

SENATE BILL No. 533

By Senators Umbarger and McGinn

2-1

9 AN ACT concerning veterans; relating to assistance therefor; making and
10 concerning appropriations for the fiscal year ending June 30, 2009, for
11 state agencies; amending K.S.A. 39-7,106 and K.S.A. 2007 Supp. 8-
12 1,146, 8-243 and 76-729 and repealing the existing sections.
13

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

15 New Section 1.

16 KANSAS COMMISSION ON VETERANS AFFAIRS

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

19 Operating expenditures — administration

20 For the fiscal year ending June 30, 2009.....	\$50,000
21 Veterans claim assistance program — service grants	
22 For the fiscal year ending June 30, 2009.....	\$500,000

23 *Provided*, That expenditures from the veterans claims assistance program
24 — service grants account shall be made only for the purpose of awarding
25 service grants to veterans service organizations for the purpose of aiding
26 veterans in obtaining federal benefits: *Provided however*, That no ex-
27 penditures shall be made by the Kansas commission on veterans affairs
28 from the veterans claim assistance program — service grants account for
29 operating expenditures or overhead for administering the grants in ac-
30 cordance with the provisions of K.S.A. 2007 Supp. 73-1234 and 73-1235,
31 and amendments thereto.

32 State soldiers' assistance program

33 For the fiscal year ending June 30, 2009.....	\$500,000
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34 *Provided*, That expenditures from the state soldiers' assistance program
35 account shall be made only for the purposes established in section 2, and
36 amendments thereto.

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

43 (b) Subject to the availability of appropriations therefor, such program

1 shall:

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

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

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

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

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

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

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

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

31 New Sec. 3. (a) Employees of the state of Kansas who serve in the
32 military reserves and are called to full-time military duty, mobilized and
33 deployed on and after July 1, 2008, are hereby authorized to receive a
34 one-time activation gross payment of \$1,500.

35 (b) Employees of the state of Kansas who serve in the military reserves
36 and are called to or currently on full-time military duty, mobilized and
37 deployed on or after July 1, 2008, are hereby authorized to receive the
38 difference between such employee's military base pay and such em-
39 ployee's regular state of Kansas employee wages when the military base
40 pay is an amount less than the regular state employee wages not to exceed
41 \$1,000 gross payment per pay period.

42 (c) In order to receive any payment pursuant to this section, the eligible
43 employee shall present a copy of such employee's orders, along with any

1 required paperwork to the employing agency.

2 (d) As used in this section, “eligible employee” means an employee
3 who is:

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

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

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

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

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

19 New Sec. 4. (a) Any employee of the state of Kansas in a regular posi-
20 tion shall be granted leave with pay for six working days if an immediate
21 family member who, as a member of the United States armed forces, has
22 been injured or killed while engaged in active service. Such employee
23 shall be granted an additional four working days of leave without pay.

24 (b) In addition to the provisions of subsection (a), any employee of the
25 state of Kansas in a regular position shall be granted leave with pay for
26 10 working days if a spouse or child who, as a member of the United
27 States armed forces, has been injured while engaged in active service and
28 such spouse or child is admitted into and currently being treated in a
29 military hospital.

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

38 (d) As used in this section, “immediate family member” means an em-
39 ployee’s parent, child, grandparents, siblings or spouse.

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

42 New Sec. 5. (a) An employer shall grant up to 10 working days of a
43 leave of absence without pay to an employee whose immediate family

1 member, as a member of the United States armed forces, has been in-
2 jured or killed while engaged in active service.

3 (b) An employee shall give as much notice to the employee's employer
4 as practicable of the employee's intent to exercise the leave guaranteed
5 by this section.

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

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

14 (e) As used in this section:

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

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

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

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

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

35 (c) As used in this section:

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

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

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

1 New Sec. 7. (a) State educational institutions, community colleges, mu-
2 nicipal universities and technical colleges shall recognize courses and
3 award educational credits for courses that were part of a veteran's military
4 training or service if the courses meet the standards of the American
5 council on education or equivalent standards for awarding academic cred-
6 its.

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

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

22 (d) As used in this section:

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

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

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

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

39 (5) "Technical college" has the meaning ascribed thereto in K.S.A. 72-
40 4212, and amendments thereto.

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

1 New Sec. 8. (a) The state board of regents shall establish a program to
 2 provide central liaison staff and campus veterans assistance staff to serve
 3 the needs of students who are veterans at state educational institutions.
 4 Methods of assistance may include, but not be limited to, work-study
 5 positions for veterans, and providing information and assistance regarding
 6 the availability of state, federal, local, and private resources.

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

9 New Sec. 9. (a) Upon enrolling at a postsecondary educational insti-
 10 tution, a service member shall pay tuition, fees and charges at the same
 11 rate such service member paid during the academic year when such serv-
 12 ice member was mobilized and deployed, if such service member was
 13 enrolled at the same postsecondary educational institution at the time of
 14 mobilization and deployment. The amount of tuition, fees and charges
 15 fixed by this section shall remain for a period of one year from the date
 16 such service member is no longer deployed or has returned to Kansas,
 17 whichever occurs first. If such service member enrolls within the period
 18 and remains continuously enrolled, exclusive of summer sessions, such
 19 service member is entitled to pay the amount of tuition, fees and charges
 20 fixed by this section.

21 (b) As used in this section:

22 (1) "Service member" means any person who is a member of the mil-
 23 itary service or the military reserves, is a resident of the state of Kansas
 24 and had been mobilized and deployed outside of the United States.

25 (2) "Military reserves" includes the military branches and related serv-
 26 ices of the Army Reserve, Naval Reserve, Marine Corps Reserve, Air
 27 Force Reserve, Coast Guard Reserve, Army or Air National Guard, Public
 28 Health Commissioned Corps, or other category of person designated by
 29 the President in time of war or emergency.

30 (3) "Military service" means any active service in any armed service of
 31 the United States.

32 (4) "State educational institution", "community college", "municipal
 33 university" and "technical college" shall have the meanings ascribed
 34 thereto in section 7, and amendments thereto.

35 (5) "Postsecondary educational institution" means a state educational
 36 institution, municipal university, community college or technical college.

37 New Sec. 10.

38 DEPARTMENT OF WILDLIFE AND PARKS

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

41 Reimbursement for annual licenses issued to Kansas disabled veterans
 42 For the fiscal year ending June 30, 2009..... \$75,392
 43 *Provided*, That all moneys in the reimbursement for annual licenses is-

1 sued to Kansas disabled veterans account shall be expended to pay the
2 wildlife fee fund for the cost of fees for annual hunting and annual fishing
3 licenses issued for the calendar year 2009 to Kansas disabled veterans,
4 which licenses are hereby authorized to be issued without charge to such
5 veterans in accordance with policies and procedures prescribed by the
6 secretary of wildlife and parks therefor and subject to the limitation of
7 the moneys appropriated and available in the reimbursement for annual
8 licenses issued to Kansas disabled veterans account to pay the wildlife fee
9 fund for such licenses: *Provided, however*, That to qualify for such license
10 without charge, the resident disabled veteran shall have been separated
11 from the armed services under honorable conditions, have a disability
12 certified by the Kansas commission on veterans affairs as being service
13 connected and such service connected disability is equal to or greater
14 than 30%: *Provided further*, That no other hunting or fishing licenses or
15 permits shall be eligible to be paid from this account: *And provided fur-*
16 *ther*, That any unencumbered balance in the reimbursement for annual
17 licenses issued to Kansas disabled veterans account in excess of \$100 as
18 of June 30, 2009, is hereby reappropriated for fiscal year 2010.

19 New Sec. 11. The board of healing arts shall grant an extension to the
20 time period required to pass the United States medical licensing exami-
21 nation if an applicant is mobilized into active military service, during the
22 process of taking such examination, but before passage of all steps. Proof
23 of active military service must be submitted to the board on the forms
24 and according to the timelines of the board. The board shall adopt rules
25 and regulations to implement the provisions of this section.

26 New Sec. 12. (a) A person who is in full-time military service of the
27 United States and is or soon to be mobilized or deployed outside of the
28 United States for a period of at least six months solely by reason of military
29 orders, on or before December 1 of the year in which such person files
30 a claim under this section, may elect to defer all or part of such person's
31 real property taxes for such person's principal place of residence for any
32 year in which such person is serving in active military duty for a period
33 not to exceed two years. To exercise such election to defer, such person
34 shall obtain a claim for deferral from the county clerk and file such claim
35 with the county treasurer of the county in which the property is located.
36 A person who is a family member or an attorney-in-fact of such person
37 otherwise qualified to claim this deferral, may act for such person in
38 claiming such deferral when such person's military service prevents such
39 person from making such claim for deferral. The claim shall be accom-
40 panied by proof of military status in a form as provided by the secretary
41 of revenue.

42 (b) Such deferral shall have the effect of deferring all or part of such
43 person's real property taxes as provided in subsection (a) for a period not

1 to exceed two years, and to waive any interest or penalties related to such
2 deferred real property taxes.

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

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

10 New Sec. 13. (a) As used in this section, "disabled veteran" means a
11 person separated from the armed services under an honorable discharge
12 and who has a disability certified by the United States department of
13 veteran affairs as being service connected and such service connected
14 disability is equal to or greater than 30%.

15 (b) For all taxable years commencing after December 31, 2007, any
16 taxpayer who is a disabled veteran shall be allowed a credit, as provided
17 in subsection (c), against the tax imposed by the Kansas income tax act
18 for real property taxes actually and timely paid by such taxpayer upon the
19 principal place of residence of such taxpayer during the income taxable
20 year.

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

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

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

31 Sec. 14. K.S.A. 2007 Supp. 8-1,146 is hereby amended to read as fol-
32 lows: 8-1,146. (a) Any owner or lessee of one or more passenger vehicles,
33 trucks of a gross weight of 20,000 pounds or less, motorcycles or travel
34 trailers, who is a resident of the state of Kansas, and who submits satis-
35 factory proof to the director of vehicles, in accordance with rules and
36 regulations adopted by the secretary of revenue, that such person has
37 proof of: (1) Having served and is designated as a veteran, and has had
38 an honorable discharge from the United States army, navy, air force,
39 marine corps, coast guard or merchant marines, or (2) *currently serving*
40 *in the United States army, navy, air force, marine corps, coast guard or*
41 *merchant marines*, upon compliance with the provisions of this section,
42 may be issued one distinctive license plate for each such passenger ve-
43 hicle, truck, motorcycle or travel trailer designating such person as an

1 United States military veteran. Such license plates shall be issued for the
2 same period of time as other license plates upon proper registration and
3 payment of the regular license fee as provided in K.S.A. 8-143, and
4 amendments thereto.

5 On and after January 1, 2005, any person issued a license plate under
6 this section may request a decal for each license plate indicating the ap-
7 propriate military branch in which the person served *or is currently serv-*
8 *ing in.*

9 (b) Any person who is a veteran *or current member* of the United States
10 army, navy, air force, marine corps, coast guard or merchant marines may
11 make application for such distinctive license plates, not less than 60 days
12 prior to such person's renewal of registration date, on a form prescribed
13 and furnished by the director of vehicles, and any applicant for the dis-
14 tinctive license plates shall furnish the director with proof as the director
15 shall require that the applicant is a veteran *or current member* of the
16 United States army, navy, air force, marine corps, coast guard or merchant
17 marines. Application for the registration of a passenger vehicle, truck,
18 motorcycle or travel trailer and issuance of the license plates under this
19 section shall be made by the owner or lessee in a manner prescribed by
20 the director of vehicles upon forms furnished by the director.

21 (c) No registration or distinctive license plates issued under the au-
22 thority of this section shall be transferable to any other person.

23 (d) Renewals of registration under this section shall be made annually,
24 upon payment of the fee prescribed in subsection (a), in the manner
25 prescribed in subsection (b) of K.S.A. 8-132, and amendments thereto.
26 No renewal of registration shall be made to any applicant until such ap-
27 plicant has filed with the director a form as provided in subsection (b). If
28 such form is not filed, the applicant shall be required to comply with
29 K.S.A. 8-143, and amendments thereto, and return the distinctive license
30 plates to the county treasurer of such person's residence.

31 (e) A fee of \$2 shall be paid for each decal issued under subsection (a).
32 The director of vehicles shall design such decals. Such decals shall be
33 affixed to the license plate in the location required by the director.

34 Sec. 15. K.S.A. 2007 Supp. 8-243 is hereby amended to read as follows:
35 8-243. (a) Upon payment of the required fee, the division shall issue to
36 every applicant qualifying under the provisions of this act the driver's
37 license as applied for by the applicant. Such license shall bear the class
38 or classes of motor vehicles which the licensee is entitled to drive, a
39 distinguishing number assigned to the licensee, the full legal name, date
40 of birth, gender, address of principal residence and a brief description of
41 the licensee, a colored digital photograph of the licensee, a facsimile of
42 the signature of the licensee and the statement provided for in subsection
43 (b). No driver's license shall be valid until it has been signed by the

1 licensee. All drivers' licenses issued to persons under the age of 21 years
2 shall be readily distinguishable from licenses issued to persons age 21
3 years or older. In addition, all drivers' licenses issued to persons under
4 the age of 18 years shall also be readily distinguishable from licenses
5 issued to persons age 18 years or older. The secretary of revenue shall
6 implement a vertical format to make drivers' licenses issued to persons
7 under the age of 21 more readily distinguishable. Except as otherwise
8 provided, no driver's license issued by the division shall be valid until a
9 colored digital photograph of such licensee has been taken and verified
10 before being placed on the driver's license. The secretary of revenue shall
11 prescribe a fee of not more than \$4 and upon payment of such fee the
12 division shall cause a colored digital photograph of such applicant to be
13 placed on the driver's license. Upon payment of such fee prescribed by
14 the secretary of revenue, plus payment of the fee required by K.S.A. 8-
15 246, and amendments thereto, for issuance of a new license, the division
16 shall issue to such licensee a new license containing a colored digital
17 photograph of such licensee. A driver's license which does not contain
18 the principal address as required may be issued to persons who are pro-
19 gram participants pursuant to K.S.A. 2007 Supp. 75-455, and amend-
20 ments thereto, upon payment of the fee required by K.S.A. 8-246, and
21 amendments thereto. All Kansas drivers' licenses and identification cards
22 shall have physical security features designed to prevent tampering, coun-
23 terfeiting or duplication of the document for fraudulent purposes. The
24 secretary of revenue shall incorporate common machine-readable tech-
25 nology into all Kansas drivers' licenses and identification cards.

26 (b) All Kansas drivers' licenses issued to any person 16 years of age or
27 older shall contain a form which provides a statement for making a gift
28 of all or any part of the body of the licensee in accordance with the revised
29 uniform anatomical gift act, K.S.A. 2007 Supp. 65-3220 through 65-3244,
30 and amendments thereto, except as otherwise provided by this subsec-
31 tion. The statement to be effective shall be signed by the licensee in the
32 presence of two witnesses who shall sign the statement in the presence
33 of the donor. The gift becomes effective upon the death of the donor.
34 Delivery of the license during the donor's lifetime is not necessary to
35 make a valid gift. Any valid gift statement executed prior to July 1, 1994,
36 shall remain effective until invalidated. The word "Donor" shall be placed
37 on the front of a licensee's driver's license, indicating that the statement
38 for making an anatomical gift under this subsection has been executed by
39 such licensee.

40 (c) Any person who is deaf or hard of hearing may request that the
41 division issue to such person a driver's license which is readily distinguish-
42 able from drivers' licenses issued to other drivers and upon such request
43 the division shall issue such license. Drivers' licenses issued to persons

1 who are deaf or hard of hearing and under the age of 21 years shall be
2 readily distinguishable from drivers' licenses issued to persons who are
3 deaf or hard of hearing and 21 years of age or older. Upon satisfaction of
4 subsection (a), the division shall issue a receipt of application permitting
5 the operation of a vehicle consistent with the requested class, if there are
6 no other restrictions or limitations, pending the division's verification of
7 the information and production of a driver's license.

8 (d) A driver's license issued to a person required to be registered under
9 K.S.A. 22-4901 et seq., and amendments thereto, shall be assigned a dis-
10 tinguishing number by the division which will readily indicate to law en-
11 forcement officers that such person is a registered offender. The division
12 shall develop a numbering system to implement the provisions of this
13 subsection.

14 (e) *Any person who submits satisfactory proof to the director of vehi-*
15 *cles, in accordance with rules and regulations adopted by the secretary*
16 *of revenue, that such person has proof of having served and is designated*
17 *as a veteran, and has had an honorable discharge from the United States*
18 *army, navy, air force, marine corps, coast guard or merchant marines,*
19 *may request that the division issue to such person a driver's license which*
20 *indicates that such person is a veteran.*

21 Sec. 16. K.S.A. 39-7,106 is hereby amended to read as follows: 39-
22 7,106. (a) Within the limits of appropriations therefor and to the extent
23 allowed under any applicable federal law or rule and regulation adopted
24 pursuant thereto, the secretary shall provide the support service com-
25 ponent of the KanWork program to facilitate public assistance recipient
26 participation and movement toward self-sufficiency.

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

28 (1) Child care. Child care services shall be provided to every participant
29 in the KanWork program who is in need of such services through reim-
30 bursement of private child care providers or through state child care cen-
31 ters. Reimbursement to private child care providers shall not exceed the
32 fee charged to private clients for the same service and may be lower than
33 such fee if the private child care provider agrees to charge a lower fee.
34 *Preference shall be given to families in which at least one parent is a*
35 *veteran.*

36 (2) Transportation assistance. Transportation expenses in a monthly
37 amount to be established by the secretary by rules and regulations shall
38 be paid to a participant who needs such assistance in order to participate
39 in the KanWork program.

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

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

6 Sec. 17. K.S.A. 2007 Supp. 76-729 is hereby amended to read as fol-
 7 lows: 76-729. (a) (1) Persons enrolling at the state educational institutions
 8 under the control and supervision of the state board of regents who, if
 9 such persons are adults, have been domiciliary residents of the state of
 10 Kansas or, if such persons are minors, whose parents have been domicil-
 11 iary residents of the state of Kansas for at least 12 months prior to en-
 12 rollment for any term or session at a state educational institution are
 13 residents for fee purposes. A person who has been a resident of the state
 14 of Kansas for fee purposes and who leaves the state of Kansas to become
 15 a resident of another state or country shall retain status as a resident of
 16 the state of Kansas for fee purposes if the person returns to domiciliary
 17 residency in the state of Kansas within 60 months of departure. All other
 18 persons are nonresidents of the state of Kansas for fee purposes.

19 (2) The provisions of this subsection shall be applicable to any person
 20 enrolling at a state educational institution from and after July 1, 2006.
 21 Any person who (A) qualifies as a resident of the state of Kansas for fee
 22 purposes under the provisions of this subsection, (B) attended a state
 23 educational institution during academic year 2006-2007 and (C) paid fees
 24 as if such person was not a resident of the state of Kansas, may apply to
 25 such state educational institution to be reimbursed in an amount equal
 26 to the difference between the amount the person paid in fees and the
 27 amount the person would have paid if such person had been treated as a
 28 resident of the state of Kansas. Such reimbursement shall be paid by the
 29 state educational institution at which such person was enrolled during
 30 academic year 2006-2007.

31 (3) The provisions of this subsection shall not apply to a person who is
 32 deemed a resident for fee purposes pursuant to K.S.A. 2007 Supp. 76-
 33 731a, and amendments thereto.

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

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

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

39 ~~—(3) persons who are domiciliary residents of the state, who were in~~
 40 ~~active military service prior to becoming domiciliary residents of the state,~~
 41 ~~who were present in the state for a period of not less than two years~~
 42 ~~during their tenure in active military service, whose domiciliary residence~~
 43 ~~was established in the state within 30 days of discharge or retirement~~

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

1 or the death of a spouse.

2 (2) *Any person who is assigned to a unit in the Kansas Army or Air*
3 *National Guard but resides in another state, so long as such person con-*
4 *tinues to be a member of such guard unit.*

5 (3) *Any person who has retired from military service or has been hon-*
6 *orably discharged from military service who is living in Kansas at the*
7 *time of enrollment.*

8 (4) *Any person who is in the military service and living in Kansas at*
9 *the time of enrollment.*

10 (d) As used in this section:

11 (1) “Parents” means and includes natural parents, adoptive parents,
12 stepparents, guardians and custodians.

13 (2) “Guardian” has the meaning ascribed thereto by K.S.A. 59-3051,
14 and amendments thereto.

15 (3) “Custodian” means a person, agency or association granted legal
16 custody of a minor under the revised Kansas code for care of children.

17 (4) “Domiciliary resident” means a person who has present and fixed
18 residence in Kansas where the person intends to remain for an indefinite
19 period and to which the person intends to return following absence.

20 (5) “Full-time employment” means employment requiring at least
21 1,500 hours of work per year.

22 (6) “Dependent” means: (A) A birth child, adopted child or stepchild;
23 or

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

27 (7) “Military service” means: (A) Any active service in any armed serv-
28 ice of the United States; or (B) membership in the Kansas army or air
29 national guard.

30 (8) “Academic year” means the twelve-month period ending June 30.

31 Sec. 18. K.S.A. 39-7,106 and K.S.A. 2007 Supp. 8-1,146, 8-243 and 76-
32 729 are hereby repealed.

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