

HOUSE BILL No. 2613

By Representative Essex

1-29

1 AN ACT concerning the attorney general; relating to the drug abuse
2 resistance education (D.A.R.E.) program; creating the position of
3 statewide drug abuse resistance education educator and providing for
4 the duties and responsibilities thereof; establishing the drug abuse
5 resistance education fund and providing funding for such fund through
6 an annual transfer of state moneys; amending K.S.A. 38-2101 and 75-
7 721 and repealing the existing sections.
8

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

10 Section 1. K.S.A. 38-2101 is hereby amended to read as follows: 38-
11 2101. (a) There is hereby established in the state treasury the Kansas
12 endowment for youth fund, which shall constitute a trust fund and ~~shall~~ be
13 invested, managed and administered in accordance with the provisions of
14 this act by the board of trustees of the Kansas public employees retirement
15 system established by K.S.A. 74-4905, and amendments thereto.

16 (b) All of the moneys received by the state pursuant to the tobacco
17 litigation settlement agreements entered into by the attorney general on
18 behalf of the state of Kansas, or pursuant to any judgment rendered,
19 regarding the litigation against tobacco industry companies and related
20 entities, shall be deposited in the state treasury and credited to the Kansas
21 endowment for youth fund. All such moneys shall constitute an
22 endowment, which shall remain credited to the Kansas endowment for
23 youth fund except as provided in this section ~~or~~, in K.S.A. 38-2102, and
24 amendments thereto, for transfers to the children's initiatives fund *or in*
25 *K.S.A. 75-721, and amendments thereto, for transfers to the drug abuse*
26 *resistance education fund*. Expenditures may be made from the Kansas
27 endowment for youth fund for the payment of the operating expenses of
28 the Kansas children's cabinet and the board of trustees, including the
29 expenses of investing and managing the moneys, ~~which~~ *that* are
30 attributable to the Kansas endowment for youth fund. All moneys credited
31 to the Kansas endowment for youth fund shall be invested to provide an
32 ongoing source of investment earnings available for periodic transfer to
33 the children's initiatives fund in accordance with this act. All expenditures
34 from the Kansas endowment for youth fund shall be made in accordance
35 with appropriation acts upon warrants of the director of accounts and
36 reports issued pursuant to vouchers approved by the chairperson of the

1 board of trustees of the Kansas public employees retirement system or by
2 the chairperson's designee.

3 (c) On the effective date of this act, the director of accounts and
4 reports shall transfer all moneys credited to the children's health care
5 programs fund to the Kansas endowment for youth fund, and the children's
6 health care programs fund is hereby abolished. On and after July 1, 1999,
7 whenever the children's health care programs fund, or words of like effect,
8 is referred to or designated by statute, contract or other document, such
9 reference or designation shall be deemed to apply to the Kansas
10 endowment for youth fund.

11 Sec. 2. K.S.A. 75-721 is hereby amended to read as follows: 75-721.

12 (a) The attorney general shall appoint a statewide drug abuse resistance
13 education (D.A.R.E.) coordinator, *a statewide D.A.R.E. educator* and,
14 within the limits of appropriations available therefore, such additional staff
15 as necessary to support the statewide D.A.R.E. coordinator *and educator*.

16 (b) The D.A.R.E. coordinator shall:

17 (1) Assist local law enforcement agencies and schools in creation of
18 local D.A.R.E. programs;

19 (2) provide training to local law enforcement officers to teach the
20 D.A.R.E. curriculum; and

21 (3) perform other services, and provide material and information as
22 required to support the D.A.R.E. program in Kansas.

23 (c) *The D.A.R.E. educator shall:*

24 (1) *Provide instruction using the D.A.R.E. curriculum, including*
25 *content on fentanyl and other opioid drugs, to students in public*
26 *elementary and secondary schools; and*

27 (2) *perform other services, and provide material and information as*
28 *required to support the D.A.R.E. program in Kansas.*

29 (d) *There is established in the state treasury the drug abuse*
30 *resistance education fund to be administered by the office of the attorney*
31 *general. All expenditures from the drug abuse resistance education fund*
32 *shall be used for the purposes of supporting the D.A.R.E. program in*
33 *Kansas. Such expenditures shall be made in accordance with*
34 *appropriation acts upon warrants of the director of accounts and reports*
35 *issued pursuant to vouchers approved by the attorney general or the*
36 *attorney general's designee.*

37 (e) *On July 1, 2024, and each July 1 thereafter, or as soon thereafter*
38 *as moneys are available, the director of accounts and reports shall*
39 *transfer \$300,000 from the Kansas endowment for youth fund, established*
40 *by K.S.A. 38-2101, and amendments thereto, to the drug abuse resistance*
41 *education fund. On June 30, 2025, and each June 30 thereafter, all*
42 *unencumbered moneys credited to the drug abuse resistance education*
43 *fund shall be transferred by the director of accounts and reports from the*

1 *drug abuse resistance education fund to the Kansas endowment for youth*
2 *fund.*

3 Sec. 3. K.S.A. 38-2101 and 75-721 are hereby repealed.

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