

**SENATE BILL No. 222**

By Committee on Judiciary

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1 AN ACT concerning state agencies; relating to interpretation of statutes,  
2 rules and regulations and documents with the force and effect of law;  
3 prohibiting deference to the agency's interpretation by a state court or  
4 an officer hearing an administrative action.

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

7 Section 1. (a) In interpreting a state statute, rule and regulation or  
8 document that has the force and effect of law, a state court or an officer  
9 hearing an administrative action may consider but shall not defer to a state  
10 agency's interpretation of such statute, rule and regulation or document and  
11 shall interpret the meaning and effect of such statute, rule and regulation or  
12 document de novo.

13 (b) In an action brought by or against a state agency, after applying all  
14 customary tools of interpretation and rules of statutory construction  
15 pursuant to law, a state court or an officer hearing an administrative action  
16 shall exercise any remaining doubt in favor of a reasonable interpretation  
17 that limits the state agency's powers and maximizes individual liberty.

18 (c) As used in this section, "rule and regulation" and "state agency"  
19 mean the same as defined in K.S.A. 77-602, and amendments thereto.

20 Sec. 2. This act shall take effect and be in force from and after its  
21 publication in the statute book.