

SESSION OF 2026

**SUPPLEMENTAL NOTE ON SUBSTITUTE FOR HOUSE
BILL NO. 2798**

As Amended by House on Final Action

Brief*

Sub. for HB 2798, as amended, would exempt state educational institutions from certain statutes upon promulgation of policies approved by the Kansas Board of Regents (KBOR), including statutes concerning execution of contracts, procurement of goods and services, transactions involving easements, disposition of surplus property, establishment of hospitality limitations, and participation in the Kansas Quality Program.

Authorizing Promulgation of Certain Policies

For purposes of the bill, “state educational institution” would mean Emporia State University, Fort Hays State University, Kansas State University, Pittsburg State University, University of Kansas, and Wichita State University.

The bill would authorize the state educational institutions to promulgate policies, approved by KBOR, to:

- Execute contracts and other agreements for the operation, management, or support of facilities, programs, or activities;
- Procure goods, services, materials, supplies, printing, and insurance, provided the procurement policy provides for a competitive bid process, and authorize that the policy may reference the list of

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <https://klrd.gov/>

firms qualified to provide engineering or land surveying services prepared pursuant to KSA 75-5803, except that a contractor is prohibited from using an architect that is employed by or a part of the same business entity as such contractor; and

- Grant or convey right-of-way easements on any land owned by the state educational institutions, provided that such policies safeguard public interest and protect use and provided that the easements are granted to a public entity or public utility.

The bill would exempt the state educational institutions from any additional policy, process, or procedure requiring the submission, review, or approval of any such procurement, purchase, or contracting for goods or services or of any easement, provided that the policies relate to statutory requirements from which state educational institutions are exempt and provided that such policies have been approved by KBOR.

The bill would require the state educational institutions to maintain an inventory record showing all fixed and movable property.

The bill would allow a legislator to request and receive from a state educational institution and KBOR a copy of all policies promulgated pursuant to this section of the bill and a copy of any signed contract with public or private entities for the operation, management, or support of any state educational institution facilities, programs, or activities. The bill would require each request to be acted upon as soon as possible but no later than the end of the fifth business day following the date the request is received.

The bill would also prohibit KBOR from granting or conveying right-of-way easements to any person and require instead that such easement be granted or conveyed to a public entity or utility.

Exemptions from Certain Related Statutes

Provided that policies have been promulgated and approved by KBOR, the bill would exempt the state educational institutions from certain statutes concerning:

- Granting or conveying right-of-way easements on any land owned by the state educational institutions;
- Architectural, engineering, and land surveying services;
- Maintaining inventory records designed by the Director of Accounts and Reports, Department of Administration (Director), and taking physical inventory as directed by the Director;
- Determining limitations and procedures relating to official hospitality expenditures;
- Requiring certain contracts to be reviewed by the Attorney General, purchase orders to be made on forms prescribed by the Director, and purchase orders to be signed by the Director of Purchases, Department of Administration;
- The requirements of the Kansas Quality Program;
- Following board policies concerning disposition of personal property of the institutions; and
- Following board policy concerning purchases, procurement, and competitive bidding; project architects; negotiating committee requirements; exemptions from local building codes, permits, and fees; and written program statements for the construction of buildings and major repairs.

Background

The bill was introduced by the House Committee on Appropriations at the request of Representative Croft.

House Committee on Higher Education Budget

In the House Committee hearing on March 12, 2026, **proponent** testimony was provided by Representative Croft and the Chief of Staff for the Office of the Governor. The proponents expressed satisfaction that the bill would remove “red tape” for the research universities, highlighting the necessity of this change for research to be efficient and keep pace with innovation.

Opponent testimony was provided by representatives of KBOR and the American Institute of Architects. The representative of KBOR expressed concern with vague language in the bill defining moneys and the differential treatment of research universities. The representative of the American Institute of Architects raised concern with the effective removal of the competitive procurement bidding process for research universities.

Neutral testimony was provided by a representative of the University of Kansas, who expressed support for removing administrative “red tape” so that money could be better spent on other productive services beyond administrative services.

No other testimony was provided.

The House Committee amended the bill to:

- Remove the definition of “research university,” which was defined to include Kansas State University, University of Kansas, and Wichita State University;

- Remove language authorizing only research universities to promulgate the policies;
- Remove language stating such policies only involved expenditure of state moneys;
- Remove language authorizing state educational institutions to incur liabilities and secure obligations;
- Remove language authorizing each state educational institution to purchase or sell real or personal property;
- Remove language authorizing each state educational institution to plan, construct, remove, or remodel buildings, grounds, or infrastructure;
- Remove the requirement that each state educational institution not be subject to any process or procedure requiring any additional submission, review, or approval of any capital expenditure or to any additional capital planning or capital budgeting processes;
- Remove a requirement for each state educational institution to follow nationally recognized fire codes and undergo inspection by the State Fire Marshal;
- Require a report of all policies and contracts agreed upon between the state educational institutions and KBOR be sent to a legislator within five business days if requested; and
- Make technical amendments to implement the intended policies.

The House Committee recommended a substitute bill be passed.

House Committee of the Whole

The House Committee of the Whole amended the bill to:

- Prohibit KBOR, and state educational institutions via promulgated policies, from granting or conveying right-of-way easements to any person and requiring instead that such easement be granted or conveyed to a public entity or utility; and
- Prohibit a contractor from using an architect that is employed by or part of the same business as such contractor.

Fiscal Information

According to the fiscal note prepared by the Division of the budget on the bill, as amended, The Office of Attorney General, the State Historical Society, and KDOT would have no fiscal impact. Additionally, no fiscal impact could be determined for the following agencies: KBOR, KSU, WSU, KDOR, Kansas Association of Counties, and the League of Kansas Municipalities. Furthermore, the following agencies did not respond to the to the Division of Budget's request for fiscal information: FHSU, ESU and PSU. Also, KU states for every \$100.0 million in spending that typically escalates at 5.0 percent each year, the University estimates it would save approximately \$2.5 million if the procurement timeline was reduced by six months. This cost savings is due to a decrease in construction related inflation risk.

State educational universities, administrative, bidding process, policy, state board of regents, easements, authorizing.