

As Amended by House Committee

HOUSE BILL No. 2690

By Committee on Energy, Utilities and Telecommunications

Requested by Representative Delpandang on behalf of Representative Hoffman and Representative Carmichael

2-5

Proposed Amendments to
House Bill No. 2690
Senate Committee on Utilities
"Incorporate SB487"
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Office of Revisor of Statutes

1 AN ACT concerning emergency communication services; establishing the
2 state 911 board; abolishing the 911 coordinating council; transferring
3 the powers, duties and functions of the 911 coordinating council to the
4 state 911 board; authorizing the board to appoint an executive director
5 and other employees to carry out the powers, duties and functions of
6 the board; abolishing the 911 operations fund, the 911 state grant fund
7 and the 911 state fund and establishing the state 911 operations fund,
8 the state 911 grant fund and the state 911 fund in the state treasury;
9 authorizing counties to contract for the provision of 911 PSAP services
10 with another county; amending K.S.A. 12-5362, 12-5363, 12-5364, 12-
11 5365, 12-5366, 12-5367, 12-5368, 12-5368, as amended by section 16
12 of this act, 12-5368, as amended by section 17 of this act, 12-5369, 12-
13 5370, 12-5371, 12-5372, 12-5374, 12-5374, as amended by section 23
14 of this act, 12-5374, as amended by section 24 of this act, 12-5375, 12-
15 5375, as amended by section 26 of this act, 12-5375, as amended by
16 section 27 of this act, and 12-5377 and repealing the existing sections;
17 also repealing K.S.A. 12-5364, as amended by section 12 of this act,
18 12-5378 and 12-5379.
19

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

21 New Section 1. (a) There is hereby established the state 911 board.
22 The board shall consist of 19 voting members and shall include individuals
23 with technical expertise regarding 911 systems, internet technology and
24 GIS technology.

25 (1) The following 15 voting members shall be appointed by the
26 governor:

27 (A) Two members representing information technology personnel
28 from governmental units;

29 (B) one member representing the Kansas sheriffs association;

30 (C) one member representing the Kansas association of chiefs of
31 police;

32 (D) one member representing a fire chief;

33 (E) one member recommended by the adjutant general;

34 (F) one member recommended by the Kansas emergency medical

governing bodies of cities or

governing body of a PSAP

1 who, immediately prior to such date, were engaged in the performance of
2 the powers, duties or functions that are transferred pursuant to this act, and
3 who, in the opinion of the board, are necessary to perform the powers,
4 duties and functions of the board, shall be transferred to and shall become
5 employees of the board. Any such employee shall retain all retirement
6 benefits and all rights of civil service that had accrued to or vested in such
7 employee. The service of each such employee so transferred shall be
8 deemed to have been continuous.

9 (c) The state 911 board shall succeed to all property and records of
10 the 911 coordinating council. Any conflict as to the proper disposition of
11 property or records arising under this section shall be determined by the
12 governor and the decision of the governor shall be final.

13 (d) Whenever the 911 coordinating council, or words of like effect, is
14 referred to or designated by any statute, rule or regulation, contract or
15 other document, such reference or designation shall be deemed to apply to
16 state 911 board.

17 (e) All rules and regulations of the 911 coordinating council in
18 existence on July 1, 2025, shall continue to be effective and shall be
19 deemed to be duly adopted rules and regulations of the state 911 board
20 until amended, revoked or nullified pursuant to law.

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

23 New Sec. 4 (a) (1) Every provider shall submit contact information
24 for the provider to the state 911 board. Any provider that has not
25 previously provided wireless telecommunications service in this state shall
26 submit contact information for the provider to the board within three
27 months of first offering wireless telecommunications services in this state.

28 (2) A provider of wireless telecommunications service shall:

29 (A) Receive prior approval from each PSAP within the provider's
30 service area before directing emergency calls to such PSAP; and

31 (B) establish the unique emergency telephone number "911" across
32 the state.

33 (3) Nothing in this act shall be construed to limit the ability of a
34 provider from recovering directly from the provider's customers the costs
35 associated with designing, developing, deploying and maintaining 911
36 service and the cost of collection and administration of the fees imposed
37 by K.S.A. 12-5369, and amendments thereto, whether such costs are
38 itemized on the customer's bill as a surcharge or by any other lawful
39 method.

40 (b) (1) Each PSAP and ~~entity~~ that contracts with another ~~entity~~ for
41 the provision of 911 PSAP services shall file an annual report with the
42 state 911 board by March 1 of each year demonstrating how such PSAP or
43 ~~entity~~ has spent the moneys earned from the 911 fees during the

governing body

governing body of a PSAP

governing body

preceding calendar year. The board shall designate the content and form of such report and may require additional associated documentation that shall be included.

(2) If a PSAP or county that contracts with another county for the provision of 911 PSAP services fails to file and finalize an annual report, the board shall provide notice of such failure to the PSAP or county and the governing body of such PSAP. If such PSAP or county fails to file or finalize an annual report within 60 days of receiving such notice, the board shall withhold 10% of each subsequent distribution of 911 fees to such PSAP or county pursuant to K.S.A. 12-5374, and amendments thereto. The board shall not discontinue such withholding until the PSAP or county submits a report in compliance with this section.

(c) (1) If the state 911 board finds that the GIS data for a PSAP or county that contracts with another county for the provision of 911 PSAP services is inaccurate, the board shall give written notice to the governing body that oversees the PSAP or county of such finding. If the board does not receive an acceptable proposal for the PSAP or county to bring the GIS data into compliance within 60 days following such notice, the board may contract with a third party to review and update the GIS data.

(2) If the board finds that the GIS data for a PSAP or county that contracts with another county for the provision of 911 PSAP services has not been updated for one year or more, the board shall give written notice to the governing body that oversees the PSAP or county of such finding. Such PSAP or county may provide an attestation that the GIS data has been reviewed and remains accurate. If the board receives such attestation and has information that the data may not be accurate, the board shall provide a written notice to the PSAP or county that describes the areas the board believes to be inaccurate. The PSAP or county shall have 30 days following receipt of such written notice to submit updated GIS data. If the updated GIS data is not received prior to such deadline, the board may contract with a third party to review and update the GIS data and may assess any costs incurred in updating the GIS data upon the governing body that oversees the PSAP.

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

New Sec. 5. (a) There is hereby created in the state treasury the state 911 operations fund. All moneys received pursuant to K.S.A. 12-5368, 12-5372 and 12-5374, and amendments thereto, for purposes of such fund shall be deposited into the state 911 operations fund. All expenditures from the state 911 operations fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chairperson of the state 911 board or the chairperson's designee.

Paragraph (2), (c)(1) & (2) to read as follows:

(2) If a PSAP or ~~county~~ governing body that contracts with another ~~county~~ governing body of a PSAP for the provision of 911 PSAP services fails to file and finalize an annual report, the board shall provide notice of such failure to the PSAP ~~or county and~~, the governing body of such PSAP and, of applicable, the governing body that contracts with another governing body of a PSAP for the provision of 911 PSAP services. If such PSAP or ~~county~~ governing body fails to file or finalize an annual report within 60 days of receiving such notice, the board shall withhold 10% of each subsequent distribution of 911 fees to such PSAP or ~~county~~ governing body pursuant to K.S.A. 12-5374, and amendments thereto. The board shall not discontinue such withholding until the PSAP or ~~county~~ governing body submits a report in compliance with this section.

(c) (1) If the state 911 board finds that the GIS data for a PSAP or ~~county~~ governing body that contracts with another ~~county~~ governing body of a PSAP for the provision of 911 PSAP services is inaccurate, the board shall give written notice to the governing body that oversees the PSAP ~~or county~~ the PSAP and, if applicable, the governing body that contracts with another governing body of a PSAP for the provision of 911 PSAP services of such finding. If the board does not receive an acceptable proposal for the PSAP or ~~county~~ governing body to bring the GIS data into compliance within 60 days following such notice, the board may contract with a third party to review and update the GIS data.

(2) If the board finds that the GIS data for a PSAP or ~~county~~ governing body that contracts with another ~~county~~ governing body of a PSAP for the provision of 911 PSAP services has not been updated for one year or more, the board shall give written notice to the governing body that oversees the PSAP ~~or county~~ the PSAP and, if applicable, the governing body that contracts with another governing body of a PSAP for the provision of 911 PSAP services of such finding. Such PSAP or ~~county~~ governing body may provide an attestation that the GIS data has been reviewed and remains accurate. If the board receives such attestation and has information that the data may not be accurate, the board shall provide a written notice to the PSAP or ~~county~~ governing body that describes the areas the board believes to be inaccurate. The PSAP or ~~county~~ governing body shall have 30 days following receipt of such written notice to submit updated GIS data. If the updated GIS data is not received prior to such deadline, the board may contract with a third party to review and update the GIS data and may assess any costs incurred in updating the GIS data upon the governing body that oversees the PSAP or the governing body that contracts with another governing body of a PSAP for the provision of 911 PSAP services.

1 ~~(g)~~ "Service user" means any person who is provided exchange
2 telecommunications service, wireless telecommunications service, VoIP
3 service, prepaid wireless service or any other service capable of contacting
4 a PSAP.

5 ~~(h)~~ "Subscriber account" means the 10-digit access number
6 assigned to a service user by a provider for the purpose of billing a service
7 user up to the maximum capacity of the simultaneous outbound calling
8 capability of a multi-line telephone system or equivalent service.

9 ~~(i)~~ "Subscriber radio equipment" means mobile and portable radio
10 equipment installed in vehicles or carried by persons for voice
11 communication with a radio system.

12 ~~(j)~~ "VoIP service" means voice over internet protocol.

13 ~~(k)~~ "Wireless telecommunications service" means commercial
14 mobile radio service as defined by 47 C.F.R. § 20.3 as in effect on the
15 effective date of this act July 1, 2025.

16 ~~(l)~~ "911 call" means any electronic request for emergency
17 response, presented by means of wireline, wireless, VoIP or
18 telecommunications device for the deaf (TDD) technology, text message or
19 any other technology by which a service user initiates an immediate
20 information interchange or conversation with a PSAP.

21 ~~(m)~~ "911 system operator" means any entity that accepts 911 calls
22 from providers, processes those calls and presents those calls to the
23 appropriate PSAP. ~~A 911 system operator may also be a provider.~~

24 Sec. 12. K.S.A. 12-5364 is hereby amended to read as follows: 12-
25 5364. (a) (1) There is hereby created the 911 coordinating council which
26 shall monitor the delivery of 911 services, develop strategies for future
27 enhancements to the 911 system and distribute available grant funds to
28 PSAPs and ~~entities that contract with other entities for the provision of~~

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29 911 PSAP services. In as much as possible, the council shall include
30 individuals with technical expertise regarding 911 systems, internet
31 technology and GIS technology.

32 (2) (A) The 911 coordinating council shall consist of 13 voting
33 members to be appointed by the governor:

34 (i) Two members representing information technology personnel
35 from government units;

36 (ii) one member representing the Kansas sheriff's association;

37 (iii) one member representing the Kansas association of chiefs of
38 police;

39 (iv) one member representing a fire chief;

40 (v) one member recommended by the adjutant general;

41 (vi) one member recommended by the Kansas emergency medical
42 services board;

43 (vii) one member recommended by the Kansas commission for the

1 reappointment every serve for a term of three years. No voting member
2 shall serve longer than two successive three-year terms. A voting member
3 appointed as a replacement for another voting member may finish the term
4 of the predecessor and may serve two additional successive three-year
5 terms.

6 (2) ~~The following members, whose terms began on the effective date
7 of this act, shall serve initial terms as follows:~~

8 (A) ~~One member representing information technology personnel from
9 government units, one member recommended by the adjutant general, one
10 member representing PSAPs located in counties with less than 75,000 in
11 population and one member representing PSAPs located in counties with
12 75,000 or more in population shall serve a term of two years;~~

13 (B) ~~one member representing information technology personnel from
14 government units, one member recommended by the Kansas emergency
15 medical services board, one member representing PSAPs located in
16 counties with less than 75,000 in population and one member representing
17 PSAPs without regard to size shall serve a term of three years; and~~

18 (C) ~~one member representing a fire chief, one member recommended
19 by the Kansas commission for the deaf and hard of hearing, one member
20 representing the Kansas association of chiefs of police and one member
21 representing PSAPs located in counties with 75,000 or more in population
22 shall serve a term of four years.~~

23 (3) ~~The initial term for one member representing the Kansas sheriff's
24 association shall begin on July 1, 2014, and be for a period of three years.~~

25 (4) The terms of members specified in this subsection shall expire on
26 June 30 in the last year of such member's term.

27 (c) (1) The governor shall select the chair of the 911 coordinating
28 council, who shall serve at the pleasure of the governor and have extensive
29 prior 911 experience in Kansas.

30 (2) The chair shall serve as the coordinator of E-911 services and next
31 generation 911 services in the state, implement statewide 911 planning,
32 have the authority to sign all certifications required under 47 C.F.R. part
33 400 and administer the 911 federal grant fund and 911 state maintenance
34 fund. The chair shall serve subject to the direction of the council and
35 ensure that policies adopted by the council are carried out. The chair shall
36 serve as the liaison between the council and the LCPA. The chair shall
37 preside over all meetings of the council and assist the council in
38 effectuating the provisions of this act.

39 (d) The 911 coordinating council, by an affirmative vote of nine
40 voting members, shall select the local collection point administrator,
41 pursuant to K.S.A. 12-5367, and amendments thereto, to collect 911 fees
42 and to distribute such fees to PSAPs and ~~entities that contract with other-~~
43 ~~entities for the provision of 911 PSAP services and to distribute 911~~

governing bodies

another governing body of a PSAP

1 operations fund moneys and 911 state grant fund moneys as directed by
 2 the council. The council shall adopt rules and regulations for the terms of
 3 the contract with the LCPA. All contract terms and conditions shall satisfy
 4 all contract requirements as established by the secretary of administration.
 5 The council shall determine the compensation of the LCPA who shall
 6 provide the council with any staffing necessary in carrying out the
 7 business of the council or effectuating the provisions of this act. The
 8 moneys used to reimburse these expenses shall be paid from the 911
 9 operations fund, pursuant to subsection (j).

10 (e) (1) The 911 coordinating council is hereby authorized to adopt
 11 rules and regulations necessary to effectuate the provisions of this act,
 12 including, but not limited to: (A) Creating a uniform reporting form
 13 designating how moneys, including 911 fees, have been spent by the
 14 PSAPs and ~~entities that contract with other entities for the provision of~~
 15 911 PSAP services; (B) requiring service providers to notify the council
 16 pursuant to subsection (k); (C) establishing standards for coordinating and
 17 purchasing equipment; (D) recommending standards for general operations
 18 training of PSAP personnel; (E) establishing training standards and
 19 programs related to the technology and operations of the NCG911 hosted
 20 solution; (F) establishing data standards, maintenance policies and data
 21 reporting requirements for GIS data; and (G) assessing civil penalties
 22 pursuant to subsection (m).

23 (2) The chair of the council shall work with the council to adopt rules
 24 and regulations necessary for the administration of this act, but the council
 25 shall not adopt any rules and regulations or impose any requirements that
 26 creates a mandatory certification program of PSAP operations or PSAP
 27 emergency communications personnel.

28 (f) If the 911 coordinating council finds that the GIS data for a PSAP
 29 ~~or entities that contracts with another entity for the provision of 911 PSAP~~
 30 ~~services is inaccurate or has not been updated for one year or more, the~~
 31 ~~council shall give written notice to the governing body that oversees the~~
 32 ~~PSAP or entity. If, within 60 days of providing such notice, the council~~
 33 ~~does not receive an acceptable proposal for the PSAP or entity to bring~~
 34 ~~the GIS data into compliance, the council may contract with a third party~~
 35 ~~to review and update the GIS data. A PSAP or entity with GIS data that~~
 36 ~~has not been updated for one year or more may provide a certification~~
 37 ~~attesting that the GIS data has been reviewed and remains accurate. If the~~
 38 ~~council receives such certification and has information that the data may~~
 39 ~~not be accurate, the council shall provide a written notice to the PSAP or~~
 40 ~~entity that describes the areas the council believes to be inaccurate and a~~

governing bodies

another governing body of a PSAP

governing body

governing body of a PSAP

, the PSAP and, if applicable, the governing body that contracts with another governing body for the provision of 911 PSAP services

governing body

41 deadline of 30 days for the PSAP or ~~entity~~ to submit updated GIS data. If
 42 the updated GIS data is not received within the deadline, the council may
 43 contract with a third party to review and update the GIS data. The council

1 shall assess the governing body that oversees the PSAP or ~~entity~~ for any
2 costs incurred in updating the GIS data.

governing body that contracts with another governing body of a PSAP
for the provision of 911 PSAP services

3 (g) The council may, pursuant to rules and regulations, lower the 911
4 fee established pursuant to K.S.A. 12-5369, and amendments thereto, upon
5 a finding based on information submitted on the uniform reporting forms,
6 that moneys generated by such fee are in excess of the costs required to
7 operate PSAPs in the state.

8 (h) The council may appoint subcommittees as necessary to
9 administer grants, oversee collection and distribution of moneys by the
10 LCPA, develop technology standards, develop training recommendations
11 and other issues as deemed necessary by the council. Subcommittees, if
12 appointed, shall include members of the council and other persons as
13 needed.

14 (i) The council may reimburse independent contractors or state
15 agencies for expenses incurred in carrying out the business of the council,
16 including salaries, that are directly attributable to effectuating the
17 provisions of this act. The moneys used to reimburse these expenses shall
18 be paid from the 911 operations fund, pursuant to subsection (j).

19 (j) All expenses related to the council shall be paid from the 911
20 operations fund. No more than 2.0% of the total receipts from providers
21 and the department received by the LCPA shall be used to pay for
22 administrative expenses of the council. Members of the council and other
23 persons appointed to subcommittees by the council may receive
24 reimbursement for meals and travel expenses, but shall serve without other
25 compensation with the exception of legislative members who shall receive
26 compensation pursuant to K.S.A. 75-3212, and amendments thereto.

27 (k) Every provider shall submit contact information for the provider
28 to the council. Any provider that has not previously provided wireless
29 telecommunications service in this state shall submit contact information
30 for the provider to the council within three months of first offering
31 wireless telecommunications services in this state.

governing body

32 (l) Each PSAP and ~~entity~~ that contracts with another ~~entity~~ for
33 the provision of 911 PSAP services shall file an annual report with the
34 council by March 1 of each year demonstrating how such PSAP or ~~entity~~
35 has spent the moneys earned from the 911 fee during the preceding
36 calendar year. The council shall designate the content and form of such
37 report and any associated documentation that is required to finalize such
38 report.

governing body of a PSAP

39 (2) If a PSAP or ~~entity~~ that contracts with another ~~entity~~ for the
40 provision of 911 PSAP services fails to file and finalize an annual report,
41 the council shall provide notice of such failure to the PSAP or ~~entity~~ and
42 the governing body of such PSAP or ~~entity~~. If such PSAP or ~~entity~~ fails
43 to file or finalize an annual report within 60 days of receiving such notice,

governing body

governing body of a PSAP

governing body

and, if applicable, the governing body that contracts with another governing
body of a PSAP for the provision of 911 PSAP services

1 10% of each subsequent distribution of 911 fees to such PSAP or ~~entity~~,
2 pursuant to K.S.A. 12-5373, and amendments thereto, shall be withheld by
3 the LCPA and only distributed to such PSAP or ~~entity~~ once the report has
4 been submitted.

governing body
governing body

5 (m) The council, upon a finding that a provider has violated any
6 provision of this act, may impose a civil penalty. No civil penalty shall be
7 imposed pursuant to this section except upon the written order of the
8 council. Such order shall state the violation, the penalty to be imposed and
9 the right of such person to appeal to a hearing before the council. Any such
10 person may, within 15 days after service of the order, make a written
11 request to the council for a hearing thereon. Hearings under this subsection
12 shall be conducted in accordance with the provisions of the Kansas
13 administrative procedure act.

14 (n) Any action of the council pursuant to subsection (m) is subject to
15 review in accordance with the Kansas judicial review act.

16 (o) Any civil penalty recovered pursuant to this section shall be
17 transferred to the LCPA for deposit in the 911 state grant fund.

governing bodies

18 (p) The 911 coordinating council shall make an annual report, to
19 include a detailed description of all expenditures made from 911 fees
20 received by the PSAPs and ~~entities that contract with other entities for~~
21 ~~the provision of 911 PSAP services~~, to the house committee on energy,
22 utilities and telecommunications and the senate committee on utilities.

another governing body of a PSAP

23 Sec. 13. On and after July 1, 2025, K.S.A. 12-5365 is hereby
24 amended to read as follows: 12-5365. (a) There is hereby established in the
25 state treasury the 911 federal grant fund. *All moneys received by the state*
26 *from the federal government for the purposes provided in this section shall*
27 *be remitted to the state treasurer in accordance with the provisions of*
28 *K.S.A. 75-4215, and amendments thereto. Upon receipt of each such*
29 *remittance, the state treasurer shall deposit the entire amount in the state*
30 *treasury to the credit of the 911 federal grant fund.*

31 (b) ~~The chair of the 911 coordinating council shall serve as the~~
32 ~~administrator of the 911 federal grant fund and shall distribute grants in~~
33 ~~accordance with the recommendations of the 911 coordinating council.~~
34 Subject to the conditions and in accordance with the requirements of this
35 act and 47 C.F.R. part 400, as in effect on July 1, 2025, the ~~chair~~
36 ~~chairperson of the board~~ is authorized to perform such acts necessary for
37 the effectuation of this act.

38 (c) ~~Moneys received by the state from the federal government for the~~
39 ~~purposes of the fund shall be credited to the fund.~~

40 (f)(1) Subject to the conditions and in accordance with the
41 requirements of this act the Kansas 911 act and 47 C.F.R. part 400, as in
42 effect on July 1, 2025, moneys credited to the fund shall be used only:

43 (A) To pay all expenses incurred in the administration of the fund;

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

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

13 (d) (1) ~~The department shall transfer all remitted prepaid wireless 911~~
 14 ~~fees to the LCPA within 30 days of receipt for distribution as provided in~~
 15 ~~K.S.A. 12-5374, and amendments thereto. Except as provided in~~
 16 ~~paragraph (2), the department shall remit all moneys collected from the~~
 17 ~~prepaid wireless 911 fees to the state treasurer in accordance with K.S.A.~~
 18 ~~75-4215, and amendments thereto. Upon receipt of each such remittance,~~
 19 ~~the state treasurer shall deposit the entire amount in the state treasury and~~
 20 ~~credit such amount to the state 911 operations fund established pursuant~~
 21 ~~to section 5, and amendments thereto.~~

22 (2) ~~If the department remits \$3,000,000 to the state treasurer~~
 23 ~~pursuant to paragraph (1) in any given year, then all remaining moneys~~
 24 ~~collected from the prepaid wireless 911 fee shall be remitted to the state~~
 25 ~~treasurer in accordance with K.S.A. 75-4215, and amendments thereto.~~
 26 ~~Upon receipt of each such remittance, the state treasurer shall deposit the~~
 27 ~~entire amount in the state treasury and credit such amount to the state 911~~
 28 ~~fund established pursuant to section 7, and amendments thereto. Such~~
 29 ~~moneys shall be distributed to ~~the entities~~ in an amount proportional to~~
 30 ~~each county's population as a percentage share of the population of the~~
 31 ~~state. For each PSAP within a county, such moneys shall be distributed to~~
 32 ~~each PSAP in an amount proportional to the PSAP's population as a~~
 33 ~~percentage share of the population of the county. If there is no PSAP~~
 34 ~~within a county, then such moneys shall be distributed to the PSAP~~
 35 ~~providing service to such county. 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. 23. K.S.A. 12-5374 is hereby amended to read as follows: 12-
 39 5374. (a) (1) Except for the amounts withheld by the LCPA pursuant to
 40 K.S.A. 12-5368(b), and amendments thereto, and any amounts withheld
 41 pursuant to K.S.A. 12-5364(l), and amendments thereto, not later than 30
 42 days after the receipt of ~~moneys 911 fees~~ from providers pursuant to
 43 K.S.A. 12-5370 ~~and 12-5374~~, and amendments thereto, and *prepaid*

governing bodies and PSAPs

governing body that contracts with another governing body
 of a PSAP for the provision of 911 PSAP services

1 wireless 911 fees from the department pursuant to K.S.A. 12-5372, and
 2 amendments thereto, the LCPA shall distribute such moneys to the PSAPs
 3 or to ~~entities that contract with other entities~~ governing bodies
 4 ~~PSAP services pursuant to this section.~~ The amount of money distributed
 5 to the PSAPs in each county, or to any ~~entity that contracts with another~~
 6 ~~entity for the provision of 911 PSAP services,~~ shall be based upon the
 7 amount of 911 fees collected from service users located in that county,
 8 based on place of primary use information provided by the providers, by
 9 using the following distribution method:

| Population of county | Percentage of collected 911 fees to distribute |
|--------------------------|--|
| 10 where PSAP is located | |
| 11 Over 80,000 | 82% |
| 12 65,000 to 79,999 | 85% |
| 13 55,000 to 64,999 | 88% |
| 14 45,000 to 54,999 | 91% |
| 15 35,000 to 44,999 | 94% |
| 16 25,000 to 34,999 | 97% |
| 17 Less than 25,000 | 100% |

18 (2) ~~There shall be a minimum county distribution of \$60,000 \$70,000~~
 19 ~~and no county shall receive less than \$60,000 \$70,000 of direct~~
 20 ~~distribution moneys.~~ If there is more than one PSAP in a county then the
 21 ~~direct distribution allocated to that county by population shall be deducted~~
 22 ~~from the minimum county distribution and the difference shall be~~
 23 ~~proportionately divided between the PSAPs in the county.~~ All moneys
 24 remaining after distribution, moneys withheld pursuant to K.S.A. 12-
 25 5368(b)(1), and amendments thereto, and any moneys that cannot be
 26 attributed to a specific PSAP or ~~entity~~ governing body shall be transferred to the 911
 27 operations fund.

28 (b) All fees remitted to the LCPA shall be deposited in the 911 state
 29 fund and for the purposes of this act be treated as if they are public funds,
 30 pursuant to article 14 of chapter 9 of the Kansas Statutes Annotated, and
 31 amendments thereto.
 32

33 (c) All moneys in the 911 state fund that have been collected from the
 34 prepaid wireless 911 fee shall be deposited in the 911 operations fund
 35 unless \$3 million of such moneys have been deposited in any given year
 36 then all remaining moneys shall be distributed to the ~~entities~~ governing bodies of PSAPs
 37 proportional to each county's population as a percentage share of the
 38 population of the state. ~~For each PSAP within~~ if there is more than one
 39 ~~PSAP in a county, such moneys shall be distributed to each PSAP in an~~
 40 ~~amount proportional to the PSAP's population as a percentage share of the~~
 41 ~~population of the county.~~ If there is no PSAP within a county, then such
 42 moneys shall be distributed to the ~~PSAP providing service to such county~~
 43 ~~State Moneys distributed to entities and PSAPs pursuant to this section~~
 44 ~~only shall be used for the uses authorized in K.S.A. 12-5375, and~~
 45 ~~amendments thereto.~~ governing bodies

governing bodies
 another governing body of a PSAP

Strike in line 4
 governing body

governing body of a PSAP

If the calculated amount for distribution within a county is less than \$70,000,
 the \$70,000 shall be distributed for services within that county.
 (3) If there is a single PSAP providing services for a county, such PSAP shall
 receive the governing body's distribution, if any

distributions to each PSAP

(4)

governing body

governing bodies of PSAPs

governing body that contracts with another governing body of a
 PSAP for the provision of 911 PSAP services

governing bodies

1 (d) The LCPA shall keep accurate accounts of all receipts and
2 disbursements of moneys from the 911 fees.

3 (e) ~~Information~~Records provided by ~~providers~~ any provider to the
4 ~~best-effort~~ point administrator LCPA or to the 911 coordinating
5 council pursuant to this act ~~will shall~~ be treated as proprietary records ~~that~~
6 ~~will and shall~~ be withheld from the public upon request of the ~~party~~
7 provider submitting such records.

8 Sec. 24. On and after July 1, 2025, K.S.A. 12-5374, as amended by
9 section 23 of this act, is hereby amended to read as follows: 12-5374. (a)

10 (1) Except for the amounts withheld by the LCPA pursuant to K.S.A. 12-
11 5368(b), and amendments thereto, and any amounts withheld pursuant to
12 ~~K.S.A. 12-5364(f)~~ section 4, and amendments thereto, not later than 30
13 days after the receipt of 911 fees from providers pursuant to K.S.A. 12-
14 5370, and amendments thereto, and prepaid wireless 911 fees from the
15 department pursuant to K.S.A. 12-5372, and amendments thereto, the
16 LCPA shall distribute such moneys to the PSAPs or to counties that
17 contract with other counties for the provision of 911 PSAP services
18 pursuant to this section. The amount of money distributed to the PSAPs in
19 each county, or to any county that contracts with another county for the
20 provision of 911 PSAP services, shall be based upon the amount of 911
21 fees collected from service users located in that county, based on place of
22 primary use information provided by the providers, by using the following
23 distribution method:

| | | | |
|----|-----------------------|--|-------------------------|
| 24 | Population of county | | Percentage of collected |
| 25 | | | 911 fees to distribute |
| 26 | Over 80,000..... | | 82% |
| 27 | 65,000 to 79,999..... | | 85% |
| 28 | 55,000 to 64,999..... | | 88% |
| 29 | 45,000 to 54,999..... | | 91% |
| 30 | 35,000 to 44,999..... | | 94% |
| 31 | 25,000 to 34,999..... | | 97% |
| 32 | Less than 25,000..... | | 100% |

33 (2) There shall be a minimum county distribution of \$70,000 and no
34 county shall receive less than \$70,000 of direct distribution moneys. If
35 there is more than one PSAP in a county then the direct distribution
36 allocated to that county by population shall be deducted from the
37 minimum county distribution and the difference shall be proportionately
38 divided between the PSAPs in the county. The state 911 board may
39 increase the minimum county distribution amount not more than once
40 per calendar year by an amount that shall not exceed the minimum
41 county distribution amount established for the preceding calendar
42 year multiplied by the average percentage increase in the consumer
43 price index for all urban consumers in the midwest region as
44 published by the bureau of labor statistics of the United States
45 department of labor for the preceding calendar year. Prior to

This Section 24 will be stricken and
reinserted due to the revisions to
Section 23. All amendments appearing
in this section will be carried forward.

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

3 (B) the impact of any such proposed increase to the long term
4 financial stability of all other distributions to PSAPs and counties
5 made pursuant to this section.

6 (3) All moneys remaining after distribution, moneys withheld
7 pursuant to K.S.A. 12-5368(b)(1), and amendments thereto, and any
8 moneys that cannot be attributed to a specific PSAP or county shall be
9 transferred to the 911 operations fund after each distribution that is made
10 pursuant to this section, the state 911 board or LCPA shall certify to the
11 director of accounts and reports the total amount of unencumbered
12 moneys remaining in the state 911 fund and amount of moneys that could
13 not be attributed to a specific PSAP or county. Upon receipt of such
14 certification, the director of accounts and reports shall transfer such
15 certified amount from the state 911 fund to the state 911 operations fund.

16 (b) All fees remitted to the LCPA shall be deposited in the 911 state
17 fund and for the purposes of this act be treated as if they are public funds;
18 pursuant to article 14 of chapter 9 of the Kansas Statutes Annotated, and
19 amendments thereto.

20 (e) All moneys in the 911 state fund that have been collected from the
21 prepaid wireless 911 fee shall be deposited in the 911 operations fund
22 unless \$3 million of such moneys have been deposited in any given year
23 then all remaining moneys shall be distributed to the counties in an amount
24 proportional to each county's population as a percentage share of the
25 population of the state. If there is more than one PSAP in a county, such
26 moneys shall be distributed to each PSAP in an amount proportional to the
27 PSAP's population as a percentage share of the population of the county. If
28 there is no PSAP within a county, then such moneys shall be distributed to
29 the county. Moneys distributed to counties and PSAPs pursuant to this
30 section only shall be used for the uses authorized in K.S.A. 12-5375, and
31 amendments thereto.

32 (f) The state 911 board and the LCPA shall keep accurate accounts
33 of all receipts and disbursements of moneys from the 911 fees.

34 (g) Records provided by any provider to the LCPA or to the
35 state 911 board pursuant to this act shall be treated as proprietary
36 records and shall be withheld from the public upon request of the
37 provider submitting such records.

38 Sec. 26. K.S.A. 12-5375 is hereby amended to read as follows: 12-
39 5375. (a) (1) The proceeds of the 911 fees imposed pursuant to this act
40 moneys distributed to counties and PSAPs pursuant to K.S.A. 12-5374,
41 and amendments thereto, and any interest earned on revenue derived from
42 such fee moneys, shall be used only for necessary and reasonable costs
43 incurred or to be incurred by counties and PSAPs for:

governing body

governing bodies

governing bodies

- 1 ~~(A)~~(4) Implementation of 911 services;
- 2 ~~(2)~~(B) purchase of 911 equipment and upgrades;
- 3 ~~(3)~~(C) maintenance and license fees for 911 equipment;
- 4 ~~(4)~~(D) training of personnel, not to include salaries;
- 5 ~~(5)~~(E) monthly recurring charges billed by service suppliers;
- 6 ~~(6)~~(F) installation, service establishment and nonrecurring start-up
- 7 charges billed by the service supplier;
- 8 ~~(7)~~(G) charges for capital improvements and equipment or other
- 9 physical enhancements to the 911 system; ~~or~~

10 ~~(9)~~(H) ~~The original acquisition and installation of road signs designed~~
 11 ~~to aid in the delivery of emergency service.~~

12 (2) Such costs shall not include expenditures to lease, construct,
 13 expand, acquire, remodel, renovate, repair, furnish or make improvements
 14 to buildings or similar facilities. Such costs shall also not include
 15 expenditures to purchase, procure, maintain or upgrade subscriber radio
 16 equipment.

17 (3) ~~A ~~entity~~ may contract with another ~~entity~~ for the provision of~~
 18 ~~911 PSAP services provided that the moneys distributed to such county~~
 19 ~~pursuant to K.S.A. 12-5374, and amendments thereto, shall only be used~~
 20 ~~as authorized by this section.~~

21 (b) The 911 coordinating council shall, pursuant to rules and
 22 regulations, establish a process for a PSAP or ~~entity~~ that contracts with
 23 ~~another ~~entity~~ for the provision of 911 PSAP services, at the discretion of~~
 24 ~~the PSAP, to seek pre-approval of an expenditure. The council shall~~
 25 ~~respond in writing to any pre-approval request within 30 days and inform~~
 26 ~~the PSAP if stating whether the requested expenditure is approved or~~
 27 ~~disapproved. If the expenditure is disapproved, the written notification~~
 28 ~~shall state the reason for the disapproval and such PSAP or ~~entity~~ may,~~
 29 ~~within 15 days after service of the notification, make a written request to~~
 30 ~~the council to appeal the council's decision and for a hearing to be~~
 31 ~~conducted in accordance with the provisions of the Kansas administrative~~
 32 ~~procedure act.~~

33 (c) The 911 coordinating council shall annually review expenditures
 34 of 911 ~~funds moneys reported on the annual report for each PSAP or~~
 35 ~~~~entity~~ that contracts with another ~~entity~~ for the provision of 911 PSAP~~
 36 ~~services and shall appoint a committee to review such expenditures. If the~~
 37 ~~committee determines that a reported expenditure was not authorized by~~
 38 ~~this act, the committee shall request that the expenditure be refunded by~~
 39 ~~the PSAP or ~~entity~~ to the PSAP's or ~~entity~~'s 911 account. If a PSAP or~~
 40 ~~~~entity~~ does not concur with the finding of the committee, the PSAP or~~
 41 ~~~~entity~~ may request a review of the decision of the committee before the~~
 42 ~~911 coordinating council. If the 911 coordinating council, based upon~~
 43 ~~information obtained from an audit of the PSAPs, determines that any~~

Strike in line 9
 maintenance and updates that are necessary to maintain
 accurate GIS data; or
 (1)

governing body

governing body of a PSAP

governing body

any

Insert Attachment A

governing body

governing body of a PSAP

governing body

governing body

governing body of a PSAP

governing body's

governing body

1 PSAP ~~or *county*~~ has used any 911 fees for any purpose other than those
 2 authorized in this act, the governing body for such PSAP ~~or *county*~~ shall
 3 repay all such moneys used for any unauthorized purposes to the 911 fee
 4 fund of such PSAP ~~or *county*~~. Upon a finding that the expenditure was
 5 made intentionally ~~from the 911 fee fund of such PSAP~~ for a purpose
 6 clearly established as an unauthorized expenditure, the 911 coordinating
 7 council may require such PSAP ~~or *county*~~ to pay the lesser of \$500 or
 8 10% of such misused moneys, to the LCRA for deposit in the 911 state
 9 grant fund. No such repayment of 911 fees shall be imposed pursuant to
 10 this section except upon the written order of the council. Such order shall
 11 state the unauthorized purposes for which the funds were used, the amount
 12 of funds to be ~~repaid~~ *repaid* and the right of such PSAP ~~or *county*~~ to
 13 appeal to a hearing before the Kansas office of administrative hearings.
 14 Any such PSAP ~~or *county*~~ may, within 15 days after service of the order,
 15 make a written request to the council for a hearing thereon. Hearings under
 16 this subsection shall be conducted in accordance with the provisions of the
 17 Kansas administrative procedure act.

18 (d) Any final action of the council pursuant to subsection (b) or (c) is
 19 subject to review in accordance with the Kansas judicial review act.
 20 Sec. 27. On and after July 1, 2025, K.S.A. 12-5375, as amended by

21 section 26 of this act, is hereby amended to read as follows: 12-5375. (a)
 22 (1) The moneys distributed to counties and PSAPs pursuant to K.S.A. 12-
 23 5374, and amendments thereto, and any interest earned on revenue derived
 24 from such moneys, shall be used only for necessary and reasonable costs
 25 incurred or to be incurred by counties and PSAPs for:

- 26 (A) Implementation of 911 services;
- 27 (B) purchase of 911 equipment and upgrades;
- 28 (C) maintenance and license fees for 911 equipment;
- 29 (D) training of personnel, not to include salaries;
- 30 (E) monthly recurring charges billed by service suppliers;
- 31 (F) installation, service establishment and nonrecurring start-up
 32 charges billed by the service supplier;
- 33 (G) charges for capital improvements and equipment or other
 34 physical enhancements to the 911 system; or
- 35 (H) the original acquisition and installation of road signs designed to
 36 aid in the delivery of emergency service.

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

42 (3) A county may contract with another county for the provision of
 43 911 PSAP services provided that the moneys distributed to such county

governing body

governing body that contracts with another governing body of a PSAP for the provision of 911 PSAP services

governing body

governing body

This Section 27 will be stricken and reinserted due to the revisions to Section 26. All amendments appearing in this section plus any additional amendments that are necessary to refer to the state 911 board will be included and carried forward.

1 subsection (b) or (c) is subject to review in accordance with the Kansas
2 judicial review act.

3 Sec. 28. On and after January 1, 2026, K.S.A. 12-5375, as amended
4 by section 27 of this act, is hereby amended to read as follows: 12-5375.

5 (a) (1) The moneys distributed to counties and PSAPs pursuant to K.S.A.
6 12-5374, and amendments thereto, and any interest earned on revenue
7 derived from such moneys, shall be used only for necessary and
8 reasonable costs incurred or to be incurred by counties and PSAPs for:

9 (A) Implementation of 911 services;

10 (B) purchase of 911 equipment and upgrades;

11 (C) maintenance and license fees for 911 equipment;

12 (D) training of personnel, not to include salaries;

13 (E) monthly recurring charges billed by service suppliers;

14 (F) installation, service establishment and nonrecurring start-up
15 charges billed by the service supplier;

16 (G) charges for capital improvements and equipment or other
17 physical enhancements to the 911 system; or

18 (H) the original acquisition and installation of road signs designed to
19 aid in the delivery of emergency service.

20 (2) Such costs shall not include expenditures to lease, construct,
21 expand, acquire, remodel, renovate, repair, furnish or make improvements
22 to buildings or similar facilities. Such costs shall also not include
23 expenditures to purchase, procure, maintain or upgrade subscriber radio
24 equipment.

25 (3) A county may contract with another county for the provision of
26 911 PSAP services provided that the moneys distributed to such county
27 pursuant to K.S.A. 12-5374, and amendments thereto, shall only be used
28 for the uses authorized pursuant to this section.

29 (b) The state 911 board shall, pursuant to rules and regulations,
30 establish a process for a PSAP or county that contracts with another county
31 for the provision of 911 PSAP services, to seek pre-approval of an
32 expenditure. The state 911 board shall respond in writing to any pre-
33 approval request within 30 days and inform the PSAP stating whether the
34 requested expenditure is approved or disapproved. If the expenditure is
35 disapproved, the written notification shall state the reason for the
36 disapproval and such PSAP or county may, within 15 days after service of
37 the notification, make a written request to the state 911 board to appeal the
38 board's decision and for a hearing to be conducted in accordance with the
39 provisions of the Kansas administrative procedure act.

40 (c) The state 911 board shall annually review expenditures of 911
41 moneys reported on the annual report for each PSAP or county that
42 contracts with another county for the provision of 911 PSAP services and
43 shall appoint a committee to review such expenditures. If the committee

This Section 28 will be stricken and
reinserted due to the revisions to
Section 26. All amendments appearing
in this section will be carried forward.

If a governing body serves as the provider of PSAP services for another governing body, both governing bodies shall enter into a contract or memorandum of agreement that addresses contingency plans and overflow arrangements. Any such contract or memorandum of agreement shall be reviewed by the 911 coordinating council with respect to the provisions that relate to contingency plans and overflow arrangements or that may conflict with the function of the statewide 911 system. If the 911 coordinating council determines that any such provisions are not acceptable, the 911 coordinating council and the governing bodies shall collaborate and work to resolve such concerns prior to the effective date of such contract or memorandum of agreement. Any governing body contracting with another governing body of a PSAP for the provision of 911 PSAP services shall establish in the contract or memorandum of agreement an agreed upon percentage of the governing body's distribution amount for the LCPA to distribute to the governing body of the PSAP that is providing the 911 services.

1 chairperson shall serve subject to the direction of the board and ensure that
2 policies adopted by the board are carried out.

3 (2) The chairperson of the board or the chairperson's designee may
4 sign any certifications required for federal grants pursuant to 47 C.F.R. part
5 400.

6 (d) (1) Except as otherwise provided in this subsection, the terms of
7 office for members of the board shall commence upon appointment. Each
8 member shall serve a term of three years and until a successor has been
9 appointed pursuant to this section. No voting member shall serve longer
10 than two successive three-year terms, except that any person appointed to
11 fulfill an unexpired term of a voting member may finish the term of the
12 predecessor and such appointment shall not preclude the person from
13 subsequently serving two successive three-year terms.

14 (2) On July 1, 2025, each member appointed to and currently serving
15 a term on the 911 coordinating council pursuant to K.S.A. 12-5364, prior
16 to its repeal, shall be deemed to be appointed to and a member of the state
17 911 board. The initial term of each such member shall expire at the time
18 such member's original term would have expired as a member of the 911
19 coordinating council pursuant to K.S.A. 12-5364, prior to its repeal, and
20 until a successor has been appointed pursuant to this section.

21 (3) The term of all members of the board shall expire on June 30 in
22 the year that such member's term expires.

23 (e) Members of the board and other persons appointed to
24 subcommittees by the board may receive reimbursement for meals and
25 travel expenses, but shall serve without other compensation with the
26 exception of legislative members, who shall receive compensation
27 pursuant to K.S.A. 75-3212, and amendments thereto.

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

30 New Sec. 2. (a) The state 911 board shall:

31 (1) Coordinate E-911 services and next generation 911 services in the
32 state;

33 (2) implement statewide 911 communications planning;

34 (3) monitor the delivery of 911 communications services in the state;

35 (4) develop strategies for future enhancements to the 911 system;

36 (5) administer and oversee grants to PSAPs;

37 (6) develop technology standards;

38 (7) establish minimum training requirements for PSAP personnel,
39 GIS technicians and information technology technicians with respect to the

40 statewide NG911 call handling system technology to ensure public safety
41 across Kansas;

42 (8) employ a full-time executive director; and

43 (9) make an annual report of all expenditures from the 911 fees

This paragraph shall not apply to the members
appointed pursuant to subsection (a)(2).