

As Amended by Senate Committee

Session of 2024

SENATE BILL No. 552

By Committee on Ways and Means

3-14

1 AN ACT concerning the state board of regents; enacting the Kansas
2 campus restoration act; relating to deferred maintenance and demolition
3 of facilities at postsecondary educational institutions; authorizing the
4 board to adopt rules and regulations; establishing the Kansas campus
5 restoration fund in the state treasury; authorizing certain transfers from
6 the state general fund to the Kansas campus restoration fund; requiring
7 annual reports be submitted to certain committees of the legislature;
8 ***amending K.S.A. 74-3201b and repealing the existing section.***
9

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

11 ***New*** Section 1. (a) The provisions of sections 1 through 8, and
12 amendments thereto, shall be known and may be cited as the Kansas
13 campus restoration act.

14 (b) The purpose of the Kansas campus restoration act is to reduce
15 deferred maintenance of educational mission-critical facilities at
16 postsecondary educational institutions, to bring such facilities to a state of
17 good repair and to provide for the demolition or razing of facilities at state
18 educational institutions that are no longer mission-critical.

19 (c) As used in the Kansas campus restoration act:

20 (1) "Board of regents" means the same as defined in K.S.A. 76-711,
21 and amendments thereto.

22 (2) "Fund" means the Kansas campus restoration fund established in
23 section 2, and amendments thereto.

24 (3) "Postsecondary educational institution" means the same as
25 defined in K.S.A. 74-3201b, and amendments thereto.

26 (4) "State educational institution" means the same as defined in
27 K.S.A. 76-711, and amendments thereto.

28 ***New*** Sec. 2. (a) There is hereby established in the state treasury the
29 Kansas campus restoration fund. The Kansas campus restoration fund shall
30 be administered by the board of regents. All expenditures from the fund
31 shall be made in accordance with appropriation acts upon warrants of the
32 director of accounts and reports issued pursuant to vouchers approved by
33 the board of regents or by a person or persons designated by the board of
34 regents.

35 (b) A deferred maintenance account of the fund shall be established
36 for each postsecondary educational institution for the purpose of making

1 capital improvement expenditures from the fund.

2 (c) (1) Except as provided in paragraphs (2) and (3), all expenditures
3 from the fund shall require a match of nonstate moneys on a \$1-for-\$1
4 basis from either the postsecondary educational institution or private
5 moneys.

6 (2) Expenditures from the fund for a community college, technical
7 college, *institute of technology* or municipal university shall not require a
8 match.

9 (3) Expenditures from the fund from a state educational institution's
10 deferred maintenance account for demolition or razing of buildings or
11 facilities on the campus of such state educational institution shall not
12 require a match.

13 (d) On or before the 10th day of each month, the director of accounts
14 and reports shall transfer from the state general fund to the Kansas campus
15 restoration fund interest earnings based on:

16 (1) The average daily balance of moneys in the Kansas campus
17 restoration fund for the preceding month; and

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

20 *New Sec. 3.* On July 1, 2025, July 1, 2026, July 1, 2027, July 1, 2028,
21 July 1, 2029, July 1, 2030, July 1, 2031, July 1, 2032, July 1, 2033, July 1,
22 2034, and July 1, 2035, or as soon thereafter each such date as moneys are
23 available, the director of accounts and reports shall transfer \$32,700,000
24 from the state general fund to the Kansas campus restoration fund.

25 *New Sec. 4.* (a) Each ~~postsecondary~~ *state* educational institution shall
26 develop and submit to the board of regents a plan for the purpose of
27 rehabilitating, remodeling or renovating existing facilities or building new
28 facilities that are mission-critical of such ~~postsecondary~~ *state* educational
29 institution and to bring such facilities to a state of good repair. Such plan
30 shall also include a list of facilities for demolition or razing. Each
31 ~~postsecondary~~ *state* educational institution's plan shall be subject to
32 approval by the board of regents.

33 (b) The board of regents shall develop a comprehensive Kansas
34 campus restoration plan that includes facilities from each ~~postsecondary~~
35 *state* educational institution's plan as approved by the board of regents.

36 (c) The board of regents shall ensure that facilities located on the
37 Kansas state university polytechnic campus in Salina, Kansas, and the
38 university of Kansas Edwards campus in Overland Park, Kansas, are not
39 excluded from direct participation in the Kansas campus restoration plan.

40 (d) The Kansas campus restoration plan shall encourage, and the
41 board of regents may require, a reduction of total campus square footage in
42 a project associated with such plan.

43 *New Sec. 5.* (a) Commencing in fiscal year 2026 through fiscal year

1 2036, the board of regents shall distribute in each fiscal year an aggregate
2 amount of \$30,000,000 from the Kansas campus restoration fund to each
3 state educational institution's deferred maintenance account established
4 pursuant to section 2, and amendments thereto, in accordance with the
5 Kansas campus restoration plan developed and approved pursuant to
6 section 4, and amendments thereto.

7 (b) Commencing in fiscal year 2026 through fiscal year 2036, the
8 board of regents shall credit \$100,000 in each fiscal year from the Kansas
9 campus restoration fund to each community college, technical college,
10 *institute of technology* and municipal university account established
11 pursuant to section 2, and amendments thereto.

12 **New Sec. 6.** The board of regents is hereby authorized to adopt rules
13 and regulations necessary to implement and administer the provisions of
14 the Kansas campus restoration act and shall adopt rules and regulations to
15 define:

16 (a) "Educational mission-critical facilities." Such definition may
17 include, but not be limited to, any facility of a research or economic
18 generation capacity that the board of regents deems essential. Such
19 definition shall not include auxiliary or athletic-funded facilities; and

20 (b) "state of good repair." Such definition shall be of an industry
21 standard and shall be presented to the joint committee on state building
22 construction for review and comment.

23 **New Sec. 7.** ~~The board of regents shall submit a report~~ Annually on or
24 before the first day of the regular session of the legislature:

25 (a) ***The board of regents shall submit a report*** on the progress of the
26 Kansas campus restoration plan to the senate committee on ways and
27 means, the house of representatives committee on appropriations, the
28 house of representatives higher education budget committee and the joint
29 committee on state building construction; ***and***

30 (b) ***each community college, technical college, institute of***
31 ***technology and municipal university shall submit a report on each***
32 ***institution's expenditures of moneys received pursuant to section 5(b),***
33 ***and amendments thereto, to the board of regents, the senate committee***
34 ***on ways and means, the house of representatives committee on***
35 ***appropriations and the house of representatives higher education budget***
36 ***committee.***

37 **New Sec. 8.** The provisions of sections 1 through 8, and amendments
38 thereto, shall expire on July 1, 2036.

39 **Sec. 9.** *K.S.A. 74-3201b is hereby amended to read as follows: 74-*
40 ***3201b. As used in the Kansas higher education coordination act:***

41 (a) ***"Adult basic education program" and "adult supplementary***
42 ***education program"*** ~~have the meanings respectively ascribed thereto~~
43 ***mean the same as defined in K.S.A. 74-32,253, and amendments thereto.***

1 ***(b) "Community college" means any community college***
2 ***established under the laws of this state.***

3 ***(c) "Institute of technology" or "Washburn institute of technology"***
4 ***means the institute of technology at Washburn university.***

5 ***(d) "Municipal university" means Washburn university of Topeka***
6 ***or any other municipal university established under the laws of this***
7 ***state.***

8 ***(e) "Postsecondary educational institution" means any public***
9 ***university, municipal university, community college—and, technical***
10 ***college; and institute of technology. "Postsecondary educational***
11 ***institution" includes any entity resulting from the consolidation or***
12 ***affiliation of any two or more of such postsecondary educational***
13 ***institutions.***

14 ***(f) "Private postsecondary educational institution" and "out-of-***
15 ***state postsecondary educational institution" have the meanings ascribed***
16 ***thereto—mean the same as defined in K.S.A. 74-32,163, and amendments***
17 ***thereto.***

18 ***(g) "Public university" means any state educational institution.***

19 ***(h) "Representative of a postsecondary educational institution"***
20 ***means any person who is the holder of an associate degree, a bachelor's***
21 ***degree; or a certificate of completion awarded by a postsecondary***
22 ***educational institution.***

23 ***(i) "State board of regents" or "state board" means the state board***
24 ***of regents provided for in the constitution of this state and established by***
25 ***K.S.A. 74-3202a, and amendments thereto, except as otherwise***
26 ***specifically provided in this act.***

27 ***(j) "State educational institution" means any state educational***
28 ***institution; as defined in K.S.A. 76-711, and amendments thereto.***

29 ***(k) "Technical college" means any technical college established***
30 ***under the laws of this state.***

31 ***Sec. 10. K.S.A. 74-3201b is hereby repealed.***

32 ***Sec. 9. II. This act shall take effect and be in force from and after its***
33 ***publication in the statute book.***