier;~~
- 42 ~~(G) charges for capital improvements and equipment or other~~
 43 ~~physical enhancements to the 911 system; or~~

1 ~~(H) the original acquisition and installation of road signs designed to~~
2 ~~aid in the delivery of emergency service.~~

3 ~~(2) Such costs shall not include expenditures to lease, construct,~~
4 ~~expand, acquire, remodel, renovate, repair, furnish or make improvements~~
5 ~~to buildings or similar facilities. Such costs shall also not include~~
6 ~~expenditures to purchase, procure, maintain or upgrade subscriber radio~~
7 ~~equipment.~~

8 ~~(3) A county may contract with another county for the provision of~~
9 ~~911 PSAP services provided that the moneys distributed to such county~~
10 ~~pursuant to K.S.A. 12-5374, and amendments thereto, shall only be used~~
11 ~~for the uses authorized pursuant to this section.~~

12 ~~(b) The 911 coordinating council *state 911 board* shall, pursuant to~~
13 ~~rules and regulations, establish a process for a PSAP or county that~~
14 ~~contracts with another county for the provision of 911 PSAP services, to~~
15 ~~seek pre-approval of an expenditure. The council *state 911 board* shall~~
16 ~~respond in writing to any pre-approval request within 30 days and inform~~
17 ~~the PSAP stating whether the requested expenditure is approved or~~
18 ~~disapproved. If the expenditure is disapproved, the written notification~~
19 ~~shall state the reason for the disapproval and such PSAP or county may,~~
20 ~~within 15 days after service of the notification, make a written request to~~
21 ~~the council *state 911 board* to appeal the council's *board's* decision and for~~
22 ~~a hearing to be conducted in accordance with the provisions of the Kansas~~
23 ~~administrative procedure act.~~

24 ~~(c) The 911 coordinating council *state 911 board* shall annually~~
25 ~~review expenditures of 911 moneys reported on the annual report for each~~
26 ~~PSAP or county that contracts with another county for the provision of 911~~
27 ~~PSAP services and shall appoint a committee to review such expenditures.~~
28 ~~If the committee determines that a reported expenditure was not authorized~~
29 ~~by this act, the committee shall request that the expenditure be refunded by~~
30 ~~the PSAP or county to the PSAP's or county's 911 account. If a PSAP or~~
31 ~~county does not concur with the finding of the committee, the PSAP or~~
32 ~~county may request a review of the decision of the committee before the~~
33 ~~911 coordinating council *state 911 board*. If the 911 coordinating council~~
34 ~~*state 911 board*, based upon information obtained from an audit,~~
35 ~~determines that any PSAP or county has used any 911 fees for any purpose~~
36 ~~other than those authorized in this act, the governing body for such PSAP~~
37 ~~or county shall repay all such moneys used for any unauthorized purposes~~
38 ~~to the 911 fee fund of such PSAP or county. Upon a finding that the~~
39 ~~expenditure was made intentionally for a purpose clearly established as an~~
40 ~~unauthorized expenditure, the 911 coordinating council *state 911 board*~~
41 ~~may require such PSAP or county to pay the lesser of \$500 or 10%, of~~
42 ~~such misused moneys, to the LCPA for deposit in the 911 state grant fund.~~
43 ~~No such repayment of 911 fees shall be imposed pursuant to this section.~~

1 ~~except upon the written order of the council *state 911 board*. Such order~~
2 ~~shall state the unauthorized purposes for which the funds were used, the~~
3 ~~amount of funds to be repaid and the right of such PSAP or county to~~
4 ~~appeal to a hearing before the Kansas office of administrative hearings.~~
5 ~~Any such PSAP or county may, within 15 days after service of the order,~~
6 ~~make a written request to the council *state 911 board* for a hearing thereon.~~
7 ~~Hearings under this subsection shall be conducted in accordance with the~~
8 ~~provisions of the Kansas administrative procedure act.~~

9 ~~(d) Any final action of the council *state 911 board* pursuant to~~
10 ~~subsection (b) or (c) is subject to review in accordance with the Kansas~~
11 ~~judicial review act.~~

12 *Sec. 27. On and after July 1, 2025, K.S.A. 12-5375, as amended by*
13 *section 26 of this act, is hereby amended to read as follows: 12-5375. (a)*

14 *(1) Moneys distributed to governing bodies and PSAPs pursuant to*
15 *K.S.A. 12-5374, and amendments thereto, and any interest earned on*
16 *revenue derived from such moneys, shall be used only for necessary and*
17 *reasonable costs incurred or to be incurred by governing bodies and*
18 *PSAPs for:*

19 *(A) Implementation of 911 services;*

20 *(B) purchase of 911 equipment and upgrades;*

21 *(C) maintenance and license fees for 911 equipment;*

22 *(D) training of personnel, not to include salaries;*

23 *(E) monthly recurring charges billed by service suppliers;*

24 *(F) installation, service establishment and nonrecurring start-up*
25 *charges billed by the service supplier;*

26 *(G) charges for capital improvements and equipment or other*
27 *physical enhancements to the 911 system;*

28 *(H) maintenance and updates that are necessary to maintain*
29 *accurate GIS data;*

30 *(I) emergency repair or replacement of a radio tower; or*

31 *(J) the original acquisition and installation of road signs designed*
32 *to aid in the delivery of emergency service.*

33 *(2) Such costs shall not include expenditures to lease, construct,*
34 *expand, acquire, remodel, renovate, repair, furnish or make*
35 *improvements to buildings or similar facilities. Such costs shall also not*
36 *include expenditures to purchase, procure, maintain or upgrade*
37 *subscriber radio equipment.*

38 *(3) A governing body may contract with another governing body of*
39 *a PSAP for the provision of 911 PSAP services provided that the moneys*
40 *distributed to any such governing body pursuant to K.S.A. 12-5374, and*
41 *amendments thereto, shall only be used as authorized by this section. If*
42 *a governing body serves as the provider of PSAP services for another*
43 *governing body, both governing bodies shall enter into a contract or*

1 *memorandum of agreement that addresses contingency plans and*
2 *overflow arrangements. Any such contract or memorandum of*
3 *agreement shall be reviewed by the state 911-coordinating-council board*
4 *with respect to the provisions that relate to contingency plans and*
5 *overflow arrangements or that may conflict with the function of the*
6 *statewide 911 system. If the state 911-coordinating-council board*
7 *determines that any such provisions are not acceptable, the state 911*
8 *coordinating-council board and the governing bodies shall collaborate*
9 *and work to resolve such concerns prior to the effective date of such*
10 *contract or memorandum of agreement. Any governing body contracting*
11 *with another governing body of a PSAP for the provision of 911 PSAP*
12 *services shall establish in the contract or memorandum of agreement an*
13 *agreed upon percentage of the governing body's distribution amount for*
14 *the LCPA to distribute to the governing body of the PSAP that is*
15 *providing the 911 services.*

16 *(b) The state 911-coordinating-council board shall, pursuant to rules*
17 *and regulations, establish a process for a PSAP or governing body that*
18 *contracts with another governing body of a PSAP for the provision of*
19 *911 PSAP services, to seek pre-approval of an expenditure. The-council*
20 *state 911 board shall respond in writing to any pre-approval request*
21 *within 30 days and inform the PSAP stating whether the requested*
22 *expenditure is approved or disapproved. If the expenditure is*
23 *disapproved, the written notification shall state the reason for the*
24 *disapproval and such PSAP or governing body may, within 15 days after*
25 *service of the notification, make a written request to the-council state 911*
26 *board to appeal the-council's board's decision and for a hearing to be*
27 *conducted in accordance with the provisions of the Kansas*
28 *administrative procedure act.*

29 *(c) The state 911-coordinating-council board shall annually review*
30 *expenditures of 911 moneys reported on the annual report for each*
31 *PSAP or governing body that contracts with another governing body of a*
32 *PSAP for the provision of 911 PSAP services and shall appoint a*
33 *committee to review such expenditures. If the committee determines that*
34 *a reported expenditure was not authorized by this act, the committee*
35 *shall request that the expenditure be refunded by the PSAP or governing*
36 *body to the PSAP's or governing body's 911 account. If a PSAP or*
37 *governing body does not concur with the finding of the committee, the*
38 *PSAP or governing body may request a review of the decision of the*
39 *committee before the state 911-coordinating-council board. If the state*
40 *911-coordinating-council board, based upon information obtained from*
41 *an audit, determines that any PSAP or governing body has used any 911*
42 *fees for any purpose other than those authorized in this act, the*
43 *governing body for such PSAP or governing body that contracts with*

1 *another governing body of a PSAP for the provision of 911 PSAP*
2 *services shall repay all such moneys used for any unauthorized purposes*
3 *to the 911 fee fund of such PSAP or governing body. Upon a finding that*
4 *the expenditure was made intentionally for a purpose clearly established*
5 *as an unauthorized expenditure, the state 911-coordinating-council board*
6 *may require such PSAP or governing body to pay the lesser of \$500 or*
7 *10%, of such misused moneys, to the LCPA for deposit in the 911 state*
8 *grant fund. No such repayment of 911 fees shall be imposed pursuant to*
9 *this section except upon the written order of the-council state 911 board.*
10 *Such order shall state the unauthorized purposes for which the funds*
11 *were used, the amount of funds to be repaid and the right of such PSAP*
12 *or governing body to appeal to a hearing before the Kansas office of*
13 *administrative hearings. Any such PSAP or governing body may, within*
14 *15 days after service of the order, make a written request to the-council*
15 *state 911 board for a hearing thereon. Hearings under this subsection*
16 *shall be conducted in accordance with the provisions of the Kansas*
17 *administrative procedure act.*

18 *(d) Any final action of the-council state 911 board pursuant to*
19 *subsection (b) or (c) is subject to review in accordance with the Kansas*
20 *judicial review act.*

21 *Sec. 28. On and after January 1, 2026, K.S.A. 12-5375, as amended*
22 *by section 27 of this act, is hereby amended to read as follows: 12-5375.*

23 *(a) (1) Moneys distributed to governing bodies and PSAPs pursuant to*
24 *K.S.A. 12-5374, and amendments thereto, and any interest earned on*
25 *revenue derived from such moneys, shall be used only for necessary and*
26 *reasonable costs incurred or to be incurred by governing bodies and*
27 *PSAPs for:*

- 28 *(A) Implementation of 911 services;*
- 29 *(B) purchase of 911 equipment and upgrades;*
- 30 *(C) maintenance and license fees for 911 equipment;*
- 31 *(D) training of personnel, not to include salaries;*
- 32 *(E) monthly recurring charges billed by service suppliers;*
- 33 *(F) installation, service establishment and nonrecurring start-up*
34 *charges billed by the service supplier;*
- 35 *(G) charges for capital improvements and equipment or other*
36 *physical enhancements to the 911 system;*
- 37 *(H) maintenance and updates that are necessary to maintain*
38 *accurate GIS data;*
- 39 *(I) emergency repair or replacement of a radio tower; or*
- 40 *(J) the original acquisition and installation of road signs designed*
41 *to aid in the delivery of emergency service.*

42 *(2) Such costs shall not include expenditures to lease, construct,*
43 *expand, acquire, remodel, renovate, repair, furnish or make*

1 *improvements to buildings or similar facilities. Such costs shall also not*
2 *include expenditures to purchase, procure, maintain or upgrade*
3 *subscriber radio equipment.*

4 *(3) A governing body may contract with another governing body of*
5 *a PSAP for the provision of 911 PSAP services provided that the moneys*
6 *distributed to any such governing body pursuant to K.S.A. 12-5374, and*
7 *amendments thereto, shall only be used as authorized by this section. If*
8 *a governing body serves as the provider of PSAP services for another*
9 *governing body, both governing bodies shall enter into a contract or*
10 *memorandum of agreement that addresses contingency plans and*
11 *overflow arrangements. Any such contract or memorandum of*
12 *agreement shall be reviewed by the state 911 board with respect to the*
13 *provisions that relate to contingency plans and overflow arrangements*
14 *or that may conflict with the function of the statewide 911 system. If the*
15 *state 911 board determines that any such provisions are not acceptable,*
16 *the state 911 board and the governing bodies shall collaborate and work*
17 *to resolve such concerns prior to the effective date of such contract or*
18 *memorandum of agreement. Any governing body contracting with*
19 *another governing body of a PSAP for the provision of 911 PSAP*
20 *services shall establish in the contract or memorandum of agreement an*
21 *agreed upon percentage of the governing body's distribution amount for*
22 *the LCPA to distribute to the governing body of the PSAP that is*
23 *providing the 911 services.*

24 *(b) The state 911 board shall, pursuant to rules and regulations,*
25 *establish a process for a PSAP or governing body that contracts with*
26 *another governing body of a PSAP for the provision of 911 PSAP*
27 *services, to seek pre-approval of an expenditure. The state 911 board*
28 *shall respond in writing to any pre-approval request within 30 days and*
29 *inform the PSAP stating whether the requested expenditure is approved*
30 *or disapproved. If the expenditure is disapproved, the written*
31 *notification shall state the reason for the disapproval and such PSAP or*
32 *governing body may, within 15 days after service of the notification,*
33 *make a written request to the state 911 board to appeal the board's*
34 *decision and for a hearing to be conducted in accordance with the*
35 *provisions of the Kansas administrative procedure act.*

36 *(c) The state 911 board shall annually review expenditures of 911*
37 *moneys reported on the annual report for each PSAP or governing body*
38 *that contracts with another governing body of a PSAP for the provision*
39 *of 911 PSAP services and shall appoint a committee to review such*
40 *expenditures. If the committee determines that a reported expenditure*
41 *was not authorized by this act, the committee shall request that the*
42 *expenditure be refunded by the PSAP or governing body to the PSAP's*
43 *or governing body's 911 account. If a PSAP or governing body does not*

1 *concur with the finding of the committee, the PSAP or governing body*
 2 *may request a review of the decision of the committee before the state*
 3 *911 board. If the state 911 board, based upon information obtained from*
 4 *an audit, determines that any PSAP or governing body has used any 911*
 5 *fees for any purpose other than those authorized in this act, the*
 6 *governing body for such PSAP or governing body that contracts with*
 7 *another governing body of a PSAP for the provision of 911 PSAP*
 8 *services shall repay all such moneys used for any unauthorized purposes*
 9 *to the 911 fee fund of such PSAP or governing body. Upon a finding that*
 10 *the expenditure was made intentionally for a purpose clearly established*
 11 *as an unauthorized expenditure, the state 911 board may require such*
 12 *PSAP or governing body to pay the lesser of \$500 or 10%, of such*
 13 *misused moneys, to the LCPA for deposit in the 911 state grant fund.*
 14 *Upon receipt of any moneys paid pursuant to this subsection, the LCPA*
 15 *shall remit such moneys to the state treasurer in accordance with K.S.A.*
 16 *75-4215, and amendments thereto. Upon receipt of each such remittance,*
 17 *the state treasurer shall deposit the entire amount in the state treasury and*
 18 *credit such amount to the state 911 grant fund. No such repayment of 911*
 19 *fees shall be imposed pursuant to this section except upon the written*
 20 *order of the state 911 board. Such order shall state the unauthorized*
 21 *purposes for which the funds were used, the amount of funds to be*
 22 *repaid and the right of such PSAP or governing body to appeal to a*
 23 *hearing before the Kansas office of administrative hearings. Any such*
 24 *PSAP or governing body may, within 15 days after service of the order,*
 25 *make a written request to the state 911 board for a hearing thereon.*
 26 *Hearings under this subsection shall be conducted in accordance with*
 27 *the provisions of the Kansas administrative procedure act.*

28 *(d) Any final action of the state 911 board pursuant to subsection*
 29 *(b) or (c) is subject to review in accordance with the Kansas judicial*
 30 *review act.*

31 ~~Sec. 28. On and after January 1, 2026, K.S.A. 12-5375, as amended~~
 32 ~~by section 27 of this act, is hereby amended to read as follows: 12-5375.~~
 33 ~~(a) (1) The moneys distributed to counties and PSAPs pursuant to K.S.A.~~
 34 ~~12-5374, and amendments thereto, and any interest earned on revenue~~
 35 ~~derived from such moneys, shall be used only for necessary and~~
 36 ~~reasonable costs incurred or to be incurred by counties and PSAPs for:~~

- 37 ~~(A) Implementation of 911 services;~~
- 38 ~~(B) purchase of 911 equipment and upgrades;~~
- 39 ~~(C) maintenance and license fees for 911 equipment;~~
- 40 ~~(D) training of personnel, not to include salaries;~~
- 41 ~~(E) monthly recurring charges billed by service suppliers;~~
- 42 ~~(F) installation, service establishment and nonrecurring start-up~~
 43 ~~charges billed by the service supplier;~~

1 ~~(G) charges for capital improvements and equipment or other~~
2 ~~physical enhancements to the 911 system; or~~

3 ~~(H) the original acquisition and installation of road signs designed to~~
4 ~~aid in the delivery of emergency service.~~

5 ~~(2) Such costs shall not include expenditures to lease, construct,~~
6 ~~expand, acquire, remodel, renovate, repair, furnish or make improvements~~
7 ~~to buildings or similar facilities. Such costs shall also not include~~
8 ~~expenditures to purchase, procure, maintain or upgrade subscriber radio~~
9 ~~equipment.~~

10 ~~(3) A county may contract with another county for the provision of~~
11 ~~911 PSAP services provided that the moneys distributed to such county~~
12 ~~pursuant to K.S.A. 12-5374, and amendments thereto, shall only be used~~
13 ~~for the uses authorized pursuant to this section.~~

14 ~~(b) The state 911 board shall, pursuant to rules and regulations,~~
15 ~~establish a process for a PSAP or county that contracts with another county~~
16 ~~for the provision of 911 PSAP services, to seek pre-approval of an~~
17 ~~expenditure. The state 911 board shall respond in writing to any pre-~~
18 ~~approval request within 30 days and inform the PSAP stating whether the~~
19 ~~requested expenditure is approved or disapproved. If the expenditure is~~
20 ~~disapproved, the written notification shall state the reason for the~~
21 ~~disapproval and such PSAP or county may, within 15 days after service of~~
22 ~~the notification, make a written request to the state 911 board to appeal the~~
23 ~~board's decision and for a hearing to be conducted in accordance with the~~
24 ~~provisions of the Kansas administrative procedure act.~~

25 ~~(c) The state 911 board shall annually review expenditures of 911~~
26 ~~moneys reported on the annual report for each PSAP or county that~~
27 ~~contracts with another county for the provision of 911 PSAP services and~~
28 ~~shall appoint a committee to review such expenditures. If the committee~~
29 ~~determines that a reported expenditure was not authorized by this act, the~~
30 ~~committee shall request that the expenditure be refunded by the PSAP or~~
31 ~~county to the PSAP's or county's 911 account. If a PSAP or county does~~
32 ~~not concur with the finding of the committee, the PSAP or county may~~
33 ~~request a review of the decision of the committee before the state 911~~
34 ~~board. If the state 911 board, based upon information obtained from an~~
35 ~~audit, determines that any PSAP or county has used any 911 fees for any~~
36 ~~purpose other than those authorized in this act, the governing body for~~
37 ~~such PSAP or county shall repay all such moneys used for any~~
38 ~~unauthorized purposes to the 911 fee fund of such PSAP or county. Upon a~~
39 ~~finding that the expenditure was made intentionally for a purpose clearly~~
40 ~~established as an unauthorized expenditure, the state 911 board may~~
41 ~~require such PSAP or county to pay the lesser of \$500 or 10%, of such~~
42 ~~misused moneys, to the LCPA for deposit in the 911 state grant fund.~~
43 ~~Upon receipt of any moneys paid pursuant to this subsection, the LCPA:~~

1 ~~shall remit such moneys to the state treasurer in accordance with K.S.A.:~~
2 ~~75-4215, and amendments thereto. Upon receipt of each such remittance,~~
3 ~~the state treasurer shall deposit the entire amount in the state treasury and~~
4 ~~credit such amount to the state 911 grant fund established pursuant to~~
5 ~~section 6, and amendments thereto. No such repayment of 911 fees shall~~
6 ~~be imposed pursuant to this section except upon the written order of the~~
7 ~~state 911 board. Such order shall state the unauthorized purposes for which~~
8 ~~the funds were used, the amount of funds to be repaid and the right of such~~
9 ~~PSAP or county to appeal to a hearing before the Kansas office of~~
10 ~~administrative hearings. Any such PSAP or county may, within 15 days~~
11 ~~after service of the order, make a written request to the state 911 board for~~
12 ~~a hearing thereon. Hearings under this subsection shall be conducted in~~
13 ~~accordance with the provisions of the Kansas administrative procedure act.~~

14 ~~(d) Any final action of the state 911 board pursuant to subsection (b)~~
15 ~~or (c) is subject to review in accordance with the Kansas judicial review~~
16 ~~act.~~

17 Sec. 29. On and after July 1, 2025, K.S.A. 12-5377 is hereby
18 amended to read as follows: 12-5377. (a) The receipts and disbursements
19 of the LCPA shall be audited yearly by a licensed municipal accountant or
20 certified public accountant.

21 (b) ~~The LCPA state 911 board~~ may require an audit of any provider's
22 books and records concerning the collection and remittance of fees
23 pursuant to this act. ~~The cost of any such audit shall be paid from the 911~~
24 ~~operations fund.~~

25 (c) (1) ~~On or before December 31, 2018, and at least once every five~~
26 ~~years thereafter, the division of post audit shall conduct an audit of the 911~~
27 ~~system to determine: (A) Whether the moneys received by PSAPs pursuant~~
28 ~~to this act are being used appropriately; (B) whether the amount of moneys~~
29 ~~collected pursuant to this act is adequate; and (C) the status of 911 service~~
30 ~~implementation. The auditor to conduct such audit shall be specified in~~
31 ~~accordance with K.S.A. 46-1122, and amendments thereto.~~

32 (2) ~~The post auditor shall compute the reasonably anticipated cost of~~
33 ~~providing audits pursuant to this subsection, subject to review and~~
34 ~~approval by the contract audit committee established by K.S.A. 46-1120,~~
35 ~~and amendments thereto. Upon such approval, the division of post audit~~
36 ~~shall be reimbursed from the 911 operations fund for the amount approved~~
37 ~~by the contract audit committee. The audit report shall be submitted to the~~
38 ~~911 coordinating council, the LCPA, the house of representatives~~
39 ~~committee on energy, utilities and telecommunications and the senate~~
40 ~~committee on utilities.~~

41 (d) (1) ~~On or before December 31, 2018, the division of post audit~~
42 ~~shall conduct an audit of the budget and expenditures of the 911~~
43 ~~coordinating council. In conducting such audit, the division shall examine:~~

1 (A) The annual expenses and financial needs, including personnel, of the
2 council; (B) the total annual operating expenses of the council that are
3 included in the 2.5% cap on expenditures pursuant to K.S.A. 12-5364(i),
4 and amendments thereto; (C) the current and projected contractual
5 expenses of the council; (D) the expenditures and distribution of moneys
6 from the 911 state grant fund by the council; and (E) whether the moneys
7 expended by the council are being used pursuant to this act. The auditor, to
8 conduct such audit, shall be specified in accordance with K.S.A. 46-1122,
9 and amendments thereto.

10 (2) The post auditor shall compute the reasonably anticipated cost of
11 providing the audit pursuant to this subsection, subject to review and
12 approval by the contract audit committee established by K.S.A. 46-1120,
13 and amendments thereto. Upon such approval, the division of post audit
14 shall be reimbursed from the 911 operations fund for the amount approved
15 by the contract audit committee. The audit report shall be submitted to the
16 911 coordinating council, the house of representatives committee on
17 energy, utilities and telecommunications and the senate committee on
18 utilities.

19 (e) The legislature shall review this act at the regular 2019 legislative
20 session and at the regular legislative session every five years thereafter.

21 Sec. 30. ***On and after July 1, 2024***, K.S.A. 12-5364, 12-5368, 12-
22 5374 and 12-5375 are hereby repealed.

23 Sec. 31. On and after July 1, 2025, K.S.A. 12-5362, 12-5363, 12-
24 5364, as amended by section 12 of this act, 12-5365, 12-5366, 12-5367,
25 12-5368, as amended by section 16 of this act, 12-5369, 12-5370, 12-5371,
26 12-5374, as amended by section 23 of this act, 12-5375, as amended by
27 section 26 of this act, 12-5377, 12-5378 and 12-5379 are hereby repealed.

28 Sec. 32. On and after January 1, 2026, K.S.A. 12-5368, as amended
29 by section 17 of this act, 12-5372, 12-5374, as amended by section 24 of
30 this act, and 12-5375, as amended by section 27 of this act, are hereby
31 repealed.

32 Sec. 33. This act shall take effect and be in force from and after its
33 publication in the ~~statute book~~ ***Kansas register***.