

SENATE BILL No. 118

AN ACT concerning the state board of education; relating to rules and regulations; amending K.S.A. 72-7514b and repealing the existing section; also repealing K.S.A. 72-7514a.

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

Section 1. K.S.A. 72-7514b is hereby amended to read as follows: 72-7514b. ~~(a) Every rule and regulation which is adopted by the state board of education whether pursuant to statutory authority of the board or pursuant to authority granted to the board under section 2 of article 6 of the constitution of the state of Kansas and which is not adopted pursuant to statutory authority of the board, shall be adopted and filed by the state board of education and filed as a rule and regulation as provided in this section in the manner provided by the rules and regulations filing act.~~

~~(b) Prior to the adoption of such rule and regulation, the state board of education shall give at least 30 days' notice of its intended action in the Kansas register and hold a public hearing thereon. The notice shall be published in the Kansas register and shall contain a summary of the substance of the proposed rule and regulation along with the full text of any such rule and regulation to be considered at the hearing. Such notice shall state the time and place of the public hearing to be held thereon and the manner in which interested parties may present their views thereon. Publication of such notice in the Kansas register shall constitute notice to all parties affected by the rule and regulation. On the date of the hearing, all interested parties shall be given reasonable opportunity to present their views or arguments on adoption of the rule and regulation, either orally or in writing.~~

~~(c) The rule and regulation shall be adopted at a meeting which is open to the public and shall not be adopted unless it receives approval by roll call vote of a majority of the total membership of the state board of education.~~

~~(d) Each rule and regulation adopted by the state board of education shall be filed in triplicate with the secretary of state and shall indicate that such rule and regulation was adopted pursuant to authority granted to the state board of education under section 2 of article 6 of the constitution of the state of Kansas. The state board of education shall number each section with a distinguishing number. Upon filing, the secretary of state shall assign a distinguishing number to each section for purposes of publication in the annual supplement to the Kansas administrative regulations.~~

~~(e) All rules and regulations adopted and filed with the secretary of state in accordance with the provisions of this section on or before December 31 in any year shall be published in the annual supplement to the Kansas administrative regulations which is published during the next succeeding year after the year in which such rules and regulations were filed unless otherwise directed by the state rules and regulations board.~~

~~(f) As used in this section, "rule and regulation" means a standard, statement of policy, procedure or practice or general order, including amendments or revocations thereof, of general application which is adopted by the state board of education pursuant to authority granted to the board under section 2 of article 6 of the constitution of the state of Kansas and which is not adopted pursuant to statutory authority of the board.~~

Sec. 2. K.S.A. 72-7514a and 72-7514b 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 SENATE, and passed that body

President of the Senate.

Secretary of the Senate.

Passed the HOUSE _____

Speaker of the House.

Chief Clerk of the House.

APPROVED _____

Governor.