

HOUSE BILL No. 2110

By Committee on Energy, Utilities and Telecommunications

Requested by Sherry Massey, Executive Director of the Kansas 911 Coordinating Council

1-28

1 AN ACT concerning emergency communication services; relating to the
2 Kansas 911 act; eliminating the requirement that the state 911 board
3 shall contract with a local collection point administrator for services;
4 rescheduling the date on which the state 911 operations fund, state 911
5 grant fund and state 911 fund shall be established in the state treasury;
6 rescheduling the date on which all moneys collected pursuant to the
7 Kansas 911 act are to be transferred to the state treasury; requiring
8 certain transfers to be made to the state 911 operations fund;
9 authorizing the state 911 board to transfer annually any unencumbered
10 moneys of the state 911 operations fund to the state 911 grant fund;
11 amending K.S.A. 12-5363, as amended by section 11 of chapter 53 of
12 the 2024 Session Laws of Kansas, 12-5367, as amended by section 15
13 of chapter 53 of the 2024 Session Laws of Kansas, 12-5368, as
14 amended by section 18 of chapter 53 of the 2024 Session Laws of
15 Kansas, 12-5369, as amended by section 19 of chapter 53 of the 2024
16 Session Laws of Kansas, 12-5370, as amended by section 20 of chapter
17 53 of the 2024 Session Laws of Kansas, 12-5372, as amended by
18 section 22 of chapter 53 of the 2024 Session Laws of Kansas, 12-5374,
19 as amended by section 25 of chapter 53 of the 2024 Session Laws of
20 Kansas, and 12-5375, as amended by section 28 of chapter 53 of the
21 2024 Session Laws of Kansas, and K.S.A. 2024 Supp. 12-5377, 12-
22 5387, 12-5388, 12-5389 and 12-5390 and repealing the existing
23 sections.
24

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

26 New Section 1. (a) Upon receipt of the 911 fees remitted by a
27 provider to the state board pursuant to K.S.A. 12-5370, and amendments
28 thereto, the state board shall remit such moneys to the state treasurer in
29 accordance with the provisions of K.S.A. 75-4215, and amendments
30 thereto. Upon receipt of each such remittance, the state treasurer shall
31 deposit the entire amount in the state treasury and, except as provided in
32 subsection (b), shall credit \$.23 from every 911 fee remitted to the state
33 911 operations fund, \$.01 from every 911 fee remitted to the state 911
34 grant fund and the remaining amount of 911 fees remitted to the state 911

1 fund.

2 (b) If the amount of moneys credited to the state 911 operations fund
3 pursuant to subsection (a) exceeds 15% of the total amount of the 911 fees
4 remitted to the state treasurer over the prior three years, upon receipt of
5 each such remittance pursuant to this section, the state treasurer shall
6 credit any such moneys remitted to the state treasurer in excess of such
7 15% total to the state 911 grant fund.

8 (c) The provisions of this section shall take effect and be in force
9 from and after January 1, 2026.

10 Sec. 2. K.S.A. 12-5363, as amended by section 11 of chapter 53 of
11 the 2024 Session Laws of Kansas, is hereby amended to read as follows:
12 12-5363. As used in the Kansas 911 act:

13 (a) "Board" means the state 911 board.

14 (b) "Consumer" means a person who purchases prepaid wireless
15 service in a retail transaction.

16 (c) "Department" means the Kansas department of revenue.

17 (d) "Enhanced 911 service" or "E-911 service" means an emergency
18 telephone service that generally may provide, but is not limited to,
19 selective routing, automatic number identification and automatic location
20 identification features.

21 (e) "Exchange telecommunications service" means the service that
22 provides local telecommunications exchange access to a service user.

23 (f) "GIS" means a geographic information system for capturing,
24 storing, displaying, analyzing and managing data and associated attributes
25 that are spatially referenced.

26 (g) "GIS data" means the geometry and associated attributes
27 packaged in a geodatabase that defines the roads, address points and
28 boundaries within a PSAP's jurisdiction.

29 (h) "Governing body" means the board of county commissioners of a
30 county or the governing body of a city.

31 ~~(i) "Local collection point administrator" or "LCPA" means the~~
32 ~~person designated by the board to serve as the local collection point~~
33 ~~administrator pursuant to K.S.A. 12-5367, and amendments thereto.~~

34 ~~(j)~~—"Multi-line telephone system" means a system comprised of
35 common control units, telephones and control hardware and software
36 providing local telephone service to multiple end-use customers that may
37 include VoIP service and network and premises based systems such as
38 centrex, private branch exchange and hybrid key telephone systems.

39 ~~(k)~~(j) "Next generation 911" means 911 service that conforms with
40 national emergency number association (NENA) i3 standards and enables
41 PSAPs to receive Enhanced 911 service calls and emergency calls from
42 Internet Protocol (IP) based technologies and applications that may include
43 text messaging, image, video and data information from callers.

1 ~~(h)~~(k) "Non-traditional PSAP" means a PSAP not operated by a city or
2 county, including, but not limited to, PSAPs operated by universities, tribal
3 governments or the state or federal government.

4 ~~(m)~~(l) "Person" means any individual, firm, partnership,
5 copartnership, joint venture, association, cooperative organization,
6 corporation, municipal or private, and whether organized for profit or not,
7 state, county, political subdivision, state department, commission, board,
8 bureau or fraternal organization, nonprofit organization, estate, trust,
9 business or common law trust, receiver, assignee for the benefit of
10 creditors, trustee or trustee in bankruptcy or any other legal entity.

11 ~~(n)~~(m) "Prepaid wireless service" means a wireless
12 telecommunications service that allows a caller to dial 911 to access the
13 911 system, that is paid for in advance and sold in predetermined units or
14 dollars of which the number declines with use in a known amount.

15 ~~(o)~~(n) "Place of primary use" has the meaning provided in the mobile
16 telecommunications act as defined by 4 U.S.C. § 116 et seq., as in effect
17 on July 1, 2025.

18 ~~(p)~~(o) "Provider" means any person providing exchange
19 telecommunications service, wireless telecommunications service, VoIP
20 service or other service capable of contacting a PSAP. "Provider" includes
21 a 911 system operator.

22 ~~(q)~~(p) "PSAP" means a public safety answering point operated by a
23 city or county.

24 ~~(r)~~(q) "Retail transaction" means the purchase of prepaid wireless
25 service from a seller for any purpose other than resale, not including the
26 use, storage or consumption of such services.

27 ~~(s)~~(r) "Seller" means a person who sells prepaid wireless service to
28 another person.

29 ~~(t)~~(s) "Service user" means any person who is provided exchange
30 telecommunications service, wireless telecommunications service, VoIP
31 service, prepaid wireless service or any other service capable of contacting
32 a PSAP.

33 ~~(u)~~(t) "Subscriber account" means the 10-digit access number
34 assigned to a service user by a provider for the purpose of billing a service
35 user up to the maximum capacity of the simultaneous outbound calling
36 capability of a multi-line telephone system or equivalent service.

37 ~~(v)~~(u) "Subscriber radio equipment" means mobile and portable radio
38 equipment installed in vehicles or carried by persons for voice
39 communication with a radio system.

40 ~~(w)~~(v) "VoIP service" means voice over internet protocol.

41 ~~(x)~~(w) "Wireless telecommunications service" means commercial
42 mobile radio service as defined by 47 C.F.R. § 20.3 as in effect on July 1,
43 2025.

1 ~~(y)~~(x) "911 call" means any electronic request for emergency
 2 response, presented by means of wireline, wireless, VoIP or
 3 telecommunications device for the deaf (TDD) technology, text message or
 4 any other technology by which a service user initiates an immediate
 5 information interchange or conversation with a PSAP.

6 ~~(z)~~(y) "911 system operator" means any entity that accepts 911 calls
 7 from providers, processes those calls and presents those calls to the
 8 appropriate PSAP.

9 Sec. 3. K.S.A. 12-5367, as amended by section 15 of chapter 53 of
 10 the 2024 Session Laws of Kansas, is hereby amended to read as follows:
 11 12-5367. (a) The state 911 board, by an affirmative vote of nine voting
 12 members, shall select the local collection point administrator. In selecting
 13 the LCPA, the board shall contract with the LCPA for services for no
 14 longer than two years, however, the board may, by an affirmative vote of
 15 nine voting members, extend such contract for up to two additional years.
 16 The board shall receive the approval of the legislative coordinating council
 17 in selecting an LCPA if the entity to be designated as the LCPA is different
 18 than the previous entity designated as the LCPA. The board shall annually
 19 review the designation of the LCPA and the contract with the LCPA.

20 (b) Any contract made between the 911 coordinating council and an
 21 LCPA that is in existence on January 1, 2025, shall continue to be valid,
 22 effective and enforceable until extended, revised, revoked or terminated by
 23 the board.

24 (c) The LCPA shall be subject to the requirements of the Kansas open
 25 meetings act and, except as provided in K.S.A. 12-5374, and amendments
 26 thereto, the Kansas open records act. The LCPA shall treat all moneys
 27 received by the LCPA as public funds pursuant to article 14 of chapter 9 of
 28 the Kansas Statutes Annotated, and amendments thereto. Notwithstanding
 29 any other provision of law to the contrary, the LCPA shall not be
 30 considered a state agency.

31 (d) *This section shall expire on January 1, 2026.*

32 Sec. 4. On and after January 1, 2026, K.S.A. 12-5368, as amended by
 33 section 18 of chapter 53 of the 2024 Session Laws of Kansas, is hereby
 34 amended to read as follows: 12-5368. (a) ~~(1) Except as provided for in~~
 35 ~~paragraph (2), prior to the distribution of moneys pursuant to K.S.A. 12-~~
 36 ~~5374, and amendments thereto, the LCPA shall withhold \$.23 from every~~
 37 ~~911 fee remitted pursuant to K.S.A. 12-5369, and amendments thereto, and~~
 38 ~~shall remit such moneys to the state treasurer in accordance with the~~
 39 ~~provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of~~
 40 ~~each such remittance, the state treasurer shall deposit the entire amount in~~
 41 ~~the state treasury and credit such amount to the state 911 operations fund~~
 42 ~~established pursuant to section 5, and amendments thereto.~~

43 ~~(2) If the moneys withheld from distribution pursuant to paragraph~~

1 (1) exceed 15% of the total receipts received by the LCPA from providers
2 and the department over the prior three years, such moneys in excess of
3 that 15% total shall be remitted to the state treasurer in accordance with
4 the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt
5 of each such remittance, the state treasurer shall deposit the entire amount
6 in the state treasury and credit such amount to the state 911 grant fund
7 established pursuant to section 6, and amendments thereto.

8 (3) If the balance in the state 911 grant fund is less than \$2,000,000,
9 prior to the distribution pursuant to K.S.A. 12-5374, and amendments
10 thereto, the LCPA shall withhold \$.01 from every 911 fee remitted
11 pursuant to K.S.A. 12-5369, and amendments thereto, and shall remit such
12 moneys to the state treasurer in accordance with the provisions of K.S.A.
13 75-4215, and amendments thereto. Upon receipt of each such remittance,
14 the state treasurer shall deposit the entire amount in the state treasury and
15 credit such amount to the state 911 grant fund established pursuant to
16 section 6, and amendments thereto.

17 (b) The state 911 board shall be responsible for ensuring that the
18 moneys collected from 911 fees and prepaid wireless 911 fees are only
19 expended for purposes authorized pursuant to the Kansas 911 act.

20 (e)(b) The state 911 board shall develop criteria for eligible purchases
21 and for grant applicants and make the final determination as to the
22 distribution of grant funds. Such criteria shall promote the procurement of
23 equipment that meets open architecture and national technical standards.
24 Grant moneys shall not be used to procure, maintain or upgrade subscriber
25 radio equipment.

26 (d)(c) The state 911 board or the LCPA shall be authorized to
27 maintain an action to collect any moneys owed by any provider in the
28 district court in the county of the registered office of such provider or,
29 if such provider does not have a registered office in the state, such an action
30 may be maintained in the county where such provider's principal office is
31 located. If such provider has no principal office in the state, such an action
32 may be maintained in the district court of any county where such provider
33 provides service.

34 Sec. 5. K.S.A. 12-5369, as amended by section 19 of chapter 53 of
35 the 2024 Session Laws of Kansas, is hereby amended to read as follows:
36 12-5369. (a) Except as provided in subsection (b), there is hereby imposed
37 a 911 fee in the amount of \$.90 per month per subscriber account of any
38 exchange telecommunications service, wireless telecommunications
39 service, VoIP service, or other service capable of contacting a PSAP. Such
40 fee shall not be imposed on prepaid wireless service. It shall be the duty of
41 each exchange telecommunications service provider, wireless
42 telecommunications service provider, VoIP service provider or other
43 service provider to remit such fees to the LCPA as provided in K.S.A. 12-

1 5370, and amendments thereto.

2 (b) The state 911 board may, pursuant to rules and regulations, lower
3 the 911 fee established pursuant to subsection (a) upon a finding that the
4 moneys generated by such 911 fee exceed the costs required to operate
5 PSAPs in the state.

6 Sec. 6. K.S.A. 12-5370, as amended by section 20 of chapter 53 of
7 the 2024 Session Laws of Kansas, is hereby amended to read as follows:
8 12-5370. (a) Every billed service user shall be liable for the 911 fee until
9 such fees have been paid to the exchange telecommunications service
10 provider, wireless telecommunications service provider, VoIP service
11 provider or other service provider.

12 (b) All providers shall have the duty to collect the 911 fee imposed
13 pursuant to K.S.A. 12-5369, and amendments thereto. Such 911 fee shall
14 be added to and may be stated separately in billings for the subscriber
15 account. If stated separately in billings, the fees shall be labeled "911 fees."

16 (c) The provider shall have no obligation to take any legal action to
17 enforce the collection of the 911 fee. The provider shall provide annually
18 to the ~~LCPA~~ *state 911 board* a list of the amount of uncollected 911 fees
19 along with the names and addresses of those service users that carry a
20 balance that can be determined by the provider to be nonpayment of such
21 fees.

22 (d) The 911 fee shall be collected insofar as practicable at the same
23 time as, and along with, the charges for local exchange, wireless, VoIP or
24 other service in accordance with regular billing practice of the provider.

25 (e) Each provider shall remit the amount of all 911 fees collected in
26 each calendar month to the ~~LCPA~~ *state 911 board* not more than 15 days
27 after the close of such calendar month. Upon each such remittance, the
28 provider shall file a return for the preceding month with the ~~LCPA~~ *board*.
29 Such *remittance and* return shall be provided in such form and manner as
30 required by the board. ~~The provider required to file the return shall deliver~~
31 ~~the return together with a remittance of the amount of fees payable to the~~
32 ~~LCPA~~. The provider shall maintain records of the amount of any such fees
33 collected in accordance with this act for a period of three years from the
34 time the fees are collected.

35 (f) The provisions of this section shall not be construed to apply to
36 the prepaid wireless 911 fee.

37 Sec. 7. On and after January 1, 2026, K.S.A. 12-5372, as amended
38 by section 22 of chapter 53 of the 2024 Session Laws of Kansas, is hereby
39 amended to read as follows: 12-5372. (a) Prepaid wireless 911 fees
40 collected by sellers shall be remitted to the department by electronic filing
41 that is consistent with the provisions of article 36 of chapter 79 of the
42 Kansas Statutes Annotated, and amendments thereto. The department shall
43 establish registration and payment procedures for the collection of the

1 prepaid wireless 911 fee.

2 (b) To minimize additional costs to the department, the department
3 may conduct audits of sellers in conjunction with sales and use tax audits.
4 The department is authorized to provide the board ~~and LCPA~~ with
5 information obtained in such audits if such information indicates that a
6 seller may not be complying with the provisions of this section and K.S.A.
7 12-5371, and amendments thereto. The board ~~or LCPA~~ may request the
8 department to initiate collection or audit procedures on individual sellers if
9 collection efforts by the board ~~or LCPA~~ are unsuccessful.

10 (c) The department shall establish procedures by which a seller may
11 document that a sale is not a retail sale, which procedures shall
12 substantially coincide with procedures for documenting sale for resale
13 transactions for article 36 of chapter 79 of the Kansas Statutes Annotated,
14 and amendments thereto.

15 (d) (1) Except as provided in paragraph (2), the department shall
16 remit all moneys collected from the prepaid wireless 911 fees to the state
17 treasurer in accordance with K.S.A. 75-4215, and amendments thereto.
18 Upon receipt of each such remittance, the state treasurer shall deposit the
19 entire amount in the state treasury and credit such amount to the state 911
20 operations fund ~~established pursuant to section 5, and amendments thereto.~~

21 (2) If the department remits \$3,000,000 to the state treasurer pursuant
22 to paragraph (1) in any given year, then all remaining moneys collected
23 from the prepaid wireless 911 fee shall be remitted to the state treasurer in
24 accordance with K.S.A. 75-4215, and amendments thereto. Upon receipt
25 of each such remittance, the state treasurer shall deposit the entire amount
26 in the state treasury and credit such amount to the state 911 fund
27 ~~established pursuant to section 7, and amendments thereto.~~ Such moneys
28 shall be distributed to governing bodies and PSAPs in an amount
29 proportional to each county's population as a percentage share of the
30 population of the state. For each PSAP within a county, such moneys shall
31 be distributed to each PSAP in an amount proportional to the PSAP's
32 population as a percentage share of the population of the county. If there is
33 no PSAP within a county, then such moneys shall be distributed to the
34 governing body that contracts with another governing body of a PSAP for
35 the provision of 911 PSAP services. Moneys distributed pursuant to this
36 paragraph shall only be used for the uses authorized in K.S.A. 12-5375,
37 and amendments thereto.

38 Sec. 8. On and after January 1, 2026, K.S.A. 12-5374, as amended by
39 section 25 of chapter 53 of the 2024 Session Laws of Kansas, is hereby
40 amended to read as follows: 12-5374. (a) (1) Except for the amounts
41 ~~withheld by the LCPA pursuant to K.S.A. 12-5368, and amendments~~
42 ~~thereto credited to the state 911 operations fund and state 911 grant fund~~
43 ~~pursuant to K.S.A. 12-5372, and amendments thereto, and section 1, and~~

1 *amendments thereto*, and any amounts withheld *from distribution* pursuant
 2 to ~~section 4~~ *K.S.A. 2024 Supp. 12-5386*, and amendments thereto, not later
 3 than 30 days after the receipt of 911 fees from providers pursuant to
 4 K.S.A. 12-5370, and amendments thereto, and prepaid wireless 911 fees
 5 from the department pursuant to K.S.A. 12-5372, and amendments thereto,
 6 the state 911 board shall distribute such moneys to the PSAPs or to
 7 governing bodies that contract with another governing body of a PSAP for
 8 the provision of 911 PSAP services. The amount of money distributed to
 9 the PSAPs in each county, or to any governing body that contracts with
 10 another governing body of a PSAP for the provision of 911 PSAP services,
 11 shall be based upon the amount of 911 fees collected from service users
 12 located in that county, based on place of primary use information provided
 13 by the providers, by using the following distribution method:

14 Population of county	15 Percentage of collected 16 911 fees to distribute
17 Over 80,000.....	85%
18 65,000 to 79,999.....	88%
19 55,000 to 64,999.....	91%
20 45,000 to 54,999.....	94%
21 35,000 to 44,999.....	97%
22 Less than 35,000.....	100%

23 (2) If the calculated amount for distribution within a county is less
 24 than \$70,000, the \$70,000 shall be distributed for services within that
 25 county.

26 ~~(3)~~— The state 911 board may increase the minimum county
 27 distribution amount not more than once per calendar year by an amount
 28 that shall not exceed the minimum county distribution amount established
 29 for the preceding calendar year multiplied by the average percentage
 30 increase in the consumer price index for all urban consumers in the
 31 midwest region as published by the bureau of labor statistics of the United
 32 States department of labor for the preceding calendar year. Prior to
 33 increasing the minimum county distribution amount, the state 911 board
 34 shall evaluate:

35 (A) Whether an increase is needed based on the expenditures of the
 36 counties that are subject to such minimum distribution; and

37 (B) the impact of any such proposed increase to the long-term
 38 financial stability of all other distributions to PSAPs and counties made
 39 pursuant to this section.

40 ~~(4)~~— ~~If there is a single PSAP providing services for a county, such~~
 41 ~~PSAP shall receive the governing body's distribution, if any. If there is~~
 42 ~~more than one PSAP in a county then distributions to each PSAP shall be~~
 43 ~~proportionately divided between the PSAPs in the county.~~

44 ~~(5)~~(3) After each distribution that is made pursuant to this section, the
 45 state 911 board ~~or LCPA~~ shall certify to the director of accounts and

1 reports the total amount of unencumbered moneys remaining in the state
2 911 fund and the amount of moneys that could not be attributed to a
3 specific PSAP or governing body. Upon receipt of such certification, the
4 director of accounts and reports shall transfer such certified amount from
5 the state 911 fund to the state 911 operations fund.

6 (b): The state 911 board ~~and the LCPA~~ shall keep accurate accounts
7 of all receipts and disbursements of moneys from the 911 fees.

8 (c) Records provided by any provider ~~to the LCPA or to the state 911~~
9 ~~board~~ pursuant to this act shall be treated as proprietary records and shall
10 be withheld from the public upon request of the provider submitting such
11 records.

12 Sec. 9. On and after January 1, 2026, K.S.A. 12-5375, as amended by
13 section 28 of chapter 53 of the 2024 Session Laws of Kansas, is hereby
14 amended to read as follows: 12-5375. (a) (1) Moneys distributed to
15 governing bodies and PSAPs pursuant to K.S.A. 12-5374, and
16 amendments thereto, and any interest earned on revenue derived from such
17 moneys, shall be used only for necessary and reasonable costs incurred or
18 to be incurred by governing bodies and PSAPs for:

- 19 (A) Implementation of 911 services;
- 20 (B) purchase of 911 equipment and upgrades;
- 21 (C) maintenance and license fees for 911 equipment;
- 22 (D) training of personnel, not to include salaries;
- 23 (E) monthly recurring charges billed by service suppliers;
- 24 (F) installation, service establishment and nonrecurring start-up
25 charges billed by the service supplier;
- 26 (G) charges for capital improvements and equipment or other
27 physical enhancements to the 911 system;
- 28 (H) maintenance and updates that are necessary to maintain accurate
29 GIS data;
- 30 (I) emergency repair or replacement of a radio tower; or
- 31 (J) the original acquisition and installation of road signs designed to
32 aid in the delivery of emergency service.

33 (2) Such costs shall not include expenditures to lease, construct,
34 expand, acquire, remodel, renovate, repair, furnish or make improvements
35 to buildings or similar facilities. Such costs shall also not include
36 expenditures to purchase, procure, maintain or upgrade subscriber radio
37 equipment.

38 (3) A governing body may contract with another governing body of a
39 PSAP for the provision of 911 PSAP services provided that the moneys
40 distributed to any such governing body pursuant to K.S.A. 12-5374, and
41 amendments thereto, shall only be used as authorized by this section. If a
42 governing body serves as the provider of PSAP services for another
43 governing body, both governing bodies shall enter into a contract or

1 memorandum of agreement that addresses contingency plans and overflow
2 arrangements. Any such contract or memorandum of agreement shall be
3 reviewed by the state 911 board with respect to the provisions that relate to
4 contingency plans and overflow arrangements or that may conflict with the
5 function of the statewide 911 system. If the state 911 board determines that
6 any such provisions are not acceptable, the state 911 board and the
7 governing bodies shall collaborate and work to resolve such concerns prior
8 to the effective date of such contract or memorandum of agreement. Any
9 governing body contracting with another governing body of a PSAP for
10 the provision of 911 PSAP services shall establish in the contract or
11 memorandum of agreement an agreed upon percentage of the governing
12 body's distribution amount for the ~~LCPA~~ *state 911 board* to distribute to
13 the governing body of the PSAP that is providing the 911 services.

14 (b) The state 911 board shall, pursuant to rules and regulations,
15 establish a process for a PSAP or governing body that contracts with
16 another governing body of a PSAP for the provision of 911 PSAP services,
17 to seek pre-approval of an expenditure. The state 911 board shall respond
18 in writing to any pre-approval request within 30 days and inform the PSAP
19 stating whether the requested expenditure is approved or disapproved. If
20 the expenditure is disapproved, the written notification shall state the
21 reason for the disapproval and such PSAP or governing body may, within
22 15 days after service of the notification, make a written request to the state
23 911 board to appeal the board's decision and for a hearing to be conducted
24 in accordance with the provisions of the Kansas administrative procedure
25 act.

26 (c) The state 911 board shall annually review expenditures of 911
27 moneys reported on the annual report for each PSAP or governing body
28 that contracts with another governing body of a PSAP for the provision of
29 911 PSAP services and shall appoint a committee to review such
30 expenditures. If the committee determines that a reported expenditure was
31 not authorized by this act, the committee shall request that the expenditure
32 be refunded by the PSAP or governing body to the PSAP's or governing
33 body's 911 account. If a PSAP or governing body does not concur with the
34 finding of the committee, the PSAP or governing body may request a
35 review of the decision of the committee before the state 911 board. If the
36 state 911 board, based upon information obtained from an audit,
37 determines that any PSAP or governing body has used any 911 fees for
38 any purpose other than those authorized in this act, the governing body for
39 such PSAP or governing body that contracts with another governing body
40 of a PSAP for the provision of 911 PSAP services shall repay all such
41 moneys used for any unauthorized purposes to the 911 fee fund of such
42 PSAP or governing body. Upon a finding that the expenditure was made
43 intentionally for a purpose clearly established as an unauthorized

1 expenditure, the state 911 board may require such PSAP or governing
 2 body to pay the lesser of \$500 or 10%, of such misused moneys, to the
 3 ~~LCPA state 911 board~~. Upon receipt of any moneys paid pursuant to this
 4 subsection, the ~~LCPA state 911 board~~ shall remit such moneys to the state
 5 treasurer in accordance with K.S.A. 75-4215, and amendments thereto.
 6 Upon receipt of each such remittance, the state treasurer shall deposit the
 7 entire amount in the state treasury and credit such amount to the state 911
 8 grant fund. No such repayment of 911 fees shall be imposed pursuant to
 9 this section except upon the written order of the state 911 board. Such
 10 order shall state the unauthorized purposes for which the funds were used,
 11 the amount of funds to be repaid and the right of such PSAP or governing
 12 body to appeal to a hearing before the Kansas office of administrative
 13 hearings. Any such PSAP or governing body may, within 15 days after
 14 service of the order, make a written request to the state 911 board for a
 15 hearing thereon. Hearings under this subsection shall be conducted in
 16 accordance with the provisions of the Kansas administrative procedure act.

17 (d) Any final action of the state 911 board pursuant to subsection (b)
 18 or (c) is subject to review in accordance with the Kansas judicial review
 19 act.

20 Sec. 10. K.S.A. 2024 Supp. 12-5377 is hereby amended to read as
 21 follows: 12-5377. (a) The receipts and disbursements of the LCPA shall be
 22 audited yearly by a licensed municipal accountant or certified public
 23 accountant.

24 (b) The LCPA may require an audit of any provider's books and
 25 records concerning the collection and remittance of fees pursuant to this
 26 act. The cost of any such audit shall be paid from the 911 operations fund.

27 (c) *This section shall expire on January 1, 2026.*

28 Sec. 11. K.S.A. 2024 Supp. 12-5387 is hereby amended to read as
 29 follows: 12-5387. (a) On or before the 15th day of each month, the state
 30 911 board, *or the entity that the board has contracted for services*, shall
 31 ~~require the LCPA to~~ provide a monthly report that accounts for every
 32 transaction that has occurred during the previous month in the 911 state
 33 fund, 911 state grant fund and the 911 operations fund established outside
 34 the state treasury pursuant to K.S.A. 12-5368, and amendments thereto.
 35 Such report shall include line item amounts and details for every
 36 transaction, including debits, credits, transfers, fees assessed, interest
 37 earned, change in ownership, change in authorized signatories or any other
 38 event that may have altered the structure or balance of the account. The
 39 ~~LCPA state 911 board~~, *or the entity that the board has contracted for*
 40 *services*, shall submit each monthly report to the secretary of
 41 administration and to the director of legislative research. On or before
 42 January 31, 2026, the state 911 board shall prepare and submit to the
 43 legislature a report that summarizes the transactions reported in such

1 monthly reports and shall confirm that the accounts have been closed and
2 all assets have been transferred to the state treasury in accordance with the
3 requirements of K.S.A. 2024 Supp. 12-5388 through 12-5390, and
4 amendments thereto.

5 (b) The provisions of this section shall take effect and be in force on
6 and after July 1, 2025.

7 (c) This section shall expire on February 1, 2026.

8 Sec. 12. K.S.A. 2024 Supp. 12-5388 is hereby amended to read as
9 follows: 12-5388. (a) There is hereby created in the state treasury the state
10 911 operations fund. ~~All moneys received pursuant to K.S.A. 12-5368, 12-~~
11 ~~5372 and 12-5374, and amendments thereto, for purposes of such fund~~
12 ~~shall be deposited into the state 911 operations fund.~~ All expenditures from
13 the state 911 operations fund shall be made in accordance with
14 appropriation acts upon warrants of the director of accounts and reports
15 issued pursuant to vouchers approved by the chairperson of the state 911
16 board or the chairperson's designee.

17 (b) The state 911 operations fund shall be used only for the following
18 purposes:

19 (1) Administrative and operational expenses of the state 911 board,
20 including salaries of persons employed by the board;

21 (2) payment and expenses incurred pursuant to contracts entered into
22 by the board for the performance of the powers, duties and functions of the
23 board;

24 (3) payment to state agencies or independent contractors for expenses
25 incurred in carrying out the powers, duties and functions of the board; and

26 (4) development, deployment, implementation and maintenance of
27 the statewide next generation 911 system.

28 (c) On or before the 10th of each month, the director of accounts and
29 reports shall transfer from the state general fund to the state 911 operations
30 fund interest earnings based on:

31 (1) The average daily balance of moneys in the state 911 operations
32 fund for the preceding month; and

33 (2) the net earnings rate for the pooled money investment portfolio
34 for the preceding month.

35 (d) The state 911 operations fund shall be used for the purposes set
36 forth in this act and for no other governmental purposes. Moneys in the
37 state 911 operations fund shall not be subject to the provisions of K.S.A.
38 75-3722, 75-3725a and 75-3726a, and amendments thereto.

39 (e) *On July 1, 2025, the state 911 board, or the entity that the board*
40 *has contracted for services, shall remit \$1,000,000 from the 911*
41 *operations fund established outside the state treasury pursuant to K.S.A.*
42 *12-5368, and amendments thereto, to the state treasurer in accordance*
43 *with the provisions of K.S.A. 75-4215, and amendments thereto. Upon*

1 receipt of such remittance, the state treasurer shall deposit the entire
 2 amount in the state treasury and credit such amount to the state 911
 3 operations fund.

4 (f) If the state 911 board determines that unencumbered moneys
 5 remain in the state 911 operations fund from a prior fiscal year, upon the
 6 affirmative vote of a majority of the members of the state 911 board, the
 7 chairperson of the state 911 board or the chairperson's designee may,
 8 once per fiscal year, certify to the director of accounts and reports an
 9 amount of such unencumbered moneys in the state 911 operations fund.
 10 Upon receipt of such certification, the director of accounts and reports
 11 shall transfer such certified amount from the state 911 operations fund to
 12 the state 911 grant fund. Prior to certifying such amount to the director of
 13 accounts and reports, the state 911 board shall ensure that such transfer is
 14 based on the board's assessment of operational needs and will not impair
 15 the board's ability to continue to meet the board's statutory obligations.

16 (g) On January 2, 2026:

17 (1) ~~The LCPA state 911 board, or the entity that the board has~~
 18 ~~contracted for services,~~ shall remit to the state treasurer in accordance with
 19 the provisions of K.S.A. 75-4215, and amendments thereto, the balance of
 20 all moneys in the 911 operations fund established pursuant to K.S.A. 12-
 21 5368, and amendments thereto. Upon receipt of such remittance, the state
 22 treasurer shall deposit the entire amount in the state treasury and credit
 23 such amount to the state 911 operations fund.

24 (2) All liabilities of the 911 operations fund are hereby transferred to
 25 and imposed on the state 911 operations fund.

26 (3) The 911 operations fund established ~~by the LCPA outside the~~
 27 ~~state treasury~~ pursuant to K.S.A. 12-5368, and amendments thereto, is
 28 hereby abolished.

29 ~~(f)~~(h) The provisions of this section shall take effect and be in force
 30 on and after ~~January 1, 2026~~ July 1, 2025.

31 Sec. 13. K.S.A. 2024 Supp. 12-5389 is hereby amended to read as
 32 follows: 12-5389. (a) There is hereby created in the state treasury the state
 33 911 grant fund. ~~All moneys received pursuant to K.S.A. 12-5368 and 12-~~
 34 ~~5374, and amendments thereto, for purposes of such fund shall be~~
 35 ~~deposited into the state 911 grant fund.~~ All expenditures from the state 911
 36 grant fund shall be made in accordance with appropriation acts upon
 37 warrants of the director of accounts and reports issued pursuant to
 38 vouchers approved by the chairperson of the state 911 board or the
 39 chairperson's designee.

40 (b) The state 911 grant fund shall be used only for the following
 41 purposes:

42 (1) Providing state grants for projects involving the development and
 43 implementation of next generation 911 services;

1 (2) ~~provide~~ *providing* grants to PSAPs based on demonstrated need;
 2 and

3 (3) costs associated with PSAP consolidation or cost-sharing projects.

4 (c) On or before the 10th of each month, the director of accounts and
 5 reports shall transfer from the state general fund to the state 911 grant fund
 6 interest earnings based on:

7 (1) The average daily balance of moneys in the state 911 grant fund
 8 for the preceding month; and

9 (2) the net earnings rate for the pooled money investment portfolio
 10 for the preceding month.

11 (d) The state 911 grant fund shall be used for the purposes set forth in
 12 this act and for no other governmental purposes. Moneys in the state 911
 13 grant fund shall not be subject to the provisions of K.S.A. 75-3722, 75-
 14 3725a and 75-3726a, and amendments thereto.

15 (e) On January 2, 2026:

16 (1) ~~The LCPA state 911 board, or the entity that the board has~~
 17 ~~contracted for services,~~ shall remit to the state treasurer in accordance with
 18 the provisions of K.S.A. 75-4215, and amendments thereto, the balance of
 19 all moneys in the 911 state grant fund established pursuant to K.S.A. 12-
 20 5368, and amendments thereto. Upon receipt of such remittance, the state
 21 treasurer shall deposit the entire amount in the state treasury and credit
 22 such amount to the state 911 grant fund.

23 (2) All liabilities of the 911 state grant fund are hereby transferred to
 24 and imposed on the state 911 grant fund.

25 (3) The 911 state grant fund established ~~by the LCPA outside the~~
 26 ~~state treasury~~ pursuant to K.S.A. 12-5368, and amendments thereto, is
 27 hereby abolished.

28 (f) The provisions of this section shall take effect and be in force on
 29 and after ~~January 1, 2026~~ *July 1, 2025*.

30 Sec. 14. K.S.A. 2024 Supp. 12-5390 is hereby amended to read as
 31 follows: 12-5390. (a) There is hereby created in the state treasury the state
 32 911 fund. ~~All moneys received pursuant to K.S.A. 12-5368 and 12-5374,~~
 33 ~~and amendments thereto, for purposes of such fund shall be deposited into~~
 34 ~~the state 911 fund.~~ All expenditures from the state 911 fund shall be made
 35 in accordance with appropriation acts upon warrants of the director of
 36 accounts and reports issued pursuant to vouchers approved by the
 37 chairperson of the state 911 board or the chairperson's designee.

38 (b) The state 911 fund shall be used for direct distributions of moneys
 39 pursuant to K.S.A. 12-5374, and amendments thereto.

40 (c) On or before the 10th of each month, the director of accounts and
 41 reports shall transfer from the state general fund to the state 911 fund
 42 interest earnings based on:

43 (1) The average daily balance of moneys in the state 911 fund for the

1 preceding month; and

2 (2) the net earnings rate for the pooled money investment portfolio
3 for the preceding month.

4 (d) The state 911 fund shall be used for the purposes set forth in this
5 act and for no other governmental purposes. Moneys in the state 911 fund
6 shall not be subject to the provisions of K.S.A. 75-3722, 75-3725a and 75-
7 3726a, and amendments thereto.

8 (e) On January 2, 2026:

9 (1) The ~~LCPA~~ *state 911 board, or the entity that the board has*
10 *contracted for services*, shall remit to the state treasurer in accordance with
11 the provisions of K.S.A. 75-4215, and amendments thereto, the balance of
12 all moneys in the 911 state fund established pursuant to K.S.A. 12-5368,
13 and amendments thereto. Upon receipt of such remittance, the state
14 treasurer shall deposit the entire amount in the state treasury and credit
15 such amount to the state 911 fund.

16 (2) All liabilities of the 911 state fund are hereby transferred to and
17 imposed on the state 911 fund.

18 (3) The 911 state fund established ~~by the LCPA~~ *outside the state*
19 *treasury* pursuant to K.S.A. 12-5368, and amendments thereto, is hereby
20 abolished.

21 (f) The provisions of this section shall take effect and be in force on
22 and after ~~January 1, 2026~~ *July 1, 2025*.

23 Sec. 15. K.S.A. 12-5363, as amended by section 11 of chapter 53 of
24 the 2024 Session Laws of Kansas, 12-5367, as amended by section 15 of
25 chapter 53 of the 2024 Session Laws of Kansas, 12-5369, as amended by
26 section 19 of chapter 53 of the 2024 Session Laws of Kansas, and 12-
27 5370, as amended by section 20 of chapter 53 of the 2024 Session Laws of
28 Kansas, and K.S.A. 2024 Supp. 12-5377, 12-5387, 12-5388, 12-5389 and
29 12-5390 are hereby repealed.

30 Sec. 16. On and after January 1, 2026, K.S.A. 12-5368, as amended
31 by section 18 of chapter 53 of the 2024 Session Laws of Kansas, 12-5372,
32 as amended by section 22 of chapter 53 of the 2024 Session Laws of
33 Kansas, 12-5374, as amended by section 25 of chapter 53 of the 2024
34 Session Laws of Kansas, and 12-5375, as amended by section 28 of
35 chapter 53 of the 2024 Session Laws of Kansas, are hereby repealed.

36 Sec. 17. This act shall take effect and be in force from and after its
37 publication in the statute book.