

## HOUSE BILL No. 2174

By Committee on Commerce, Labor and Economic Development

2-7

1 AN ACT concerning the state use law; relating to extension of the sunset  
2 date for five years; amending K.S.A. 2018 Supp. 75-3322c and  
3 repealing the existing section.  
4

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

6 Section 1. K.S.A. 2018 Supp. 75-3322c is hereby amended to read as  
7 follows: 75-3322c. (a) There is hereby established within the department  
8 of administration, the state use law committee, hereafter referred to as the  
9 committee, to advise the director of purchases on issues surrounding the  
10 purchase of products and services provided by blind or disabled persons,  
11 which shall consist of nine members.

12 (b) The state use law committee shall be composed of the following  
13 members:

14 (1) Two members shall be appointed by the united school  
15 administrators of Kansas, one of whom shall represent small unified  
16 school districts and one of whom shall represent large unified school  
17 districts.

18 (2) One member shall be appointed by the state board of regents.

19 (3) One member shall be appointed by the state director of purchases.

20 (4) One member, who is an advocate for the blind and disabled in  
21 Kansas, shall be appointed by the governor.

22 (5) Two members who are qualified vendors shall be appointed by the  
23 governor.

24 (6) Two members of the Kansas legislature, one legislator shall be a  
25 member of the majority party and one legislator shall be a member of the  
26 minority party, and shall be appointed by the governor.

27 (c) ~~Such~~ Members shall serve for terms of two years and may be  
28 reappointed. On July 1 of each year, or as soon thereafter as possible, the  
29 committee shall elect a member to serve as a chairperson of the committee.  
30 Subsequent appointments shall be made as provided for original  
31 appointments for the unexpired terms.

32 (d) Members of the committee who are members of the Kansas  
33 legislature shall be paid amounts as provided in ~~subsection (c) of~~ K.S.A.  
34 75-3223(e), and amendments thereto. Otherwise, members of the  
35 committee shall serve without reimbursement.

36 (e) The committee shall be responsible for advising the director of

1 purchases on issues surrounding the provisions of K.S.A. 75-3317 through  
2 75-3322, and amendments thereto, including, but not limited to, the  
3 following functions:

4 (1) The development of waiver guidelines to be followed by  
5 qualifying agencies and unified school districts for participation under the  
6 provisions of K.S.A. 75-3317 through 75-3322, and amendments thereto.

7 (2) Product and service eligibility process used by the director of  
8 purchases for state use law products and services.

9 (3) Review the threshold dollar amount of purchases by state  
10 agencies or unified school districts for state use law to apply.

11 (4) Review provisions of K.S.A 75-3317 through 75-3322, and  
12 amendments thereto, on any purchase from a qualified vendor that is  
13 determined by the director of purchases to be a substantially higher cost  
14 than the purchase would have cost had it been competitively bid.

15 (5) Adopt rules, regulations and policies to assure fair and effective  
16 implementation of this act, including appropriate rules and regulations  
17 relating to violations of K.S.A. 75-3317 through 75-3322, and  
18 amendments thereto.

19 (6) Establish procedures for setting fair market prices for items  
20 included on the procurement list and revision of products and prices in  
21 accordance with the changing market conditions to assure that the prices  
22 established are reflective of the market.

23 (7) Assist qualified vendors in identifying and improving marketing  
24 efforts of the products manufactured or processed and offered for sale and  
25 services offered under K.S.A. 75-3317 through 75-3322, and amendments  
26 thereto, to state agencies and unified school districts.

27 (8) Encourage and assist the director of purchases, state agencies and  
28 unified school districts to identify additional commodities and services that  
29 may be purchased from qualified nonprofit agencies not participating in  
30 the state use law catalog.

31 (9) Any other issue identified by any interested party.

32 (f) The committee shall maintain a registry of entities which meet the  
33 definition of qualified vendor, as defined by K.S.A. 75-3317, and  
34 amendments thereto.

35 (g) The director of purchases shall convene quarterly meetings with  
36 qualified vendors, the state use law committee and agencies to discuss  
37 activity occurring under the state use law.

38 (h) On July 1, ~~2019~~ 2024, the state use law committee is hereby  
39 abolished.

40 Sec. 2. K.S.A. 2018 Supp. 75-3322c is hereby repealed.

41 Sec. 3. This act shall take effect and be in force from and after its  
42 publication in the statute book.