

SENATE BILL No. 330

By Senators Umbarger and McGinn

2-7

10 AN ACT concerning veterans; relating to assistance therefor; making and
11 concerning appropriations for the fiscal year ending June 30, 2008, for
12 state agencies; funeral picketing; amending K.S.A. 21-4015 and 39-
13 7,106 and K.S.A. 2006 Supp. 76-729 and repealing the existing sec-
14 tions; also repealing K.S.A. 2006 Supp. 76-729a.

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

17 New Section 1.

18 KANSAS COMMISSION ON VETERANS AFFAIRS

19 (a) There is appropriated for the above agency from the state general
20 fund for the fiscal year or years specified, the following:

21 Operating expenditures — veteran services
22 For the fiscal year ending June 30, 2008..... \$350,000

23 Veterans claim assistance program — service grants
24 For the fiscal year ending June 30, 2008..... \$500,000

25 *Provided*, That expenditures from the veterans claims assistance program
26 — service grants account shall be made only for the purpose of awarding
27 service grants to veterans service organizations for the purpose of aiding
28 veterans in obtaining federal benefits: *Provided however*, That no ex-
29 penditures shall be made by the Kansas commission on veterans affairs
30 from the veterans claim assistance program — service grants account for
31 operating expenditures or overhead for administering the grants in ac-
32 cordance with the provisions of K.S.A. 2006 Supp. 73-1234 and 73-1235,
33 and amendments thereto.

34 State soldiers' assistance program
35 For the fiscal year ending June 30, 2008..... \$500,000

36 *Provided*, That expenditures from the state soldiers' assistance program
37 account shall be made only for the purposes established in section 2, and
38 amendments thereto.

39 New Sec. 2. (a) The Kansas commission on veterans affairs shall es-
40 tablish and administer a state soldiers' assistance program to aid and assist
41 any veteran resident of Kansas in securing emergency relief, hospitali-
42 zation, treatment and maintenance of all such veterans who were bona
43 fide residents of the state at the time such veterans need arose and such

1 veteran's dependents.

2 (b) Subject to the availability of appropriations therefor, such program
3 shall:

4 (1) Assist dependent family members of military personnel who are
5 called from reserve status to extended federal active duty during a time
6 of war or national emergency;

7 (2) assist veterans who are indigent or suffering from any disability
8 whether such disability was acquired in the service or not;

9 (3) assist veterans and the veteran's dependents in establishing and
10 proving any just claim the veteran may have against the United States
11 government, or any other government or state for compensation, insur-
12 ance, relief, or other benefits;

13 (4) provide maintenance and relief for any veteran suffering from dis-
14 ability who was a bona fide resident of the state at the time the need
15 arose and the veteran's dependents; and

16 (5) cooperate with other state, city and county officials and civic or
17 civilian agencies or organizations in carrying out the provisions of this
18 section.

19 (c) The executive director shall limit financial assistance to veterans
20 and dependents to six months, unless recipients have been certified as
21 ineligible for other benefit programs.

22 (d) The Kansas commission on veterans affairs shall adopt rules and
23 regulations to implement and administer the state soldiers' assistance pro-
24 gram. The rules and regulations shall include income eligibility require-
25 ments for veterans.

26 (e) As used in this section, "resident" means a person living in Kansas
27 for at least 30 days with the intention of residing in the state and not for
28 any temporary purpose. An applicant may verify a residence address by
29 presenting a valid state driver's license, a state identification card, a voter
30 registration card, a rent receipt, a statement by the landlord, apartment
31 manager, or homeowner verifying that the individual is residing at the
32 address, or other form of verification approved by the executive director.

33 New Sec. 3. (a) Employees of the state of Kansas who serve in the
34 military reserves and are called to full-time military duty, mobilized and
35 deployed on and after July 1, 2007, are hereby authorized to receive a
36 one-time activation gross payment of \$1,500.

37 (b) Employees of the state of Kansas who serve in the military reserves
38 and are called to or currently on full-time military duty, mobilized and
39 deployed on or after July 1, 2007, are hereby authorized to receive the
40 difference between such employee's military pay and such employee's
41 regular state of Kansas employee wages when the military pay is an
42 amount less than the regular state employee wages not to exceed \$1,000
43 gross payment per pay period.

1 (c) In order to receive any payment pursuant to this section, the eligible
2 employee shall present a copy of such employee's orders, along with any
3 required paperwork to the employing agency.

4 (d) As used in this section, "eligible employee" means an employee
5 who is:

6 (1) A current benefits eligible state of Kansas employee in the military
7 reserves, including unclassified temporary employees who are benefits
8 eligible;

9 (2) activated to full-time military duty; and

10 (3) mobilized and deployed in excess of 30 consecutive days in support
11 of a military operation.

12 The employee is eligible if in any of the following military reserve
13 groups in the United States: The military branches and related services
14 of the Army Reserve, Naval Reserve, Marine Corps Reserve, Air Force
15 Reserve, Coast Guard Reserve, Army or Air National Guard, Public
16 Health Commissioned Corps, or other category of person designated by
17 the President in time of war or emergency. The individual shall have been
18 a state employee when mobilized and deployed.

19 (e) The secretary of administration shall adopt rules and regulations to
20 implement the provisions of this section.

21 New Sec. 4. (a) Any employee of the state of Kansas in a regular
22 position shall be granted leave with pay for six working days if an im-
23 mediate family member who, as a member of the United States armed
24 forces, has been injured or killed while engaged in active service. Such
25 employee shall be granted an additional four working days of leave with-
26 out pay.

27 (b) Any employee of the state of Kansas in a regular position shall be
28 granted leave without pay for up to one day if an immediate family mem-
29 ber, as a member of the United States armed forces, has been ordered
30 into active service in support of a war or other national emergency. The
31 agency may limit the amount of leave provided under this subsection to
32 the actual time necessary for the employee to attend a send-off or home-
33 coming ceremony for the mobilized service member, not to exceed one
34 day's duration in any calendar year.

35 (c) As used in this section, "immediate family member" means an em-
36 ployee's parent, child, grandparents, siblings or spouse.

37 (d) The secretary of administration shall adopt rules and regulations to
38 implement the provisions of this section.

39 New Sec. 5. (a) An employer shall grant up to 10 working days of a
40 leave of absence without pay to an employee whose immediate family
41 member, as a member of the United States armed forces, has been in-
42 jured or killed while engaged in active service.

43 (b) An employee shall give as much notice to the employee's employer

1 as practicable of the employee's intent to exercise the leave guaranteed
2 by this section.

3 (c) The length of leave provided under this section may be reduced by
4 any period of paid leave provided by the employer. Nothing in this section
5 prevents an employer from providing leave benefits in addition to those
6 provided in this section or otherwise affects an employee's rights with
7 respect to other employment benefits.

8 (d) The provisions of this section shall not apply to employees of the
9 state of Kansas granted leave pursuant to section 4, and amendments
10 thereto.

11 (e) As used in this section:

12 (1) "Employee" means a person, independent contractor, or person
13 working for an independent contractor who performs services for com-
14 pensation, in whatever form, for an employer.

15 (2) "Employer" means a person or entity located or doing business in
16 this state and having one or more employees, and includes all political or
17 other governmental subdivisions of the state.

18 (3) "Immediate family member" means a person's parent, child, grand-
19 parents, siblings or spouse.

20 New Sec. 6. (a) Unless the leave would unduly disrupt the operations
21 of the employer, an employer shall grant a leave of absence without pay
22 to an employee whose immediate family member, as a member of the
23 United States armed forces, has been ordered into active service in sup-
24 port of a war or other national emergency. The employer may limit the
25 amount of leave provided under this subsection to the actual time nec-
26 essary for the employee to attend a send-off or homecoming ceremony
27 for the mobilized service member, not to exceed one day's duration in
28 any calendar year.

29 (b) The provisions of this section shall not apply to employees of the
30 state of Kansas granted leave pursuant to section 4, and amendments
31 thereto.

32 (c) As used in this section:

33 (1) "Employee" means a person who performs services for compen-
34 sation, in whatever form, for an employer. Employee does not include an
35 independent contractor.

36 (2) "Employer" means a person or entity located or doing business in
37 this state and having one or more employees, and includes all political or
38 other governmental subdivisions of the state.

39 (3) "Immediate family member" means a person's grandparent, parent,
40 legal guardian, sibling, child, grandchild, spouse, fiance or fiancée.

41 New Sec. 7. (a) State educational institutions, community colleges,
42 municipal universities and technical colleges shall recognize courses and
43 award educational credits for courses that were part of a veteran's military

1 training or service if the courses meet the standards of the American
2 council on education or equivalent standards for awarding academic cred-
3 its.

4 (b) Accredited independent institutions are encouraged to recognize
5 courses and award educational credits for courses that were part of a
6 veteran's military training or service if the courses meet the standards of
7 the American council on education or equivalent standards for awarding
8 academic credits.

9 (c) State educational institutions, community colleges, municipal uni-
10 versities and technical colleges shall not assess late fees or other late
11 charges for veterans who are eligible to receive federal educational assis-
12 tance and who have applied for that assistance but not yet received it,
13 nor shall such institutions prevent these students from registering for a
14 subsequent term because of outstanding tuition charges that arise from
15 delayed federal payments. Such institutions may request without delay
16 the amount of tuition above expected federal educational assistance and
17 may require payment of the full amount of tuition owed by the veteran
18 within 30 days of receipt of the expected federal educational assistance.

19 (d) As used in this section:

20 (1) "State educational institution" has the meaning ascribed thereto in
21 K.S.A. 76-711, and amendments thereto.

22 (2) "Community college" means any community college organized and
23 operating under the laws of this state.

24 (3) "Municipal university" means a municipal university established
25 under the provisions of article 13a of chapter 13 of the Kansas Statutes
26 Annotated, and amendments thereto.

27 (4) "Accredited independent institution" means an institution of post-
28 secondary education the main campus of which is located in Kansas and
29 which (A) is operated independently and not controlled or administered
30 by any state agency or any subdivision of the state, (B) maintains open
31 enrollment, and (C) is accredited by the north central association of col-
32 leges and secondary schools accrediting agency based on its requirements
33 as of April 1, 1985, or by the higher learning commission of the north
34 central association of colleges and schools based on its requirements as
35 of January 1, 2006.

36 (5) "Technical college" has the meaning ascribed thereto in K.S.A. 72-
37 4212, and amendments thereto.

38 (6) "Veteran" means a resident of Kansas who has been separated un-
39 der honorable conditions from any branch of the armed forces of the
40 United States.

41 New Sec. 8. (a) The state board of regents shall establish a program
42 to provide central liaison staff and campus veterans assistance staff to
43 serve the needs of students who are veterans at state educational insti-

1 tutions. Methods of assistance may include, but not be limited to, work-
2 study positions for veterans, and providing information and assistance
3 regarding the availability of state, federal, local, and private resources.

4 (b) As used in this section, "state educational institution" has the mean-
5 ing ascribed thereto in K.S.A. 76-711, and amendments thereto.

6 New Sec. 9.

7 DEPARTMENT OF WILDLIFE AND PARKS

8 (a) There is appropriated for the above agency from the state general
9 fund for the fiscal year or years specified, the following:

10 Reimbursement for annual licenses issued to Kansas disabled veterans

11 For the fiscal year ending June 30, 2008..... \$75,392

12 *Provided*, That all moneys in the reimbursement for annual licenses is-
13 sued to Kansas disabled veterans account shall be expended to pay the
14 wildlife fee fund for the cost of fees for annual hunting and annual fishing
15 licenses issued for the calendar year 2008 to Kansas disabled veterans,
16 which licenses are hereby authorized to be issued without charge to such
17 veterans in accordance with policies and procedures prescribed by the
18 secretary of wildlife and parks therefor and subject to the limitation of
19 the moneys appropriated and available in the reimbursement for annual
20 licenses issued to Kansas disabled veterans account to pay the wildlife fee
21 fund for such licenses: *Provided, however*, That to qualify for such license
22 without charge, the resident disabled veteran shall have been separated
23 from the armed services under honorable conditions, have a disability
24 certified by the Kansas commission on veterans affairs as being service
25 connected and such service connected disability is equal to or greater
26 than 30%: *Provided further*, That no other hunting or fishing licenses or
27 permits shall be eligible to be paid from this account: *And provided fur-*
28 *ther*, That any unencumbered balance in the reimbursement for annual
29 licenses issued to Kansas disabled veterans account in excess of \$100 as
30 of June 30, 2008, is hereby reappropriated for fiscal year 2009.

31 New Sec. 10. The board of healing arts shall grant an extension to
32 the time period required to pass the United States medical licensing ex-
33 amination if an applicant is mobilized into active military service, during
34 the process of taking such examination, but before passage of all steps.
35 Proof of active military service must be submitted to the board on the
36 forms and according to the timelines of the board. The board shall adopt
37 rules and regulations to implement the provisions of this section.

38 New Sec. 11. (a) A person who is in full-time military service of the
39 United States and is or soon to be mobilized or deployed outside of the
40 United States for a period of at least six months solely by reason of military
41 orders, on or before December 1 of the year in which such person files
42 a claim under this section, may elect to defer all or part of such person's
43 real property taxes for such person's principal place of residence for any

1 year in which such person is serving in active military duty for a period
2 not to exceed two years. To exercise such election to defer, such person
3 shall obtain a claim for deferral from the county clerk and file such claim
4 with the county treasurer of the county in which the property is located.
5 A person who is a family member or an attorney-in-fact of such person
6 otherwise qualified to claim this deferral, may act for such person in
7 claiming such deferral when such person's military service prevents such
8 person from making such claim for deferral. The claim shall be accom-
9 panied by proof of military status in a form as provided by the secretary
10 of revenue.

11 (b) Such deferral shall have the effect of deferring all or part of such
12 person's real property taxes as provided in subsection (a) for a period not
13 to exceed two years, and to waive any interest or penalties related to such
14 deferred real property taxes.

15 (c) All such deferred real property taxes shall become payable when
16 the deferral period ends, or the property is sold or title of such property
17 is transferred to someone other than the person who made the election
18 pursuant to subsection (a).

19 (d) The secretary of revenue shall adopt rules and regulations regarding
20 the forms that support the deferral claimed pursuant to this section and
21 such other matters necessary to administer the provisions of this section.

22 New Sec. 12. (a) As used in this section, "disabled veteran" means a
23 person separated from the armed services under an honorable discharge
24 and who has a disability certified by the United States department of
25 veteran affairs as being service connected and such service connected
26 disability is equal to or greater than 30%.

27 (b) For all taxable years commencing after December 31, 2006, any
28 taxpayer who is a disabled veteran shall be allowed a credit, as provided
29 in subsection (c), against the tax imposed by the Kansas income tax act
30 for real property taxes actually and timely paid by such taxpayer upon the
31 principal place of residence of such taxpayer during the income taxable
32 year.

33 (c) The amount of the credit allowed pursuant to subsection (b) shall
34 be an amount equal to the product of the total amount of such real prop-
35 erty taxes paid during the income taxable year and the amount of service
36 connected disability of such taxpayer expressed as a percentage.

37 (d) If the amount of such tax credit exceeds the taxpayer's income tax
38 liability for the taxable year, the amount thereof which exceeds such tax
39 liability shall be refunded to the taxpayer.

40 (e) The secretary of revenue shall adopt rules and regulations regarding
41 the filing of documents that support the amount of credit allowed pur-
42 suant to this section.

43 Sec. 13. K.S.A. 21-4015 is hereby amended to read as follows: 21-

- 1 4015. (a) This section shall be known and may be cited as the Kansas
2 funeral picketing act.
- 3 (b) The legislature finds that:
- 4 (1) It is generally recognized that families have a substantial interest in
5 organizing and attending funerals for deceased relatives; and
- 6 (2) the interests of families in privately and peacefully mourning the
7 loss of deceased relatives are violated when funerals are targeted for pick-
8 eting and other public demonstrations; and
- 9 (3) picketing of funerals causes emotional disturbance and distress to
10 grieving families who participate in funerals; and
- 11 (4) full opportunity exists under the terms and provisions of this section
12 for the exercise of freedom of speech and other constitutional rights at
13 times other than within one hour prior to, during and two hours following
14 the commencement of funerals.
- 15 (c) The purposes of this section are to:
- 16 (1) Protect the privacy of grieving families within one hour prior to,
17 during and two hours following the commencement of funerals; and
- 18 (2) preserve the peaceful character of cemeteries, mortuaries and
19 churches within one hour prior to, during and two hours following the
20 commencement of funerals.
- 21 (d) As used in this section:
- 22 (1) “Funeral” means ~~the ceremonies, processions and memorial serv-~~
23 ~~ices held in connection with the burial or cremation of the dead any~~
24 *ceremony, procession or memorial service in connection with the death*
25 *of a person.*
- 26 (2) “Picketing” means protest activities engaged in by a person or per-
27 sons stationed before or about a cemetery, mortuary ~~or~~, church ~~or other~~
28 *location where a funeral is held or conducted* within one hour prior to,
29 during and two hours following the commencement of a funeral.
- 30 (e) It is unlawful for any person to: ~~(1) Engage in picketing before or~~
31 ~~about or directed protest march at any public location within 300 feet of~~
32 *any entrance to any cemetery, church ~~or~~, mortuary or other location*
33 *where a funeral is held or conducted* within one hour prior to, during and
34 two hours following the commencement of a funeral;
- 35 (2) *obstruct or prevent the intended use of a public street, public side-*
36 *walk or other public space while engaged in picketing or a directed pro-*
37 *test, as described in subsection (1); or*
- 38 (3) *to display on signs, goods or clothing the name or image of any*
39 *member of the United States armed forces who was killed while on active*
40 *duty without first obtaining the written consent for such display from the*
41 *family of the deceased.*
- 42 (f) A violation of subsection (e) is a class B person misdemeanor. Each
43 day on which a violation of subsection (e) occurs shall constitute a separate

1 offense.

2 (g) Notwithstanding the penalties provided in subsection (f), any dis-
3 trict court may enjoin conduct proscribed by this section and may in any
4 such proceeding award damages, including punitive damages, attorney
5 fees or other appropriate relief against the persons found guilty of actions
6 made unlawful by subsection (e).

7 (h) If any provision of this section or the application thereof to any
8 person or circumstances is held invalid, the invalidity does not affect other
9 provisions or applications of this section which can be given effect without
10 the invalid provisions or application. To this end the provisions of this
11 section are severable.

12 (i) *Amendments by this act to this section shall be applicable from and*
13 *after the date the Kansas supreme court upholds the constitutionality*
14 *thereof.*

15 New Sec. 14. (a) Notwithstanding the provisions of K.S.A. 60-1802,
16 and amendments thereto, if an act of libel or slander is committed at a
17 funeral and the person defamed is the deceased at such funeral or any
18 living relative of the deceased, then an action for libel or slander may be
19 sustained if brought within one year after such funeral by the estate of
20 such deceased person on behalf of such deceased person or by or on
21 behalf of any living relative of such deceased person.

22 (b) "Funeral" has the meaning provided by subsection (d)(1) of K.S.A.
23 21-4015 and amendments thereto.

24 (c) "At a funeral" means within 300 feet of any cemetery, church or
25 mortuary within one hour prior to, during or two hours following the
26 commencement of a funeral at such location.

27 New Sec. 15. (a) The attorney general shall bring a declaratory judg-
28 ment action challenging the constitutionality of section 13 within 60 days
29 of the publication of this act in the statute book.

30 (b) An appeal of a district court decision shall be made directly to the
31 Kansas supreme court under provisions of subsection (b) of K.S.A. 60-
32 2102, and amendments thereto.

33 Sec. 16. K.S.A. 39-7,106 is hereby amended to read as follows: 39-
34 7,106. (a) Within the limits of appropriations therefor and to the extent
35 allowed under any applicable federal law or rule and regulation adopted
36 pursuant thereto, the secretary shall provide the support service com-
37 ponent of the KanWork program to facilitate public assistance recipient
38 participation and movement toward self-sufficiency.

39 (b) Support services shall include, but not be limited to, the following:

40 (1) Child care. Child care services shall be provided to every participant
41 in the KanWork program who is in need of such services through reim-
42 bursement of private child care providers or through state child care cen-
43 ters. Reimbursement to private child care providers shall not exceed the

1 fee charged to private clients for the same service and may be lower than
2 such fee if the private child care provider agrees to charge a lower fee.
3 *Preference shall be given to families in which at least one parent is a*
4 *veteran.*

5 (2) Transportation assistance. Transportation expenses in a monthly
6 amount to be established by the secretary by rules and regulations shall
7 be paid to a participant who needs such assistance in order to participate
8 in the KanWork program.

9 (3) Family mentor program in which volunteers work directly with
10 participants on home management, budgeting, nutrition, hygiene, child
11 care, family planning and other home-related needs which affect self-
12 sufficiency.

13 (c) *As used in this section, "veteran" means a resident of Kansas who*
14 *has been separated on or after September 11, 2001, under honorable con-*
15 *ditions from any branch of the armed forces of the United States after*
16 *having served on active duty for 181 consecutive days or by reason of*
17 *disability incurred while serving on active duty.*

18 Sec. 17. K.S.A. 2006 Supp. 76-729 is hereby amended to read as
19 follows: 76-729. (a) Persons enrolling at the state educational institutions
20 under the control and supervision of the state board of regents who, if
21 such persons are adults, have been domiciliary residents of the state of
22 Kansas or, if such persons are minors, whose parents have been domicil-
23 iary residents of the state of Kansas for at least 12 months prior to en-
24 rollment for any term or session at a state educational institution are
25 residents for fee purposes. A person who has been a resident of the state
26 of Kansas for fee purposes and who leaves the state of Kansas to become
27 a resident of another state or country shall retain status as a resident of
28 the state of Kansas for fee purposes if the person returns to domiciliary
29 residency in the state of Kansas within 12 months of departure. All other
30 persons are nonresidents of the state of Kansas for fee purposes.

31 (b) The state board of regents may authorize the following persons, or
32 any class or classes thereof, and their spouses and dependents to pay an
33 amount equal to resident fees:

34 (1) Persons who are employees of a state educational institution;

35 (2) ~~persons who are in military service;~~

36 ~~—(3) persons who are domiciliary residents of the state, who were in~~
37 ~~active military service prior to becoming domiciliary residents of the state,~~
38 ~~who were present in the state for a period of not less than two years~~
39 ~~during their tenure in active military service, whose domiciliary residencee~~
40 ~~was established in the state within 30 days of discharge or retirement~~
41 ~~from active military service under honorable conditions, but whose dom-~~
42 ~~iciliary residencee was not timely enough established to meet the residencee~~
43 ~~duration requirement of subsection (a);~~

- 1 —~~(4)~~ persons having special domestic relations circumstances;
- 2 ~~(5)~~ (3) persons who have lost their resident status within six months of
- 3 enrollment;
- 4 ~~(6)~~ (4) persons who are not domiciliary residents of the state, who have
- 5 graduated from a high school accredited by the state board of education
- 6 within six months of enrollment, who were domiciliary residents of the
- 7 state at the time of graduation from high school or within 12 months prior
- 8 to graduation from high school, and who are entitled to admission at a
- 9 state educational institution pursuant to K.S.A. 72-116, and amendments
- 10 thereto;
- 11 ~~(7)~~ (5) persons who are domiciliary residents of the state, whose dom-
- 12 iciliary residence was established in the state for the purpose of accepting,
- 13 upon recruitment by an employer, or retaining, upon transfer required
- 14 by an employer, a position of full-time employment at a place of employ-
- 15 ment in Kansas, but the domiciliary residence of whom was not timely
- 16 enough established to meet the residence duration requirement of sub-
- 17 section (a), and who are not otherwise eligible for authorization to pay an
- 18 amount equal to resident fees under this subsection; *and*
- 19 ~~(8)~~ (6) persons who have graduated from a high school accredited by
- 20 the state board of education within six months of enrollment and who, at
- 21 the time of graduation from such a high school or while enrolled and in
- 22 attendance at such a high school prior to graduation therefrom, were
- 23 dependents of a person in military service within the state; if the person,
- 24 whose dependent is eligible for authorization to pay an amount equal to
- 25 resident fees under this provision, does not establish domiciliary resi-
- 26 dence in the state upon retirement from military service, eligibility of the
- 27 dependent for authorization to pay an amount equal to resident fees shall
- 28 lapse; ~~and~~
- 29 ~~(9) persons who have retired or have been honorably discharged from~~
- 30 ~~military service, had a permanent change of station order for active duty~~
- 31 ~~in Kansas during such military service and live in Kansas at the time of~~
- 32 ~~enrollment.~~
- 33 (c) ~~(1)~~ The state board of regents shall authorize the following class of
- 34 persons to pay an amount equal to resident fees:
- 35 (1) Any dependent or spouse of a person in military service who is
- 36 reassigned from Kansas to another duty station so long as such dependent
- 37 or spouse continues to reside in Kansas. (2) So long as a person remains
- 38 continuously enrolled, exclusive of summer sessions, a person who qual-
- 39 ifies to pay resident fees by virtue of being a spouse or dependent of a
- 40 person in military service shall not lose such status because of a divorce
- 41 or the death of a spouse.
- 42 (2) *Any person who has retired from military service or has been hon-*
- 43 *orably discharged from military service who is living in Kansas at the*

1 *time of enrollment.*

2 (3) *Any person who is in the military service and living in Kansas at*
3 *the time of enrollment.*

4 (d) As used in this section:

5 (1) "Parents" means and includes natural parents, adoptive parents,
6 stepparents, guardians and custodians.

7 (2) "Guardian" has the meaning ascribed thereto by K.S.A. 59-3051,
8 and amendments thereto.

9 (3) "Custodian" means a person, agency or association granted legal
10 custody of a minor under the *revised* Kansas code for care of children.

11 (4) "Domiciliary resident" means a person who has present and fixed
12 residence in Kansas where the person intends to remain for an indefinite
13 period and to which the person intends to return following absence.

14 (5) "Full-time employment" means employment requiring at least
15 1,500 hours of work per year.

16 (6) "Dependent" means: (A) A birth child, adopted child or stepchild;
17 or

18 (B) any child other than the foregoing who is actually dependent in
19 whole or in part on the person in military service and who is related to
20 such individual by marriage or consanguinity.

21 (7) "Military service" means any active service in any armed service of
22 the United States and any active state or federal service in the Kansas
23 army or air national guard.

24 Sec. 18. K.S.A. 21-4015 and 39-7,106 and K.S.A. 2006 Supp. 76-729
25 and 76-729a are hereby repealed.

26 Sec. 19. This act shall take effect and be in force from and after its
27 publication in the statute book.