

CHAPTER 120

Substitute for HOUSE BILL No. 2727

AN ACT concerning state officers and employees; amending K.S.A. 75-5532 and 75-5534 and K.S.A. 2005 Supp. 75-5531 and 75-5533 and repealing the existing sections.

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

Section 1. K.S.A. 2005 Supp. 75-5531 is hereby amended to read as follows: 75-5531. As used in K.S.A. 75-5531 to 75-5534, inclusive, and amendments thereto:

(a) “*Community health charities*” means *community health charities of Kansas and Missouri, Inc.*

(b) “State employee” or “employee” means any appointed or elective officer or any employee of the state of Kansas, ~~and~~.

~~(b)~~ (c) “United way organization” means the organization conducting a single, annual, consolidated effort to secure funds for distribution to agencies engaged in charitable, public health, welfare or service purposes, which commonly is known as the united way. Such term includes the united fund, the community chest or any other organization which serves in communities or areas of the state where the united way is not organized.

Sec. 2. K.S.A. 75-5532 is hereby amended to read as follows: 75-5532. (a) Upon notification of an employing agency’s receipt of written authorization by any state employee, the director of accounts and reports shall make periodic deductions of amounts as specified in such authorization from the salary or wages of such state employee for the purpose of contributing to a united way organization *or community health charities* and shall make payments of such amounts in accordance with such authorization and the payroll deduction plan adopted under subsection (b). Any amounts deducted from the salary or wages of such state employee pursuant to such authorization shall be subject to the maximum and minimum amounts established by rules and regulations adopted under K.S.A. 75-5534 and amendments thereto. Any such written authorization may be withdrawn or modified by such state employee upon filing written notice of withdrawal or modification in the manner and at the times prescribed in rules and regulations adopted under K.S.A. 75-5534 and amendments thereto.

(b) As part of the system of payroll accounting formulated under K.S.A. 75-5501 and amendments thereto, the director of accounts and reports shall establish a payroll deduction plan for the purpose of making contributions to united way organizations *and to community health charities* by state employees. Such plan shall be administered by the director of accounts and reports in accordance with rules and regulations adopted under K.S.A. 75-5534 and amendments thereto and such additional accounting procedures as may be prescribed by the director of accounts and reports.

Sec. 3. K.S.A. 2005 Supp. 75-5533 is hereby amended to read as follows: 75-5533. (a) The director of accounts and reports shall charge and collect a fee for making payroll deductions and payments authorized under K.S.A. 75-5531 to 75-5534, inclusive, and amendments thereto. Such fees shall be fixed in an amount equal to the total costs incurred in making the necessary transfers and transactions, including administrative costs, to accomplish the purpose involved as determined by the director of accounts and reports with the approval of the secretary of administration. The fees fixed shall be levied against and shall be paid by the united way organization *or community health charities* which receives payments pursuant to written authorizations by state employees under this section. Such fees shall be paid as part of each transaction remitting payments to the united way organization *or community health charities*.

(b) All moneys received by the director of accounts and reports from the fees levied under this section shall be remitted to the state treasurer in accordance with the provisions [of] K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the ~~state~~ *general accounting services recovery* fund.

Sec. 4. K.S.A. 75-5534 is hereby amended to read as follows: 75-5534. The secretary of administration, upon the recommendation of the director of accounts and reports, may adopt rules and regulations as pro-

vided in K.S.A. 75-3706, and amendments thereto, for the implementation and administration of K.S.A. 75-5531 to 75-5534, inclusive, *and amendments thereto*. Such rules and regulations shall include: (a) Provisions prohibiting the use of official action or threat of official action by a state employee to coerce or attempt to coerce a subordinate state employee to contribute to a united way organization *or community health charities*; and (b) maximum and minimum limitations on the amounts to be deducted from the salary or wages of any state employee and provisions for the modification or withdrawal of any authorization to make periodic deductions for the purpose of making contributions to united way organizations *or community health charities*.

Sec. 5. K.S.A. 75-5532 and 75-5534 and K.S.A. 2005 Supp. 75-5531 and 75-5533 are hereby repealed.

Sec. 6. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 14, 2006.
