

## HOUSE BILL No. 2804

By Representative Storm

2-10

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AN ACT relating to public safety officers; concerning tuition and fee waivers for spouses of certain deceased public safety officers; amending K.S.A. 2003 Supp. 75-4364 and repealing the existing section.

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

Section 1. K.S.A. 2003 Supp. 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: (1) 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; or (2) a volunteer member of a fire district, fire department or fire company.

(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.

(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

1 actually dependent in whole or in part on a public safety officer and who  
2 is related to the public safety officer by marriage or consanguinity.

3 (7) "State board" means the state board of regents.

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

13 (c) Subject to appropriations therefor, any Kansas educational insti-  
14 tution, at which enrollment, without charge of tuition or fees, of the de-  
15 pendent *or spouse* of a deceased public safety officer is provided for under  
16 subsection (b), may file a claim with the state board for reimbursement  
17 of the amount of such tuition and fees. The state board shall be respon-  
18 sible for payment of reimbursements to Kansas educational institutions  
19 upon certification by each such institution of the amount of reimburse-  
20 ment to which entitled. Payments to Kansas educational institutions shall  
21 be made upon vouchers approved by the state board and upon warrants  
22 of the director of accounts and reports. Payments may be made by issu-  
23 ance of a single warrant to each Kansas educational institution at which  
24 one or more eligible dependents *or spouses* are enrolled for the total  
25 amount of tuition and fees not charged eligible dependents *or spouses*  
26 for enrollment at that institution. The director of accounts and reports  
27 shall cause such warrant to be delivered to the Kansas educational insti-  
28 tution at which *any* such eligible ~~dependent~~ *or dependents or spouses* are  
29 enrolled. If an eligible dependent *or spouse* discontinues attendance be-  
30 fore the end of any semester, after the Kansas educational institution has  
31 received payment under this subsection, the institution shall pay to the  
32 state the entire amount which such eligible dependent *or spouse* would  
33 otherwise qualify to have refunded, not to exceed the amount of the  
34 payment made by the state in behalf of such dependent *or spouse* for the  
35 semester. All amounts paid to the state by Kansas educational institutions  
36 under this subsection shall be deposited in the state treasury and credited  
37 to the state general fund.

38 (d) The state board shall adopt rules and regulations for administra-  
39 tion of the provisions of this section and shall determine the qualification  
40 of persons as dependents *and spouses* of public safety officers and the  
41 eligibility of such persons for the benefits provided for under this section.

42 Sec. 2. K.S.A. 2003 Supp. 75-4364 is hereby repealed.

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

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