
HOUSE BILL No. 2024

By Representative Myers
(By Request)

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10 AN ACT concerning the disposition of tobacco litigation settlement pro-
11 ceeds; creating the disabled persons fund; providing for certain trans-
12 fers from the Kansas endowment for youth fund; amending K.S.A. 38-
13 2101 and repealing the existing section.

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

16 New Section 1. (a) There is hereby established in the state treasury
17 the disabled persons fund which shall be administered as provided by
18 law.

19 (b) On and after the effective date of this act, on each date that mon-
20 eys are transferred from the Kansas endowment for youth fund to the
21 children's initiatives fund, an amount shall be transferred from the Kansas
22 endowment for youth fund to the disabled persons fund in accordance
23 with this section. The amounts to be transferred to the disabled persons
24 fund pursuant to this section shall be specified by appropriation act and,
25 in the aggregate for the fiscal year, shall be equal to at least 10% of the
26 aggregate of all amounts transferred from the Kansas endowment for
27 youth fund to the children's initiatives fund for such fiscal year.

28 (c) All moneys credited to the disabled persons fund shall be used
29 for additional funding for health care programs, assistance and services
30 for disabled persons. Moneys allocated or appropriated from the disabled
31 persons fund shall not be used to replace or substitute for moneys ap-
32 propriated from the state general fund in the immediately preceding fiscal
33 year. All expenditures from the disabled persons fund shall be made in
34 accordance with appropriation acts upon warrants of the director of ac-
35 counts and reports issued pursuant to vouchers approved as provided by
36 law.

37 (d) On or before the 10th day of each month, the director of accounts
38 and reports shall transfer from the state general fund to the disabled
39 persons fund interest earnings based on (1) the average daily balance of
40 moneys in the disabled persons fund and (2) the net earnings rate of the
41 pooled money investment portfolio for the preceding month.

42 (e) As used in this section, "disabled person" means a Kansan who is
43 suffering from a tobacco related illness.

1 Sec. 2. K.S.A. 38-2101 is hereby amended to read as follows: 38-
2 2101. (a) There is hereby established in the state treasury the Kansas
3 endowment for youth fund which shall constitute a trust fund and shall
4 be invested, managed and administered in accordance with the provisions
5 of this act by the board of trustees of the Kansas public employees re-
6 tirement system established by K.S.A. 74-4905 and amendments thereto.

7 (b) All of the moneys received by the state pursuant to the tobacco
8 litigation settlement agreements entered into by the attorney general on
9 behalf of the state of Kansas, or pursuant to any judgment rendered,
10 regarding the litigation against tobacco industry companies and related
11 entities, shall be deposited in the state treasury and credited to the Kansas
12 endowment for youth fund. All such moneys *credited to the Kansas en-*
13 *dowment for youth fund* shall constitute an endowment which shall re-
14 main credited to the Kansas endowment for youth fund except (1) as
15 provided in this section or in K.S.A. 38-2102 and amendments thereto
16 for transfers to the children's initiatives fund *and (2) as provided in section*
17 *1 and amendments thereto for transfers to the disabled persons fund.*
18 Expenditures may be made from the Kansas endowment for youth fund
19 for the payment of the operating expenses of the Kansas children's cabinet
20 and the board of trustees, including the expenses of investing and man-
21 aging the moneys, which are attributable to the Kansas endowment for
22 youth fund. All moneys credited to the Kansas endowment for youth fund
23 shall be invested to provide an ongoing source of investment earnings
24 available for periodic transfer to the children's initiatives fund in accord-
25 ance with this act. All expenditures from the Kansas endowment for youth
26 fund shall be made in accordance with appropriation acts upon warrants
27 of the director of accounts and reports issued pursuant to vouchers ap-
28 proved by the chairperson of the board of trustees of the Kansas public
29 employees retirement system or by the chairperson's designee.

30 (c) On the effective date of this act, the director of accounts and
31 reports shall transfer all moneys credited to the children's health care
32 programs fund to the Kansas endowment for youth fund and the chil-
33 dren's health care programs fund is hereby abolished. On and after July
34 1, 1999, whenever the children's health care programs fund, or words of
35 like effect, is referred to or designated by statute, contract or other doc-
36 ument, such reference or designation shall be deemed to apply to the
37 Kansas endowment for youth fund.

38 Sec. 3. K.S.A. 38-2101 is hereby repealed.

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

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