

SENATE BILL No. 159

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

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

Section 1. (a) For the fiscal years ending June 30, 2021, June 30, 2022, and June 30, 2023, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, capital improvement projects, fees, receipts, disbursements, procedures and acts incidental to the foregoing are hereby directed or authorized as provided in this act.

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

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

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

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

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

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

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

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

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

Sec. 3. The department of health and environment – division of public health is hereby authorized and directed to pay the following amount from its operating expenditures (including official hospitality) account of the state general fund for partial reimbursement of non-attorney fee expenses related to efforts to become licensed as a home health agency:

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

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

Ellin Schoenfeld

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 12. The department of revenue is hereby authorized and directed to pay the following amounts from the motor-vehicle fuel tax refund fund for claims not filed within the statutory filing period prescribed in K.S.A. 79-3458, and amendments thereto, to the following claimants:

Aircraft Data Inc.
1440 Aviator Lane
Benton, KS 67017\$609.34

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

Norton, KS 67654	\$60.76
Brennemans, Inc. 8256 E. Humbargar Rd.	
Solomon, KS 67480	\$126.36
Jerome Goetz 13563 S. Road 45 E	
Park, KS 67751	\$40.92
Pennys Concrete Inc. 23400 W. 82 nd St.	
Shawnee Mission, KS 66227	\$829.76
Virgil H. Puetz 27600 W. 6 th St. S	
Garden Plain, KS 67050	\$225.72
Terence M. Reschke 1107 N. 4 th St.	
Hiawatha, KS 66434	\$53.40
USD 233 Olathe 14160 Black Bob	
Olathe, KS 66062	\$21,922.52
USD 300 Comanche County 600 N. Leavenworth Ave	
Coldwater, KS 67029	\$1,462.97
Kenneth Whelan 21750 130 Rd.	
Saint Paul, KS 66771	\$21.00

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

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

Sec. 14.

STATE BANK COMMISSIONER

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

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

Sec. 15.

BEHAVIORAL SCIENCES REGULATORY BOARD

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

Sec. 16.

STATE BOARD OF HEALING ARTS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2021, by section 9(a) of chapter 5 of the 2020 Session Laws of Kansas on the healing arts fee fund (105-00-2705-0100) of the state board of healing arts is hereby increased from \$6,419,900 to \$6,434,020.

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

Sec. 17.

STATE BOARD OF MORTUARY ARTS

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

Sec. 18.

STATE BOARD OF PHARMACY

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

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

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

Sec. 19.

LEGISLATIVE COORDINATING COUNCIL

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

Legislature employment security fund.....No limit

Sec. 20.

LEGISLATURE

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

Operations (including official
hospitality) (428-00-1000-0103).....\$25,000

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

(c) During the fiscal year ending June 30, 2022, in addition to the other purpose for which expenditures may be made by the above

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

Sec. 21.

ATTORNEY GENERAL

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

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

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

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

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

Sec. 22.

STATE TREASURER

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

Sec. 23.

STATE BOARD OF INDIGENTS' DEFENSE SERVICES

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

Assigned counsel
expenditures (328-00-1000-0700).....\$3,569,164

(b) If 2021 House Bill No. 2363 or any other legislation that increases the compensation rate of assigned counsel by amending K.S.A. 22-4507, and amendments thereto, is not passed by the

legislature during the 2021 regular session and enacted into law, then in addition to other purposes for which expenditures may be made by the above agency from the assigned counsel expenditures account (328-00-1000-0700) for fiscal year 2022 as authorized by this or other appropriation act of the 2021 regular session of the legislature, notwithstanding the provisions of any other statute to the contrary, the above agency shall make expenditures from such account to set the maximum rate of compensation of assigned counsel in fiscal year 2022 at \$100 per hour.

Sec. 24.

JUDICIAL BRANCH

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

Judiciary operations (677-00-1000).....\$7,400,000

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

Sec. 25.

JUDICIAL BRANCH

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

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

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

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

Sec. 26.

JUDICIAL BRANCH

(a) There is appropriated for the above agency from the state

general fund for the fiscal year ending June 30, 2023, the following:

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

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

Sec. 27.

DEPARTMENT OF ADMINISTRATION

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

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

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

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

Sec. 28.

DEPARTMENT OF ADMINISTRATION

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

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

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

Sec. 29.

DEPARTMENT OF REVENUE

(a) During the fiscal year ending June 30, 2021, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2021 as authorized by section 58 of chapter 5 of the 2020 Session Laws of Kansas, this or other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by the above agency from such moneys to open and operate on or before June 1, 2021, all driver's license offices previously closed due to the COVID-19 public health emergency with the services such offices were providing immediately prior to such closure.

Sec. 30.

DEPARTMENT OF REVENUE

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

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

(b) During the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2022 as authorized by section 65 of 2021 House Bill No. 2007, this or other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by the above agency from such moneys to continue operations in

all driver's license offices previously closed due to the COVID-19 public health emergency with the services such offices were providing immediately prior to such closure.

Sec. 31.

KANSAS LOTTERY

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

Sec. 32.

DEPARTMENT OF COMMERCE

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

Sec. 33.

DEPARTMENT OF COMMERCE

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

Reemployment implementation.....\$94,300

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

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

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

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

Sec. 34.

DEPARTMENT OF COMMERCE

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such

fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

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

(b) During the fiscal year ending June 30, 2023, notwithstanding the provisions of the Kansas public broadcasting council act, K.S.A. 75-4912 through 75-4926, and amendments thereto, or any other statute, the above agency shall not expend any moneys appropriated for fiscal year 2023 from the state economic development initiatives fund or from any special revenue fund or funds of such agency by 2021 House Bill No. 2007, this or other appropriation act of the 2021, 2022 or 2023 regular session of the legislature to any public broadcasting station that moved to a different city or has a plan to move to a different city, approved by the board of directors or management of such public broadcasting station, during such fiscal year.

Sec. 35.

DEPARTMENT OF LABOR

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

Unemployment insurance modernization.....\$9,600,000

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

(b) During the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the above agency for fiscal year 2022, as authorized by section 75 of 2021 House

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

Sec. 36.

KANSAS COMMISSION ON
VETERANS AFFAIRS OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:
Operating expenditures – veteran services (694-00-1000-0203)
.....\$259,481

Sec. 37.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF PUBLIC HEALTH

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

(b) During the fiscal year ending June 30, 2021, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for the above agency for fiscal year 2021 as authorized by section 68 of chapter 5 of the 2020 Session Laws of Kansas, section 77 of 2021 House Bill No. 2007, this or other appropriation act of the 2021 regular session of the legislature, expenditures may be made from such moneys in fiscal year 2021 to employ, contract for or engage contact tracers and to adopt rules and regulations to implement, administer and enforce the provisions of this subsection: *Provided*, That persons acting as contact tracers under the authority of this subsection shall meet the qualifications and training prescribed by rules and regulations prescribed by the secretary of health and environment pursuant to this subsection: *Provided further*, That before collecting any contact data, each contact tracer shall execute, under oath, on a form prescribed by rules and regulations of the secretary of health and environment: *And provided further*, That a

contact tracer shall not disclose the identity of an infected person to a contact: *And provided further*, That only contact data specifically authorized by the secretary pursuant to rules and regulations prescribed by the secretary of health and environment pursuant to this subsection may be collected as part of contact tracing: *And provided further*, That the secretary of health and environment shall not produce contact data pursuant to a subpoena unless such subpoena is issued by a court and is accompanied by a valid protective order preventing further disclosure of such data: *And provided further*, That contact data shall be: (1) Used only for the purpose of contact tracing and not for any other purpose; (2) confidential and shall not be disclosed, produced in response to any Kansas open records act request or made public, unless the disclosure is necessary to conduct contact tracing; and (3) safely and securely destroyed when no longer necessary for contact tracing, pursuant to rules and regulations adopted pursuant to this subsection: *And provided further*, That participation in contact tracing shall be voluntary, and no contact or infected person shall be compelled to participate in, nor be prohibited from participating in, contact tracing: *And provided further*, That contact tracing shall not be conducted through the use of any service or means that uses cellphone location data to identify or track, directly or indirectly, the movement of persons: *And provided further*, That no third party shall be required to collect or maintain data regarding infected persons or contacts for the purpose of contact tracing.

(c) For the purposes of this section:

(1) "Contact" means a person known to have been in association with an infected person as to have had an opportunity of acquiring an infection;

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

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

(4) "contact tracing" means identifying persons who may have been exposed to an infected person for the purpose of containing the spread of COVID-19 by notifying the contact that the contact may have been exposed, should be tested and should self-quarantine;

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

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

Sec. 38.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF PUBLIC HEALTH

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

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

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

Rural hospital innovation grant fund.....No limit

(c) Notwithstanding any provision of law, during the fiscal year ending June 30, 2022, the above agency shall not expend any moneys appropriated from the state general fund or from any special revenue fund or funds for the above agency for fiscal year 2022 as authorized

by section 78 of 2021 House Bill No. 2007, this or other appropriation act of the 2021 regular session of the legislature to conduct or authorize contact tracing except as provided in subsection (d).

(d) During the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for the above agency for fiscal year 2022 as authorized by section 78 of 2021 House Bill No. 2007, this or other appropriation act of the 2021 regular session of the legislature, expenditures may be made from such moneys in fiscal year 2022 to employ, contract for or engage contact tracers and to adopt rules and regulations to implement, administer and enforce the provisions of this subsection: *Provided*, That persons acting as contact tracers under the authority of this subsection shall meet the qualifications and training prescribed by rules and regulations prescribed by the secretary of health and environment pursuant to this subsection: *Provided further*, That before collecting any contact data, each contact tracer shall execute, under oath, on a form prescribed by rules and regulations of the secretary of health and environment: *And provided further*, That a contact tracer shall not disclose the identity of an infected person to a contact: *And provided further*, That only contact data specifically authorized by the secretary pursuant to rules and regulations prescribed by the secretary of health and environment pursuant to this subsection may be collected as part of contact tracing: *And provided further*, That the secretary of health and environment shall not produce contact data pursuant to a subpoena unless such subpoena is issued by a court and is accompanied by a valid protective order preventing further disclosure of such data: *And provided further*, That contact data shall be: (1) Used only for the purpose of contact tracing and not for any other purpose; (2) confidential and shall not be disclosed, produced in response to any Kansas open records act request or made public, unless the disclosure is necessary to conduct contact tracing; and (3) safely and securely destroyed when no longer necessary for contact tracing, pursuant to rules and regulations adopted pursuant to this subsection: *And provided further*, That participation in contact tracing shall be voluntary, and no contact or infected person shall be compelled to participate in, nor be prohibited from participating in, contact tracing: *And provided further*, That contact tracing shall not be conducted through the use of any service or means that uses cellphone location data to identify or track, directly or indirectly, the movement of persons: *And provided further*, That no third party shall be required to collect or maintain data regarding infected persons or contacts for the purpose of contact tracing.

(e) For the purposes of this section:

(1) "Contact" means a person known to have been in association with an infected person as to have had an opportunity of acquiring an infection;

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

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

(4) "contact tracing" means identifying persons who may have been exposed to an infected person for the purpose of containing the spread of COVID-19 by notifying the contact that the contact may have been exposed, should be tested and should self-quarantine;

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

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

Sec. 39.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF HEALTH CARE FINANCE

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

Sec. 40.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF HEALTH CARE FINANCE

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

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

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

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

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

Sec. 41.

KANSAS DEPARTMENT FOR
AGING AND DISABILITY SERVICES

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

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

Provided, That notwithstanding sections 2 through 4 of chapter 1 of the 2020 Special Session Laws of Kansas, for the fiscal year ending June 30, 2021, on or before June 15, 2021, the director of the budget shall determine the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for the February cold weather event energy bills, may be expended at the discretion of the state in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are

unencumbered: *Provided further*; That, of such identified moneys, following transfers required in 2021 Senate Substitute for Substitute House Bill No. 2196, 2021 Senate Substitute for House Bill No. 2208 or any other legislation passed by the legislature during the 2021 regular session and enacted into law, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*; That if the above agency in consultation with the director of the budget determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2021 to be used for the purposes of this proviso, the director of the budget shall certify the amount of such federal coronavirus relief moneys to the director of accounts and reports and on June 30, 2021, of the \$141,000 appropriated for the above agency for the fiscal year ending June 30, 2021, by this section from the state general fund in the Kansas neurological institute – operating expenditures account, an amount equal to such certified amount is hereby lapsed: *And provided further*; That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

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

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

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

Provided, That notwithstanding sections 2 through 4 of chapter 1 of the 2020 Special Session Laws of Kansas, for the fiscal year ending June 30, 2021, on or before June 15, 2021, the director of the budget shall determine the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for the February cold weather event energy bills, may be

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

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

Provided, That notwithstanding sections 2 through 4 of chapter 1 of the 2020 Special Session Laws of Kansas, for the fiscal year ending June 30, 2021, on or before June 15, 2021, the director of the budget shall determine the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for the February cold weather event energy bills, may be expended at the discretion of the state in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *Provided further*; That, of such identified moneys, following transfers required in 2021 Senate Substitute for Substitute House Bill No. 2196, 2021 Senate Substitute for House Bill No. 2208 or any other legislation passed by the legislature during the 2021 regular session and enacted into law, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*; That if the above agency in consultation with the director of the budget determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2021 to be used for the purposes of this proviso, the director of the budget shall certify the amount of such federal coronavirus relief moneys to the director of accounts and reports and on June 30, 2021, of the \$155,000 appropriated for the above agency for the fiscal year ending June 30, 2021, by this section from the state general fund in the Parsons state hospital and training center – operating expenditures account, an amount equal to such certified amount is hereby lapsed: *And provided further*; That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

(b) During the fiscal year ending June 30, 2021, in addition to the other purposes for which expenditures may be made by the above agency from the KanCare caseloads account (039-00-1000-0610) for fiscal year 2021, as authorized by section 74(a) of chapter 5 of the 2020 Session Laws of Kansas, this or any other appropriation act of the 2021

regular session of the legislature, expenditures shall be made by such agency from such account in an amount not to exceed \$13,230,000 to implement a \$15 increase to the daily reimbursement rate for nursing facilities for the period commencing January 1, 2021, through June 30, 2021: *Provided*, That on the effective date of this act, the provisions of section 83(dd) of 2021 House Bill No. 2007 requiring the expenditures to implement a \$15 increase to the daily reimbursement rate for nursing facilities for the period commencing January 1, 2021, through April 30, 2021, and requiring legislative coordinating council review and approval of such expenditures for the period commencing May 1, 2021, through June 30, 2021, are hereby declared to be null and void and shall have no force and effect.

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

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

Sec. 42.

KANSAS DEPARTMENT FOR
AGING AND DISABILITY SERVICES

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

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

Provided, That notwithstanding section 30(c) of 2021 House Bill No. 2007, for the fiscal year ending June 30, 2022, on or before July 15, 2021, the director of the budget shall determine the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for the operational costs of the 988 crisis hotline, may be expended at the discretion of the state in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *Provided further*, That, of such identified moneys, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*, That if the above agency, in consultation with the director of the budget, determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2022 to be used for operational costs of the 988 crisis hotline, the director of the budget shall certify the amount of such federal coronavirus relief moneys to the director of accounts and reports and on the date of such certification, of the \$3,000,000 appropriated for the above agency for the fiscal year ending June 30, 2022, by this section from the state general fund in the BH community aid account, an amount equal to such certified amount is hereby lapsed: *And provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

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

\$83,658,569 is hereby lapsed.

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

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

Sec. 43.

KANSAS DEPARTMENT FOR
CHILDREN AND FAMILIES

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

Sec. 44.

KANSAS DEPARTMENT FOR
CHILDREN AND FAMILIES

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

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

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

Sec. 45.

STATE LIBRARY

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

Operating expenditures (434-00-1000-0300).....\$30,000
Provided, That in addition to the other purposes for which expenditures may be made by the above agency from the operating expenditures account (434-00-1000-0300), expenditures may be made for the relocation or remodeling of the state library.

Sec. 46.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:
Midwest stem cell therapy center (683-00-1000-0800).....\$500,000
Provided, That expenditures may be made from the midwest stem cell therapy center account in an amount not to exceed \$500,000 for the purpose of conducting clinical trials to treat COVID-19 patients using MSCTC-0010 cells developed at the midwest stem cell therapy center: *Provided further*, That such expenditures shall be made solely under the direction and control of the director of the midwest stem cell therapy center: *And provided further*, That on June 30, 2022, if such expenditures have not been made for such purpose, then the amount of \$500,000 is hereby lapsed.

Sec. 47.

STATE BOARD OF REGENTS

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

Sec. 48.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:
Tuition waivers (561-00-1000-1650).....\$215,343
Provided, That any unencumbered balance in the tuition waivers account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.
Kansas promise scholarship.....\$10,000,000
Postsecondary education operating grant (including official hospitality).....\$15,000,000
Provided, That expenditures shall be made by the above agency from such account during fiscal year 2022 for employee buyouts, reimbursement for the February cold weather event energy bills, economic development and scholarships: *Provided further*, That expenditures may also be made by the university of Kansas medical center for the purposes of employee retention and recruitment.
Municipal university operating grant (561-00-1000-1010).....\$665,000
Provided, That expenditures shall be made by the above agency from such account during fiscal year 2022 for scholarships, utilities, student success and retention, minority student engagement, financial forecasting, modeling and reporting system development and to pursue additional economic development initiatives in conjunction with surrounding community.
Comprehensive grant (561-00-1000-4500).....\$8,000,000
Community college maintenance of effort.....\$5,000,000

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

Technical colleges equipment fund.....\$4,335,000

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

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

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

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

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

Sec. 49.

STATE BOARD OF REGENTS

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

Kansas promise scholarship.....\$10,000,000

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

Sec. 50.

DEPARTMENT OF CORRECTIONS

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

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

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

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

Sec. 51.

DEPARTMENT OF CORRECTIONS

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

(b) Notwithstanding section 30(c) of 2021 House Bill No. 2007, for the fiscal year ending June 30, 2022, on or before July 15, 2021, the

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

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

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

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

Sec. 52.

ADJUTANT GENERAL

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

Operating expenditures (034-00-1000-0053).....\$179,519

Provided, That notwithstanding sections 2 through 4 of chapter 1 of the 2020 Special Session Laws of Kansas, for the fiscal year ending June 30, 2021, on or before June 15, 2021, the director of the budget shall determine the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for the February cold weather event energy bills, may be expended at the discretion of the state in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *Provided further*, That, of such identified moneys, following transfers required in 2021 Senate Substitute for Substitute House Bill No. 2196, 2021 Senate Substitute for House Bill No. 2208

or any other legislation passed by the legislature during the 2021 regular session and enacted into law, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*, That if the above agency in consultation with the director of the budget determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2021 to be used for the purposes of this proviso, the director of the budget shall certify the amount of such federal coronavirus relief moneys to the director of accounts and reports and on June 30, 2021, of the \$179,519 appropriated for the above agency for the fiscal year ending June 30, 2021, by this section from the state general fund in the operating expenditures account, an amount equal to such certified amount is hereby lapsed: *And provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Sec. 53.

KANSAS HIGHWAY PATROL

(a) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$44,835 from the state highway fund of the department of transportation to the Kansas highway patrol operations fund (280-00-2034-1100) of the Kansas highway patrol.

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

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

Sec. 54.

ATTORNEY GENERAL – KANSAS
BUREAU OF INVESTIGATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following: Operating expenditures (083-00-1000-0083).....\$366,552 *Provided*, That during the fiscal year ending June 30, 2022, the director of the Kansas bureau of investigation shall certify the actual amount of expenditures from the operating expenditures account for contract vendor programming updates and responsibilities for the criminal history repository, including expungement responsibilities, relating to 2021 House Bill No. 2058 to the director of accounts and reports: *Provided further*, That upon receipt of such certification by the director of accounts and reports, of the \$366,552 appropriated for the above agency for the fiscal year ending June 30, 2022, by this section from the state general fund in the operating expenditures account, the difference between \$250,000 and such certified amount is hereby lapsed: *And provided further*, That at the same time as the director of the Kansas bureau of investigation transmits certification to the director of accounts and reports, the director of the Kansas bureau of investigation shall transmit a copy of such certification to the director of the budget and the director of legislative research.

Sec. 55.

KANSAS DEPARTMENT OF WILDLIFE AND PARKS

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

Sec. 56.

DEPARTMENT OF TRANSPORTATION

(a) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$12,500,000 from the state highway fund (276-00-4100-4100) of the department of transportation to the special city and county highway fund (276-00-4220-4220): *Provided*, That, in addition to other purposes for which transfers and expenditures may be made from the state highway fund during fiscal year 2021 and notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, transfers may be made from the state highway fund to the special city and county highway fund under this subsection during fiscal year 2021.

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

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

K.S.A. 79-3425c, and amendments thereto.

Sec. 57.

DEPARTMENT OF TRANSPORTATION

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

Sec. 58. (a) On June 30, 2022, notwithstanding the provisions of K.S.A. 74-8768, and amendments thereto, or any other statute, the director of accounts and reports shall transfer the amount of any unencumbered balance in the expanded lottery act revenues fund to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the expanded lottery act revenues fund to the state general fund as prescribed by law.

(b) On June 30, 2022, the director of accounts and reports shall determine and notify the director of the budget if the amount of revenue collected in the expanded lottery act revenues fund for the fiscal year ending June 30, 2022, is insufficient to fund the appropriations and transfers that are authorized from the expanded lottery act revenues fund for the fiscal year ending June 30, 2022, in accordance with the provisions of appropriation acts. The director of the budget shall certify to the director of accounts and reports the amount necessary to be transferred from the state general fund to the expanded lottery act revenues fund in order to fund all such appropriations and transfers that are authorized from the expanded lottery act revenues fund for the fiscal year ending June 30, 2022. Upon receipt of such certification, the director of accounts and reports shall transfer the amount of moneys from the state general fund to the expanded lottery act revenues fund that is required in accordance with the certification by the director of the budget under this section. At the same time as the director of the budget transmits this certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

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

(b) As used in this section:

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

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

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

(b) As used in this section:

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

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

Sec. 61. (a) Subject to the provisions of subsection (c), in addition to the other purposes for which expenditures may be made by the department of administration from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2022, as authorized by this or other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by the department of administration from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2022 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to renovate building No. 3, Docking state office building. Such capital improvement project is hereby approved for the department of administration for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with such statute. The department of administration shall make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project. The aggregate principal from the issuance of any such bonds for such capital improvement project shall not exceed \$120,000,000 plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project, credit enhancement costs and any required reserves for the payment of principal and interest on the bonds, and minus any moneys identified pursuant to subsection (d). All moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants. The debt service for any such bonds for such capital improvement project shall be financed by appropriations from the state general fund or any appropriate special revenue fund or funds. Any such bonds and interest thereon shall be an obligation only of the Kansas development finance authority, shall not constitute a debt of the state of Kansas within the meaning of section 6 or 7 of article 11 of the constitution of the state of Kansas and shall not pledge the full faith and

credit or the taxing power of the state of Kansas. This capital improvement project shall be implemented using the building design-build project delivery procedures pursuant to K.S.A. 75-37,145 et seq., and amendments thereto.

(b) Subject to the provisions of subsection (c), in addition to the other purposes for which expenditures may be made by the department of health and environment from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2022, as authorized by this or other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by the department of health and environment from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2022 to issue a request for proposal for a capital improvement project to construct or renovate a building and to equip a department of health and environment laboratory. Such request for proposal shall be within an eight-mile radius of the capitol complex in Topeka for location of such laboratory. Following receipt of such proposals, the department of health and environment shall present all proposals to the joint committee on state building construction for review. The joint committee on state building construction shall review and make a recommendation to the state finance council concerning the capital improvement project. Following the procedures established in this section, the department of health and environment shall provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to construct or renovate a building and to equip a department of health and environment laboratory. Such capital improvement project is hereby approved for the department of health and environment for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute. The department of health and environment shall make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project. The aggregate principal from the issuance of any such bonds for such capital improvement project shall not exceed \$65,000,000 plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project, credit enhancement costs and any required reserves for the payment of principal and interest on the bonds, and minus any moneys identified pursuant to subsection (d). All moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants. The debt service for any such bonds for such capital improvement project shall be financed by appropriations from the state general fund or any appropriate special revenue fund or funds. Any such bonds and interest thereon shall be an obligation only of the Kansas development finance authority, shall not constitute a debt of the state of Kansas within the meaning of section 6 or 7 of article 11 of the constitution of the state of Kansas and shall not pledge the full faith and credit or the taxing power of the state of Kansas.

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

(d) Prior to issuing any bonds as authorized in this section, the

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

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

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

Southeast Quarter 1,302.13 feet to the Southwest corner of the Northwest Quarter of said Southeast Quarter; thence continuing North 89°56'32" West along the South line of the North Half of the Southwest Quarter of said Section 08 a distance of 2,214.43 feet to a point that is 390.01 feet East of the Southwest corner of the North Half of said Southwest Quarter; thence North 00°10'14" West parallel with the West line of said Southwest Quarter 309.73 feet; thence South 89°49'45" West 390.00 feet to the West line of said Southwest Quarter; thence North 00°10'14" West 537.00 feet to a point that is 484.00 feet South of the Northwest corner of said Southwest Quarter; thence South 89°57'23" East 400.51 feet; thence North 26°42'54" East 523.05 feet; thence North 46°19'16" East 947.98 feet; thence North 60°03'35" East 364.25 feet; thence North 00°44'32" East 1,838.40 feet to the North line of the Northwest Quarter of said Section 08; thence North 54°39'38" West 1,472.49 feet; thence North 89°59'07" West parallel with the South line of the Southwest Quarter of Section 05 a distance of 500.35 feet to the point of beginning, containing 493.791 Acres, subject to a Road Right-of-way easement across the West 30.00 feet thereof and any other easements or restrictions of record.

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

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

Sec. 63.

STATE FINANCE COUNCIL

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

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

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

(3) The administrator shall remit all moneys received from all fees, charges, deposits or penalties which have been collected under this act or other laws of this state regulating the issuance, sale or disposal of securities or regulating dealers in this state to the state treasurer at least monthly. Upon receipt of any such remittance, the state treasurer shall deposit the entire amount thereof in the state

treasury. In accordance with K.S.A. 75-3170a, and amendments thereto, 10% of each such deposit shall be credited to the state general fund and, except as provided in subsection (d), the balance shall be credited to the securities act fee fund.

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

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

(b) *Prohibited conduct.* (1) It is unlawful for the administrator or an officer, employee, or designee of the administrator to use for personal benefit or the benefit of others records or other information obtained by or filed with the administrator that are not public under K.S.A. 17-12a607(b), and amendments thereto. This act does not authorize the administrator or an officer, employee, or designee of the administrator to disclose the record or information, except in accordance with K.S.A. 17-12a602, 17-12a607(c), or 17-12a608, and amendments thereto.

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

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

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

(2) There is hereby established in the state treasury the investor education and protection fund. Such fund shall be administered by the administrator for the purposes described in subsection (d)(1) and for the

education of registrants, including official hospitality. Moneys collected as civil penalties under this act shall be credited to the investor education and protection fund. The administrator may also receive payments designated to be credited to the investor education and protection fund as a condition in settlements of cases arising out of investigations or examinations. All expenditures from the investor education and protection fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the administrator or by a person or persons designated by the administrator.

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

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

(ii) The board shall determine for each such employer separately an amount sufficient to amortize all liabilities for prior service costs which shall have accrued at the time of entry into the system. On the basis of such determination the board shall annually certify to each such employer separately an actuarially determined estimate of the rate of contribution which shall be required to be paid by that employer to pay all of the liabilities for such prior service costs. Such rate shall be termed the employer's prior service contribution.

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

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

(4) Each participating employer is hereby authorized to pay the

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

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

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

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

additional percentage of compensation corresponding to the level dollar repayment amount certified by the board pursuant to subsection (17); ~~and~~ (G) for the fiscal year commencing in calendar year 2021, the employer rate of contribution shall be 13.33%; (H) for the fiscal year commencing in calendar year 2022, the employer rate of contribution shall be 13.11%; and (I) in each subsequent calendar year, an amount not to exceed more than 1.2% of the amount of the immediately preceding fiscal year and for participating employers under K.S.A. 74-4931, and amendments thereto, an additional percentage of compensation corresponding to the level dollar repayment amount certified by the board pursuant to subsections (17) and (18).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(16) Notwithstanding any provision of law to the contrary, each participating employer shall remit quarterly, or as the board may otherwise provide, all employee deductions and required employer contributions to the executive director for credit to the Kansas public employees retirement fund within three days after the end of the period

covered by the remittance by electronic funds transfer. Remittances of such deductions and contributions received after such date are delinquent. Delinquent payments due under this subsection shall be subject to interest at the rate established for interest on judgments under K.S.A. 16-204(a), and amendments thereto. At the request of the board, delinquent payments which are due or interest owed on such payments, or both, may be deducted from any other moneys payable to such employer by any department or agency of the state.

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

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

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

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

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

Sec. 68. If any fund or account name described by words and the numerical accounting code that follows such fund or account name do not match, it shall be conclusively presumed that the legislature intended that the fund or account name described by words is the correct fund or account name, and such fund or account name described by words shall control over a contradictory or incorrect numerical accounting code.

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

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

I hereby certify that the above BILL originated in the SENATE, and passed that body

SENATE adopted

Conference Committee Report _____

President of the Senate.

Secretary of the Senate.

Passed the HOUSE

as amended _____

HOUSE adopted

Conference Committee Report _____

Speaker of the House.

Chief Clerk of the House.

APPROVED _____

Governor.