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MEMORANDUM

To: Senate Committee on Utilities
From: Office of Revisor of Statutes
Date: February 26, 2025
Subject: House Bill 2110 – As Introduced

House Bill 2110 would amend the Kansas 911 act and some related delayed sections of law that were enacted by last session's amendments to the Kansas 911 act pursuant to 2024 HB 2690. Generally, HB 2110 would do the following:

- Remove the requirement that the state 911 board contract with a local collection point administrator (LCPA) for services;
- Reschedule when the state 911 fund, state 911 operations fund, and state 911 grant fund shall be established in the state treasury and reschedule when the 911 fee moneys held outside the state treasury shall be transferred to such funds;
- Require an immediate transfer of moneys to the state 911 operations fund on July 1, 2025;
- Authorize the board to make discretionary annual transfers from the state 911 operations fund to the state 911 grant fund; and
- Remove the 911 fee transfer cap on the state 911 grant fund.

Removing the Requirement to Contract with an LCPA for Services

Current law in K.S.A. 12-5367 requires the state 911 board to contract with an LCPA for services. The LCPA is the contracted entity that collects and distributes moneys collected pursuant to 911 fees. Current law stipulates that the contract with the LCPA shall be for a two-year term and authorizes the state 911 board to extend such contract for up to two additional years. Current law also requires the legislative coordinating council to approve of any new LCPA selected by the state 911 board.

Section 2 of HB 2110 would amend K.S.A. 12-5367 to expire the requirement that the state 911 board shall contract with an LCPA for services on January 1, 2026. Additionally, several other sections of HB 2110 would remove any remaining statutory references to the LCPA. The statutory duties and obligations that pertain to the LCPA would be assumed by the state 911 board. In many such instances, such duties and obligations were already imposed upon the state 911 board in addition to the LCPA.

The state 911 board would still retain authority pursuant to K.S.A. 12-5383 to contract for services with any entity to fulfill the functions of the board.

*Rescheduling the Establishment of the New Funds in the State Treasury and the Date on which
All 911 Fee Moneys shall be Transferred to such Funds*

Sections 12, 13 and 14 of HB 2110 would amend K.S.A. 12-5388, 12-5289 and 12-5390 to require the establishment of the state 911 operations fund, state 911 grant fund and state 911 fund in the state treasury on July 1, 2025. Currently, such funds are scheduled to be established on January 1, 2026.

Such sections would also reschedule the date on which all the 911 fee moneys held outside the state treasury shall be transferred to the state treasury. HB 2110 would require such bulk transfer to occur on January 2, 2026. Currently, such transfer is scheduled for January 1, 2026.

Requiring an Immediate Transfer of Moneys to the State 911 Operations Fund

Section 12 of HB 2110 would amend K.S.A. 12-5388 to require the state 911 board, or the entity that the board contracts with for services, to remit \$1,000,000 from the 911 operations fund currently held outside the state treasury to the state treasurer on July 1, 2025, for deposit in the state 911 operations fund established in the state treasury.

Authorizing Annual Transfers from the State 911 Operations Fund to the State 911 Grant Fund

Section 12 of HB 2110 would amend K.S.A. 12-5388 to authorize the state 911 board to transfer any unencumbered moneys held in the state 911 operations fund from a prior fiscal year to the state 911 grant fund. HB 2110 would authorize the state 911 board to effectuate such transfer once per fiscal year when the board determines that such transfer will not impair the board's ability to fulfill its statutory obligations.

Removing the 911 Fee Transfer Cap on the State 911 Grant Fund

Currently, K.S.A. 12-5368 directs how the 911 fee moneys shall be deposited into the state 911 operations fund, state 911 grant fund and state 911 fund of the state treasury. Currently, \$.23 of each 911 fee shall be deposited into the state 911 operations fund, \$.01 of each 911 fee shall be deposited into the state 911 grant fund whenever the balance of the state grant fund is less than \$2,000,000, and the remaining amount shall be deposited into the state 911 fund.

Section 1 of HB 2110 consolidates the provisions relating to how the 911 fee moneys shall be deposited into the state treasury funds and eliminates the cap on the deposits into the state 911 grant fund. Under HB 2110, the state grant fund would receive \$.01 from every 911 fee no matter the balance of such fund. HB 2110 would maintain the requirement that \$.23 of every 911 fee shall be deposited into the state 911 operations fund and that the remaining amount be deposited into the state 911 fund.