

As Amended by House Committee

Session of 2023

HOUSE BILL No. 2400

By Committee on Commerce, Labor and Economic Development

2-10

1 AN ACT concerning workforce development; enacting the Kansas adult
2 learner grant act; establishing a grant program for adult learners to
3 pursue certain fields of study; providing for workforce retention
4 incentive-payments **tax credits**; creating the Kansas adult learner grant
5 program fund.

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

8 Section 1. (a) Sections 1 through 7, and amendments thereto, shall be
9 known and may be cited as the Kansas adult learner grant act.

10 (b) As used in the Kansas adult learner grant act:

11 (1) "Adult learner grant eligible program" means any baccalaureate
12 degree program offered by an eligible postsecondary educational
13 institution that is identified as an "adult learner grant eligible program" by
14 the state board of regents pursuant to section 2, and amendments thereto,
15 or designated as an "adult learner grant eligible program" by an eligible
16 postsecondary educational institution pursuant to section 3, and
17 amendments thereto.

18 (2) "Eligible postsecondary educational institution" means:

19 (A) A state educational institution under the control and supervision
20 of the board of regents;

21 (B) a municipal university;

22 (C) any not-for-profit institution of postsecondary education with its
23 main campus or principal place of operation in Kansas that offers an adult
24 learner grant eligible program, is operated independently and not
25 controlled or administered by any state agency or subdivision of the state,
26 maintains open enrollment and is accredited by a nationally recognized
27 accrediting agency for higher education in the United States; or

28 (D) a not-for-profit independent institution of higher education which
29 is accredited by an institutional accrediting agency recognized by the
30 United States department of education, is operated independently and not
31 controlled or administered by the state or any agency or subdivision
32 thereof, maintains open enrollment, offers online education and offers
33 exclusively competency-based education programs.

34 (3) "Part-time student" means a student who is enrolled for six credit
35 hours or more in a semester, or the equivalent, and is not enrolled as a full-
36 time student.

1 Sec. 2. (a) There is hereby established the Kansas adult learner grant
2 program. The state board of regents shall administer the program.

3 (b) On or before March 1, 2024, the state board of regents shall adopt
4 rules and regulations to implement and administer the Kansas adult learner
5 grant program. Such rules and regulations shall establish:

6 (1) Grant application **and renewal** forms and deadlines;

7 (2) appeal procedures for denial or revocation of a Kansas adult
8 learner grant;

9 (3) the terms, conditions and requirements for the Kansas adult
10 learner grant consistent with the provisions of this act; **and**

11 (4) procedures for requesting and approving medical, military and
12 personal absences from an eligible postsecondary educational institution
13 while a Kansas adult learner grant recipient is receiving such grant; ~~and~~

14 ~~(5) criteria for determining whether a student who received a Kansas
15 adult learner grant fulfilled the residency and employment requirements to
16 qualify for a Kansas workforce retention incentive payment under section
17 7, and amendments thereto.~~

18 (c) The state board of regents shall:

19 (1) Identify the adult learner grant eligible programs offered by each
20 eligible postsecondary educational institution that are:

21 (A) In any of the following fields of study:

22 (i) Information technology and security;

23 (ii) healthcare and nursing;

24 (iii) science, engineering, aerospace and advanced manufacturing;

25 (iv) education, early childhood education and development;

26 (v) business, accounting and data analytics; or

27 (B) designated by the eligible postsecondary educational institution
28 pursuant to section 3, and amendments thereto;

29 (2) work with community partners, such as community foundations,
30 school districts, postsecondary educational institutions, Kansas business
31 and industry and Kansas economic development organizations to publicize
32 Kansas adult learner grants, including, but not limited to, publicizing
33 eligible postsecondary educational institutions, approved ~~scholarship-~~
34 ~~eligible~~ **grant-eligible** educational programs, ~~application procedures~~ and
35 application **and renewal procedures and** deadlines;

36 (3) disburse funds to each eligible postsecondary educational
37 institution for the purpose of awarding Kansas adult learner grants;

38 (4) request information from eligible postsecondary educational
39 institutions necessary for the administration of this act; **and**

40 ~~(5) develop application forms and criteria for retention incentive~~
41 ~~payment amount levels if any are designated by the board of regents,~~
42 ~~consistent with the goal of developing and retaining the Kansas workforce,~~
43 ~~and administer verification and payment to Kansas adult learner grant~~

1 recipients who qualify for a retention incentive payment under section 6,
2 and amendments thereto; and

3 ~~(6)~~ beginning January 1, 2025, annually evaluate the Kansas adult
4 learner grant program and prepare and submit a report to the senate
5 standing committee on education and committee on commerce and the
6 house of representatives standing committee on education and committee
7 on commerce, labor and economic development.

8 Sec. 3. (a) Subject to subsection (b), an eligible postsecondary
9 educational institution may designate one additional adult learner grant
10 eligible program if the additional program is a baccalaureate degree
11 program that corresponds to a high wage, high demand or critical need
12 occupation.

13 (b) To designate an additional adult learner grant eligible program,
14 such institution shall have and maintain an existing adult learner grant
15 eligible program in any of the following fields of study:

- 16 (1) Information technology and security;
- 17 (2) healthcare and nursing;
- 18 (3) science, engineering, aerospace and advanced manufacturing;
- 19 (4) education and early childhood education and development; or
- 20 (5) business, accounting and data analytics.

21 (c) An eligible postsecondary educational institution that designates
22 an additional adult learner grant eligible program pursuant to subsection
23 (a) shall maintain the adult learner grant eligible program designation of
24 such program for at least four consecutive years. After maintaining such
25 program for at least four years, the institution may designate a new adult
26 learner grant eligible program that corresponds to a high wage, high
27 demand or critical need occupation to replace the existing designated adult
28 learner grant eligible program. Any newly designated program shall be
29 subject to the requirements of this section.

30 Sec. 4. (a) Subject to appropriations, the amount of a Kansas adult
31 learner grant for a student ~~for each~~ **shall be \$3,000 per** semester, ~~or the~~
32 ~~equivalent, shall be the aggregate amount of tuition, required fees and the~~
33 ~~cost of books and required materials for the adult learner grant eligible~~
34 ~~program at the eligible postsecondary educational institution for the~~
35 ~~academic year in which the student is enrolled and receiving the grant~~
36 ~~minus the aggregate amount of all other aid awarded to such student for~~
37 ~~such semester, or the equivalent, up to a maximum grant award of \$3,000~~
38 ~~per semester, or the equivalent, except that such amount shall be prorated~~
39 ~~if the student is not enrolled full-time. Aid includes any grant, scholarship~~
40 ~~or financial assistance awards that do not require repayment~~ **The prorated**
41 **amount shall be calculated on a sliding scale, in which full-time**
42 **enrollment is 12 credit hours per semester and shall qualify for a**
43 **100% grant and 6 credit hours of enrollment per semester shall**

1 **qualify for a 50% grant.**

2 (b) Students receiving an adult learner grant are eligible to continue
3 to receive such grant for up to ~~60~~ **48** months after the date that the
4 ~~scholarship grant~~ was first awarded or upon graduation from the program,
5 whichever comes first.

6 (c) Except as otherwise provided in this subsection, Kansas adult
7 learner grants shall only be awarded to an eligible student whose family
8 household income equals \$100,000 or less for a family of two, \$150,000 or
9 less for a family of three and, for household sizes above three, a household
10 income that is equal to or less than the family of three amount plus \$4,800
11 for each additional family member. ~~If scholarship moneys remain in the
12 Kansas adult learner grant program fund during the award year after
13 awarding all other scholarships pursuant to this section, Kansas adult
14 learner grants may be awarded to eligible students whose family
15 household income exceeds such amounts.~~

16 (d) For fiscal years 2024 and 2025, the appropriation made for the
17 Kansas adult learner grant program shall not exceed \$1,000,000 for each
18 fiscal year. For fiscal year 2026 and each fiscal year thereafter, the
19 appropriation for each fiscal year shall not exceed 150% of the amount
20 disbursed in Kansas adult learner grant program grants for the immediately
21 preceding fiscal year.

22 Sec. 5. (a) To be eligible for a Kansas adult learner grant, a student
23 shall:

24 (1) Be a Kansas resident;

25 (2) be 25 years of age or older at the time ~~of enrollment~~ **the student's**
26 **first course that is funded by a grant begins;**

27 (3) complete the required grant application on such forms and in such
28 manner as established by the state board of regents;

29 (4) complete the free application for federal student aid for the
30 academic year in which the student applies to receive a Kansas adult
31 learner grant; and

32 (5) enroll as a full-time student or part-time student at an eligible
33 postsecondary educational institution in an adult learner grant eligible
34 program.

35 (b) To continue to receive a Kansas adult learner grant, a student
36 shall:

37 (1) Maintain satisfactory academic progress toward completion of the
38 adult learner grant eligible program;

39 (2) **complete a grant renewal application on such forms and in**
40 **such manner as established by the state board of regents; and**

41 (3) **complete the free application for federal student aid for the**
42 **academic year for which the student applies to renew the grant.**

43 Sec. 6. (a) Notwithstanding the grant limitation in section 4, and

1 amendments thereto, an individual who has received a Kansas adult
2 learner grant shall qualify for a Kansas workforce retention incentive
3 ~~payment~~ **income tax credit against the individual's tax liability under**
4 **the Kansas income tax act** of up to ~~\$3,000~~ **\$1,500** if they demonstrate
5 satisfactorily to the ~~state board of regents~~ **secretary of revenue** that they:

6 (a)(1) Successfully completed their adult learner grant eligible
7 program with the awarding of their degree;

8 (b)(2) **currently reside in Kansas and** have resided in Kansas for at
9 least two consecutive years following completion of their program or
10 commenced service as a military servicemember; and

11 (c)(3) are currently employed in the state of Kansas, have enrolled as
12 a full-time student or part-time student in an eligible postsecondary
13 educational institution or have commenced service as a military
14 servicemember.

15 (b) **To claim the credit, the individual shall submit such**
16 **information and documentation in the form and manner required by**
17 **the secretary of revenue.**

18 (c) **The individual may claim the income tax credit not later than**
19 **the 5th taxable year after the taxable year in which the individual**
20 **successfully completed the adult learner grant eligible program with**
21 **an award of their degree. Any amount of the credit that exceeds the**
22 **individual's tax liability shall be carried forward once to the next**
23 **succeeding taxable year as a credit against the individual's income tax**
24 **liability for such year. Any amount of the credit remaining after being**
25 **carried forward once shall be forfeited.**

26 (d) **On or before March 1, 2024, the secretary of revenue shall**
27 **adopt rules and regulations to implement and administer the income**
28 **tax credit established by this section. Such rules and regulations shall**
29 **include criteria to determine whether a student who has received a**
30 **Kansas adult learner grant has fulfilled the residency and employment**
31 **requirements to qualify for a tax credit pursuant to this section.**

32 Sec. 7. There is hereby created in the state treasury the Kansas adult
33 learner grant program fund, which shall be administered by the state board
34 of regents. All expenditures from the Kansas adult learner grant program
35 fund shall be for Kansas adult learner grants ~~and Kansas workforce~~
36 ~~retention incentive payments~~ awarded pursuant to the Kansas adult learner
37 grant program. All expenditures from the Kansas adult learner grant
38 program fund shall be made in accordance with appropriation acts upon
39 warrants of the director of accounts and reports issued pursuant to
40 vouchers approved by the executive officer of the state board of regents or
41 the designee of the executive officer. All moneys received by such board
42 for the Kansas adult learner grant program shall be deposited in the state
43 treasury in accordance with the provisions of K.S.A. 75-4215, and

1 amendments thereto. Upon receipt of each such remittance, the state
2 treasurer shall deposit the entire amount in the state treasury to the credit
3 of the Kansas adult learner grant program fund.

4 Sec. 8. This act shall take effect and be in force from and after its
5 publication in the statute book.