

HOUSE BILL No. 2590

AN ACT concerning public safety officers; relating to administration of educational benefits for dependents of such officers; amending K.S.A. 75-4364 and repealing the existing section; also repealing K.S.A. 75-4364, as amended by section 1 of 2001 House Bill No. 2189.

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

Section 1. K.S.A. 75-4364 is hereby amended to read as follows: 75-4364. (a) As used in this section:

(1) "Kansas educational institution" means and includes area vocational schools, area vocational-technical schools, community colleges, the municipal university, state educational institutions, and technical colleges.

(2) "Public safety officer" means a law enforcement officer or a firefighter *or an emergency medical services attendant*.

(3) "Law enforcement officer" means a person who by virtue of office or public employment is vested by law with a duty to maintain public order or to make arrests for violation of the laws of the state of Kansas or ordinances of any municipality thereof or with a duty to maintain or assert custody or supervision over persons accused or convicted of crime, and includes wardens, superintendents, directors, security personnel, officers and employees of adult and juvenile correctional institutions, jails or other institutions or facilities for the detention of persons accused or convicted of crime, while acting within the scope of their authority.

(4) "Firefighter" means a person who is employed by any city, county, township or other political subdivision of the state and who is assigned to the fire department thereof and engaged in the fighting and extinguishment of fires and the protection of life and property therefrom.

(5) "*Emergency medical services attendant*" means a first responder, emergency medical technician, emergency medical technician-intermediate, emergency medical technician-defibrillator or a mobile intensive care technician certified by the emergency medical services board pursuant to the statutory provisions contained in article 61 of chapter 65 of Kansas Statutes Annotated.

~~(5)~~ (6) "Dependent" means (A) a birth child, adopted child or stepchild of a public safety officer or (B) any child other than the foregoing who is actually dependent in whole or in part on a public safety officer and who is related to the public safety officer by marriage or consanguinity.

~~(6)~~ (7) "State board" means, ~~in the case of the state educational institutions and the municipal university, the state board of regents; in the case of area vocational schools, area vocational-technical schools, community colleges, and technical colleges, the state board of education.~~

(b) Every Kansas educational institution shall provide for enrollment without charge of tuition or fees for any dependent of a public safety officer who died as the result of injury sustained while performing duties as a public safety officer so long as such dependent is eligible. Any such dependent shall be eligible for enrollment at a Kansas educational institution without charge of tuition or fees for not to exceed eight semesters of undergraduate instruction, or the equivalent thereof, at all such institutions, in the aggregate, for any such dependent.

(c) Subject to appropriations therefor, any Kansas educational institution, at which enrollment, without charge of tuition or fees, of the dependent of a deceased public safety officer is provided for under subsection (b), may file a claim with the ~~appropriate~~ state board for reimbursement of the amount of such tuition and fees. The state board shall be responsible for payment of reimbursements to Kansas educational institutions upon certification by each such institution of the amount of reimbursement to which entitled. Payments to Kansas educational institutions shall be made upon vouchers approved by the state board and upon warrants of the director of accounts and reports. Payments may be made by issuance of a single warrant to each Kansas educational institution at which one or more eligible dependents are enrolled for the total amount of tuition and fees not charged eligible dependents for enrollment at that institution. The director of accounts and reports shall cause such warrant to be delivered to the Kansas educational institution at which such eligible dependent or dependents are enrolled. If an eligible dependent discontinues attendance before the end of any semester, after the Kansas educational institution has received payment under this subsection, the institution shall pay to the state the entire amount which such eligible dependent would otherwise qualify to

have refunded, not to exceed the amount of the payment made by the state in behalf of such dependent for the semester. All amounts paid to the state by Kansas educational institutions under this subsection shall be deposited in the state treasury and credited to the state general fund.

(d) ~~Each~~ *The* state board shall adopt rules and regulations, ~~as appropriate,~~ for administration of the ~~applicable~~ provisions of this section and shall determine the qualification of persons as dependents of public safety officers and the eligibility of such persons for the benefits provided for under this section.

Sec. 2. K.S.A. 75-4364 and K.S.A. 75-4364, as amended by section 1 of 2001 House Bill No. 2189, are hereby repealed.

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

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

HOUSE concurred in
SENATE amendments _____

Speaker of the House.

Chief Clerk of the House.

Passed the SENATE
as amended _____

President of the Senate.

Secretary of the Senate.

APPROVED _____

Governor.