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MEMORANDUM

To: Chairman Waymaster and members of the House Appropriations Committee

From: Jill A. Wolters, First Assistant Revisor

Date: February 8, 2023

Subject: **HB2191**, Authorizing the children's cabinet to form a 501(c)(3) for fundraising for the Dolly Parton imagination library book gifting program.

Generally, a state agency only has the powers granted to them by statute, so if an agency wanted to form a 501(c)(3) nonprofit corporation, they would need the statutory authority to do so. Currently, the state fair board has the specific authority to form a nonprofit pursuant to K.S.A. 74-520a(f) and in 2021, the Legislature granted the department of corrections the specific authority to form a nonprofit pursuant to K.S.A. 75-52,169(d).

HB2191 authorizes the children's cabinet to establish a 501(c)(3). The board of directors of the nonprofit corporation shall consist of the members of the children's cabinet, the executive director of the children's cabinet and other directors designated by the children's cabinet. The purpose of the nonprofit corporation shall be to receive gifts, donations, grants and other moneys and engage in fundraising projects for the benefit of the Dolly Parton's imagination library book gifting program to develop, implement, promote and sustain reading by the children of Kansas.

The bill becomes effective upon the publication in the statute book.