

{As Amended by House Committee of the Whole}

Session of 2024

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 {section}.

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 ~~(e) 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 ~~See 2. {Section 1.}~~ K.S.A. 75-721 is hereby amended to read as
12 follows: 75-721. (a) The attorney general shall appoint a statewide drug
13 abuse resistance education (D.A.R.E.) coordinator, *a statewide D.A.R.E.*
14 *educator* and, within the limits of appropriations available therefore, such
15 additional staff as necessary to support the statewide D.A.R.E. coordinator
16 *and educator*.

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

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

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

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

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

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

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

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

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

1 ~~fund shall be transferred by the director of accounts and reports from the~~
2 ~~drug abuse resistance education fund to the Kansas endowment for youth~~
3 ~~fund.~~

4 Sec. ~~3.~~ {2.} K.S.A. ~~38-2101 and 75-721~~ are {is} hereby repealed.

5 Sec. ~~4.~~ {3.} This act shall take effect and be in force from and after its
6 publication in the statute book.