

**As Amended by House Committee**

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*Session of 2024*

**HOUSE BILL No. 2690**

By Committee on Energy, Utilities and Telecommunications

Requested by Representative Delperdang on behalf of Representative Hoffman and  
Representative Carmichael

2-5

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1 AN ACT concerning emergency communication services; establishing the  
2 state 911 board; abolishing the 911 coordinating council; transferring  
3 the powers, duties and functions of the 911 coordinating council to the  
4 state 911 board; authorizing the board to appoint an executive director  
5 and other employees to carry out the powers, duties and functions of  
6 the board; abolishing the 911 operations fund, the 911 state grant fund  
7 and the 911 state fund and establishing the state 911 operations fund,  
8 the state 911 grant fund and the state 911 fund in the state treasury;  
9 authorizing counties to contract for the provision of 911 PSAP services  
10 with another county; amending K.S.A. 12-5362, 12-5363, 12-5364, 12-  
11 5365, 12-5366, 12-5367, 12-5368, 12-5368, as amended by section 16  
12 of this act, 12-5368, as amended by section 17 of this act, 12-5369, 12-  
13 5370, 12-5371, 12-5372, 12-5374, 12-5374, as amended by section 23  
14 of this act, 12-5374, as amended by section 24 of this act, 12-5375, 12-  
15 5375, as amended by section 26 of this act, 12-5375, as amended by  
16 section 27 of this act, and 12-5377 and repealing the existing sections;  
17 also repealing K.S.A. 12-5364, as amended by section 12 of this act,  
18 12-5378 and 12-5379.

19  
20 *Be it enacted by the Legislature of the State of Kansas:*

21 New Section 1. (a) There is hereby established the state 911 board.  
22 The board shall consist of 19 voting members and shall include individuals  
23 with technical expertise regarding 911 systems, internet technology and  
24 GIS technology.

25 (1) The following 15 voting members shall be appointed by the  
26 governor:

27 (A) Two members representing information technology personnel  
28 from governmental units;

29 (B) one member representing the Kansas sheriff's association;

30 (C) one member representing the Kansas association of chiefs of  
31 police;

32 (D) one member representing a fire chief;

33 (E) one member recommended by the adjutant general;

34 (F) one member recommended by the Kansas emergency medical

1 services board;

2 (G) one member recommended by the Kansas commission for the  
3 deaf and hard of hearing;

4 (H) two members representing PSAPs located in counties having a  
5 population less than 75,000, at least one of which shall be an administrator  
6 of a PSAP or have extensive prior 911 experience in Kansas;

7 (I) two members representing PSAPs located in counties having a  
8 population of 75,000 or more, at least one of which shall be an  
9 administrator of a PSAP or have extensive prior 911 experience in Kansas;

10 (J) one member representing the Kansas chapter of the association of  
11 public safety communications officials;

12 (K) one member recommended by the league of Kansas  
13 municipalities; and

14 (L) one member recommended by the Kansas association of counties.

15 (2) The following four voting members shall be appointed as follows:

16 (A) One member of the Kansas house of representatives appointed by  
17 the speaker of the house;

18 (B) one member of the Kansas house of representatives appointed by  
19 the minority leader of the house;

20 (C) one member of the Kansas senate appointed by the president of  
21 the senate; and

22 (D) one member of the Kansas senate appointed by the minority  
23 leader of the senate.

24 (b) The state 911 board shall include the following nine nonvoting  
25 members to be appointed by the governor:

26 (1) One member representing rural telecommunications companies  
27 recommended by the ~~Kansas rural independent telephone companies~~  
28 **communications coalition of Kansas**;

29 (2) one member representing incumbent local exchange carriers with  
30 over 50,000 access lines;

31 (3) one member representing large wireless providers;

32 (4) one member representing VoIP providers;

33 (5) one member recommended by the Kansas geographic information  
34 systems policy board;

35 (6) one member recommended by the Kansas office of information  
36 technology services;

37 (7) one member recommended by the Mid-America regional council  
38 who shall be a Kansas resident; and

39 (8) two members representing non-traditional PSAPs, one of whom  
40 shall be a representative of tribal government.

41 (c) (1) The governor shall select the chairperson of the state 911  
42 board. The chairperson shall serve as chairperson at the pleasure of the  
43 governor and shall have extensive prior 911 experience in Kansas. The

1 chairperson shall serve subject to the direction of the board and ensure that  
2 policies adopted by the board are carried out.

3 (2) The chairperson of the board or the chairperson's designee may  
4 sign any certifications required for federal grants pursuant to 47 C.F.R part  
5 400.

6 (d) (1) Except as otherwise provided in this subsection, the terms of  
7 office for members of the board shall commence upon appointment. Each  
8 member shall serve a term of three years and until a successor has been  
9 appointed pursuant to this section. No voting member shall serve longer  
10 than two successive three-year terms, except that any person appointed to  
11 fulfill an unexpired term of a voting member may finish the term of the  
12 predecessor and such appointment shall not preclude the person from  
13 subsequently serving two successive three-year terms.

14 (2) On July 1, 2025, each member appointed to and currently serving  
15 a term on the 911 coordinating council pursuant to K.S.A. 12-5364, prior  
16 to its repeal, shall be deemed to be appointed to and a member of the state  
17 911 board. The initial term of each such member shall expire at the time  
18 such member's original term would have expired as a member of the 911  
19 coordinating council pursuant to K.S.A. 12-5364, prior to its repeal, and  
20 until a successor has been appointed pursuant to this section.

21 (3) The term of all members of the board shall expire on June 30 in  
22 the year that such member's term expires.

23 (e) Members of the board and other persons appointed to  
24 subcommittees by the board may receive reimbursement for meals and  
25 travel expenses, but shall serve without other compensation with the  
26 exception of legislative members, who shall receive compensation  
27 pursuant to K.S.A. 75-3212, and amendments thereto.

28 (f) The provisions of this section shall take effect and be in force on  
29 and after July 1, 2025.

30 New Sec. 2. (a) The state 911 board shall:

31 (1) Coordinate E-911 services and next generation 911 services in the  
32 state;

33 (2) implement statewide 911 communications planning;

34 (3) monitor the delivery of 911 communications services in the state;

35 (4) develop strategies for future enhancements to the 911 system;

36 (5) administer and oversee grants to PSAPs;

37 (6) develop technology standards;

38 (7) establish minimum training requirements for PSAP personnel,  
39 GIS technicians and information technology technicians with respect to the  
40 statewide NG911 call handling system technology to ensure public safety  
41 across Kansas;

42 (8) employ a full-time executive director; and

43 (9) make an annual report of all expenditures from the 911 fees

1 imposed pursuant to K.S.A. 12-5369 and 12-5371, and amendments  
2 thereto, to the house of representatives standing committee on energy,  
3 utilities and telecommunications and the senate standing committee on  
4 utilities or their successor committees.

5 (b) The state 911 board may:

6 (1) Contract with any person to assist in the performance of the  
7 powers, duties and functions of the board;

8 (2) reimburse state agencies or independent contractors for expenses  
9 incurred in carrying out the powers, duties and functions of the board;

10 (3) apply for grants under the federal 911 grant program;

11 (4) recommend training for general PSAP operations; and

12 (5) adopt rules and regulations as the board deems necessary for the  
13 implementation and administration of the Kansas 911 act, except that the  
14 board shall not establish a mandatory certification program for PSAP  
15 operations or PSAP emergency communications personnel.

16 (c) The state 911 board may impose a civil penalty upon any provider  
17 that fails to collect the 911 fees pursuant to K.S.A. 12-5369, and  
18 amendments thereto, or remit such fees pursuant to K.S.A. 12-5370, and  
19 amendments thereto. Such written order shall state the violation, the  
20 penalty to be imposed and the right of the provider to appeal and request a  
21 hearing before the board. Any such provider may, within 15 days after  
22 service of the order, make a written request to the board for a hearing  
23 thereon. Hearings under this subsection shall be conducted in accordance  
24 with the provisions of the Kansas administrative procedure act. Any action  
25 of the board to impose a penalty shall be subject to review in accordance  
26 with the Kansas judicial review act. Any civil penalty recovered pursuant  
27 to this subsection shall be deposited in the 911 state grant fund.

28 (d) (1) The executive director of the state 911 board shall:

29 (A) Be the administrative officer of the board;

30 (B) be in the unclassified service of the Kansas civil service act; and

31 (C) receive an annual salary set by the board.

32 (2) The executive director may hire, subject to the approval of the  
33 board, assistant directors and employees as deemed necessary by the  
34 board. Any such assistant directors or employees shall be in the  
35 unclassified service of the Kansas civil service act.

36 (e) The provisions of this section shall take effect and be in force on  
37 and after July 1, 2025.

38 New Sec. 3. (a) On July 1, 2025, the 911 coordinating council  
39 established pursuant to K.S.A. 12-5364, prior to its repeal, is hereby  
40 abolished and the powers, duties and functions vested in and imposed  
41 upon the 911 coordinating council are hereby transferred to, vested in and  
42 imposed upon the state 911 board.

43 (b) On July 1, 2025, all employees of the 911 coordinating council

1 who, immediately prior to such date, were engaged in the performance of  
2 the powers, duties or functions that are transferred pursuant to this act, and  
3 who, in the opinion of the board, are necessary to perform the powers,  
4 duties and functions of the board, shall be transferred to and shall become  
5 employees of the board. Any such employee shall retain all retirement  
6 benefits and all rights of civil service that had accrued to or vested in such  
7 employee. The service of each such employee so transferred shall be  
8 deemed to have been continuous.

9 (c) The state 911 board shall succeed to all property and records of  
10 the 911 coordinating council. Any conflict as to the proper disposition of  
11 property or records arising under this section shall be determined by the  
12 governor and the decision of the governor shall be final.

13 (d) Whenever the 911 coordinating council, or words of like effect, is  
14 referred to or designated by any statute, rule or regulation, contract or  
15 other document, such reference or designation shall be deemed to apply to  
16 state 911 board.

17 (e) All rules and regulations of the 911 coordinating council in  
18 existence on July 1, 2025, shall continue to be effective and shall be  
19 deemed to be duly adopted rules and regulations of the state 911 board  
20 until amended, revoked or nullified pursuant to law.

21 (f) The provisions of this section shall take effect and be in force on  
22 and after July 1, 2025.

23 New Sec. 4 (a) (1) Every provider shall submit contact information  
24 for the provider to the state 911 board. Any provider that has not  
25 previously provided wireless telecommunications service in this state shall  
26 submit contact information for the provider to the board within three  
27 months of first offering wireless telecommunications services in this state.

28 (2) A provider of wireless telecommunications service shall:

29 (A) Receive prior approval from each PSAP within the provider's  
30 service area before directing emergency calls to such PSAP; and

31 (B) establish the unique emergency telephone number "911" across  
32 the state.

33 (3) Nothing in this act shall be construed to limit the ability of a  
34 provider from recovering directly from the provider's customers the costs  
35 associated with designing, developing, deploying and maintaining 911  
36 service and the cost of collection and administration of the fees imposed  
37 by K.S.A. 12-5369, and amendments thereto, whether such costs are  
38 itemized on the customer's bill as a surcharge or by any other lawful  
39 method.

40 (b) (1) Each PSAP and county that contracts with another county for  
41 the provision of 911 PSAP services shall file an annual report with the  
42 state 911 board by March 1 of each year demonstrating how such PSAP or  
43 county has spent the moneys earned from the 911 fees during the

1 preceding calendar year. The board shall designate the content and form of  
2 such report and may require additional associated documentation that shall  
3 be included.

4 (2) If a PSAP or county that contracts with another county for the  
5 provision of 911 PSAP services fails to file and finalize an annual report,  
6 the board shall provide notice of such failure to the PSAP or county and  
7 the governing body of such PSAP. If such PSAP or county fails to file or  
8 finalize an annual report within 60 days of receiving such notice, the board  
9 shall withhold 10% of each subsequent distribution of 911 fees to such  
10 PSAP or county pursuant to K.S.A. 12-5374, and amendments thereto. The  
11 board shall not discontinue such withholding until the PSAP or county  
12 submits a report in compliance with this section.

13 (c) (1) If the state 911 board finds that the GIS data for a PSAP or  
14 county that contracts with another county for the provision of 911 PSAP  
15 services is inaccurate, the board shall give written notice to the governing  
16 body that oversees the PSAP or county of such finding. If the board does  
17 not receive an acceptable proposal for the PSAP or county to bring the GIS  
18 data into compliance within 60 days following such notice, the board may  
19 contract with a third party to review and update the GIS data.

20 (2) If the board finds that the GIS data for a PSAP or county that  
21 contracts with another county for the provision of 911 PSAP services has  
22 not been updated for one year or more, the board shall give written notice  
23 to the governing body that oversees the PSAP or county of such finding.  
24 Such PSAP or county may provide an attestation that the GIS data has  
25 been reviewed and remains accurate. If the board receives such attestation  
26 and has information that the data may not be accurate, the board shall  
27 provide a written notice to the PSAP or county that describes the areas the  
28 board believes to be inaccurate. The PSAP or county shall have 30 days  
29 following receipt of such written notice to submit updated GIS data. If the  
30 updated GIS data is not received prior to such deadline, the board may  
31 contract with a third party to review and update the GIS data and may  
32 assess any costs incurred in updating the GIS data upon the governing  
33 body that oversees the PSAP.

34 (d) The provisions of this section shall take effect and be in force on  
35 and after July 1, 2025.

36 New Sec. 5. (a) There is hereby created in the state treasury the state  
37 911 operations fund. All moneys received pursuant to K.S.A. 12-5368, 12-  
38 5372 and 12-5374, and amendments thereto, for purposes of such fund  
39 shall be deposited into the state 911 operations fund. All expenditures from  
40 the state 911 operations fund shall be made in accordance with  
41 appropriation acts upon warrants of the director of accounts and reports  
42 issued pursuant to vouchers approved by the chairperson of the state 911  
43 board or the chairperson's designee.

1 (b) The state 911 operations fund shall be used only for the following  
2 purposes:

3 (1) Administrative and operational expenses of the state 911 board,  
4 including salaries of persons employed by the board;

5 (2) payment and expenses incurred pursuant to contracts entered into  
6 by the board for the performance of the powers, duties and functions of the  
7 board;

8 (3) payment to state agencies or independent contractors for expenses  
9 incurred in carrying out the powers, duties and functions of the board; and

10 (4) development, deployment, implementation and maintenance of  
11 the statewide next generation 911 system.

12 (c) On or before the 10<sup>th</sup> of each month, the director of accounts and  
13 reports shall transfer from the state general fund to the state 911 operations  
14 fund interest earnings based on:

15 (1) The average daily balance of moneys in the state 911 operations  
16 fund for the preceding month; and

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

19 (d) The state 911 operations fund shall be used for the purposes set  
20 forth in this act and for no other governmental purposes. Moneys in the  
21 state 911 operations fund shall not be subject to the provisions of K.S.A.  
22 75-3722, 75-3725a and 75-3726a, and amendments thereto.

23 (e) On January 1, 2026:

24 (1) The LCPA shall remit to the state treasurer **in accordance with**  
25 **the provisions of K.S.A. 75-4215, and amendments thereto**, the balance  
26 of all moneys in the 911 operations fund established pursuant to K.S.A.  
27 12-5368, and amendments thereto. Upon receipt of such remittance, the  
28 state treasurer shall deposit the entire amount in the state treasury and  
29 credit such amount to the state 911 operations fund.

30 (2) All liabilities of the 911 operations fund are hereby transferred to  
31 and imposed on the state 911 operations fund.

32 (3) The 911 operations fund established by the LCPA pursuant to  
33 K.S.A. 12-5368, and amendments thereto, is hereby abolished.

34 (f) The provisions of this section shall take effect and be in force on  
35 and after January 1, 2026.

36 New Sec. 6. (a) There is hereby created in the state treasury the state  
37 911 grant fund. All moneys received pursuant to K.S.A. 12-5368 and 12-  
38 5374, and amendments thereto, for purposes of such fund shall be  
39 deposited into the state 911 grant fund. All expenditures from the state 911  
40 grant fund shall be made in accordance with appropriation acts upon  
41 warrants of the director of accounts and reports issued pursuant to  
42 vouchers approved by the chairperson of the state 911 board or the  
43 chairperson's designee.

1 (b) The state 911 grant fund shall be used only for the following  
2 purposes:

3 (1) Providing state grants for projects involving the development and  
4 implementation of next generation 911 services;

5 (2) provide grants to PSAPs based on demonstrated need; and

6 (3) costs associated with PSAP consolidation or cost-sharing projects.

7 (c) On or before the 10<sup>th</sup> of each month, the director of accounts and  
8 reports shall transfer from the state general fund to the state 911 grant fund  
9 interest earnings based on:

10 (1) The average daily balance of moneys in the state 911 grant fund  
11 for the preceding month; and

12 (2) the net earnings rate for the pooled money investment portfolio  
13 for the preceding month.

14 (d) The state 911 grant fund shall be used for the purposes set forth in  
15 this act and for no other governmental purposes. Moneys in the state 911  
16 grant fund shall not be subject to the provisions of K.S.A. 75-3722, 75-  
17 3725a and 75-3726a, and amendments thereto.

18 (e) On January 1, 2026:

19 (1) The LCPA shall remit to the state treasurer **in accordance with**  
20 **the provisions of K.S.A. 75-4215, and amendments thereto**, the balance  
21 of all moneys in the 911 state grant fund established pursuant to K.S.A.  
22 12-5368, and amendments thereto. Upon receipt of such remittance, the  
23 state treasurer shall deposit the entire amount in the state treasury and  
24 credit such amount to the state 911 grant fund.

25 (2) All liabilities of the 911 state grant fund are hereby transferred to  
26 and imposed on the state 911 grant fund.

27 (3) The 911 state grant fund established by the LCPA pursuant to  
28 K.S.A. 12-5368, and amendments thereto, is hereby abolished.

29 (f) The provisions of this section shall take effect and be in force on  
30 and after January 1, 2026.

31 New Sec. 7. (a) There is hereby created in the state treasury the state  
32 911 fund. All moneys received pursuant to K.S.A. 12-5368 and 12-5374,  
33 and amendments thereto, for purposes of such fund shall be deposited into  
34 the state 911 fund. All expenditures from the state 911 fund shall be made  
35 in accordance with appropriation acts upon warrants of the director of  
36 accounts and reports issued pursuant to vouchers approved by the  
37 chairperson of the state 911 board or the chairperson's designee.

38 (b) The state 911 fund shall be used for direct distributions of moneys  
39 pursuant to K.S.A. 12-5374, and amendments thereto.

40 (c) On or before the 10<sup>th</sup> of each month, the director of accounts and  
41 reports shall transfer from the state general fund to the state 911 fund  
42 interest earnings based on:

43 (1) The average daily balance of moneys in the state 911 fund for the



1 preceding month; and

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

4 (d) The state 911 fund shall be used for the purposes set forth in this  
5 act and for no other governmental purposes. Moneys in the state 911 fund  
6 shall not be subject to the provisions of K.S.A. 75-3722, 75-3725a and 75-  
7 3726a, and amendments thereto.

8 (e) On January 1, 2026:

9 (1) The LCPA shall remit to the state treasurer **in accordance with**  
10 **the provisions of K.S.A. 75-4215, and amendments thereto**, the balance  
11 of all moneys in the 911 state fund established pursuant to K.S.A. 12-5368,  
12 and amendments thereto. Upon receipt of such remittance, the state  
13 treasurer shall deposit the entire amount in the state treasury and credit  
14 such amount to the state 911 fund.

15 (2) All liabilities of the 911 state fund are hereby transferred to and  
16 imposed on the state 911 fund.

17 (3) The 911 state fund established by the LCPA pursuant to K.S.A.  
18 12-5368, and amendments thereto, is hereby abolished.

19 (f) The provisions of this section shall take effect and be in force on  
20 and after January 1, 2026.

21 New Sec. 8. (a) On July 1, 2025, and on the first day of each calendar  
22 month thereafter through January 1, 2026, the state 911 board shall require  
23 the LCPA to provide a report that accounts for every transaction that has  
24 occurred during the previous month in the 911 state fund, 911 state grant  
25 fund and the 911 operations fund established outside the state treasury  
26 pursuant to K.S.A. 12-5368, and amendments thereto. Such report shall  
27 include line item amounts and details for every transaction, including  
28 debits, credits, transfers, fees assessed, interest earned, change in  
29 ownership, change in authorized signatories or any other event that may  
30 have altered the structure or balance of the account. The LCPA shall  
31 submit each monthly report to the secretary of administration and to the  
32 director of legislative research. On or before January 12, 2026, the state  
33 911 board shall prepare and submit to the legislature a report that  
34 summarizes the transactions that impacted the account between July 1,  
35 2025, and January 1, 2026, and shall confirm that the accounts have been  
36 closed and all assets have been transferred to the state treasury in  
37 accordance with the requirements of sections 5 through 7, and  
38 amendments thereto.

39 (b) The provisions of this section shall take effect and be in force on  
40 and after July 1, 2025.

41 New Sec. 9. (a) On and after July 1, 2024, the 911 coordinating  
42 council may take any actions necessary to prepare for a seamless and  
43 orderly transition of the powers, duties and functions of the 911

1 coordinating council to the state 911 board established pursuant to section  
2 1, and amendments thereto. Such actions may include, but shall not be  
3 limited to:

4 (1) Employing one or more individuals who the council deems  
5 necessary to assist with the transition, including the employment of an  
6 individual who shall assume the role of executive director of the state 911  
7 board upon the establishment of the board pursuant to this act; and

8 (2) preparing a budget that reflects the establishment of the state 911  
9 board and the state 911 operations fund within the state treasury pursuant  
10 to this act.

11 (b) Any persons employed pursuant to this section shall be in the  
12 unclassified service and receive compensation fixed by the council.

13 (c) Any expenses incurred for the employment of individuals  
14 pursuant to this section shall be considered administrative expenses of the  
15 council pursuant to K.S.A. 12-5368, and amendments thereto, and the  
16 council shall have authority to use any moneys held in or transferred to the  
17 911 operations fund to provide for the employment and compensation  
18 authorized pursuant to this section.

19 Sec. 10. On and after July 1, 2025, K.S.A. 12-5362 is hereby  
20 amended to read as follows: 12-5362. K.S.A. 12-5362 through 12-5381,  
21 and amendments thereto, *and sections 1 through 9, and amendments*  
22 *thereto*, shall be known and may be cited as the Kansas 911 act.

23 Sec. 11. On and after July 1, 2025, K.S.A. 12-5363 is hereby  
24 amended to read as follows: 12-5363. As used in the Kansas 911 act:

25 (a) "Board" means the state 911 board.

26 (b) "Consumer" means a person who purchases prepaid wireless  
27 service in a retail transaction.

28 ~~(b)~~(c) "Department" means the Kansas department of revenue.

29 ~~(c)~~(d) "Enhanced 911 service" or "E-911 service" means an  
30 emergency telephone service that generally may provide, but is not limited to,  
31 selective routing, automatic number identification and automatic  
32 location identification features.

33 ~~(d)~~(e) "Exchange telecommunications service" means the service that  
34 provides local telecommunications exchange access to a service user.

35 ~~(e)~~(f) "GIS" means a geographic information system for capturing,  
36 storing, displaying, analyzing and managing data and associated attributes  
37 that are spatially referenced.

38 ~~(f)~~(g) "GIS data" means the geometry and associated attributes  
39 packaged in a geodatabase that defines the roads, address points and  
40 boundaries within a PSAP's jurisdiction.

41 ~~(g)~~(h) "Governing body" means the board of county commissioners  
42 of a county or the governing body of a city.

43 ~~(h)~~(i) "Local collection point administrator" or "LCPA" means the

1 person designated by the ~~911 coordinating council board~~ to serve as the  
2 local collection point administrator ~~to collect and distribute 911 fees, 911~~  
3 ~~operations fund moneys and distribute 911 state grant fund moneys~~  
4 **pursuant to K.S.A. 12-5367, and amendments thereto.**

5 ~~(j)~~(j) "Multi-line telephone system" means a system comprised of  
6 common control units, telephones and control hardware and software  
7 providing local telephone service to multiple end-use customers that may  
8 include VoIP service and network and premises based systems such as  
9 centrex, private branch exchange and hybrid key telephone systems.

10 ~~(k)~~(k) "Next generation 911" means 911 service that conforms with  
11 national emergency number association (NENA) i3 standards and enables  
12 PSAPs to receive Enhanced 911 service calls and emergency calls from  
13 Internet Protocol (IP) based technologies and applications that may include  
14 text messaging, image, video and data information from callers.

15 ~~(l)~~(l) "Non-traditional PSAP" means a PSAP not operated by a city  
16 or county, including, but not limited to, PSAPs operated by universities,  
17 tribal governments or the state *or* federal government.

18 ~~(m)~~(m) "Person" means any individual, firm, partnership,  
19 copartnership, joint venture, association, cooperative organization,  
20 corporation, municipal or private, and whether organized for profit or not,  
21 state, county, political subdivision, state department, commission, board,  
22 bureau or fraternal organization, nonprofit organization, estate, trust,  
23 business or common law trust, receiver, assignee for the benefit of  
24 creditors, trustee or trustee in bankruptcy or any other legal entity.

25 ~~(n)~~(n) "Prepaid wireless service" means a wireless  
26 telecommunications service that allows a caller to dial 911 to access the  
27 911 system, ~~which service must be~~ *that is* paid for in advance and ~~is sold~~  
28 in predetermined units or dollars of which the number declines with use in  
29 a known amount.

30 ~~(o)~~(o) "Place of primary use" has the meaning provided in the mobile  
31 telecommunications act as defined by 4 U.S.C. § 116 et seq., as in effect  
32 ~~on the effective date of this act~~ *July 1, 2025.*

33 ~~(p)~~(p) "Provider" means any person providing exchange  
34 telecommunications service, wireless telecommunications service, VoIP  
35 service or other service capable of contacting a PSAP. ~~A provider may also~~  
36 ~~be~~ "Provider" *includes* a 911 system operator.

37 ~~(q)~~(q) "PSAP" means a public safety answering point operated by a  
38 city or county.

39 ~~(r)~~(r) "Retail transaction" means the purchase of prepaid wireless  
40 service from a seller for any purpose other than resale, not including the  
41 use, storage or consumption of such services.

42 ~~(s)~~(s) "Seller" means a person who sells prepaid wireless service to  
43 another person.

1       ~~(s)~~(t) "Service user" means any person who is provided exchange  
2 telecommunications service, wireless telecommunications service, VoIP  
3 service, prepaid wireless service or any other service capable of contacting  
4 a PSAP.

5       ~~(t)~~(u) "Subscriber account" means the 10-digit access number  
6 assigned to a service user by a provider for the purpose of billing a service  
7 user up to the maximum capacity of the simultaneous outbound calling  
8 capability of a multi-line telephone system or equivalent service.

9       ~~(u)~~(v) "Subscriber radio equipment" means mobile and portable radio  
10 equipment installed in vehicles or carried by persons for voice  
11 communication with a radio system.

12       ~~(v)~~(w) "VoIP service" means voice over internet protocol.

13       ~~(w)~~(x) "Wireless telecommunications service" means commercial  
14 mobile radio service as defined by 47 C.F.R. § 20.3 as in effect on ~~the~~  
15 ~~effective date of this act~~ July 1, 2025.

16       ~~(x)~~(y) "911 call" means any electronic request for emergency  
17 response, presented by means of wireline, wireless, VoIP or  
18 telecommunications device for the deaf (TDD) technology, text message or  
19 any other technology by which a service user initiates an immediate  
20 information interchange or conversation with a PSAP.

21       ~~(y)~~(z) "911 system operator" means any entity that accepts 911 calls  
22 from providers, processes those calls and presents those calls to the  
23 appropriate PSAP. ~~A "911 system operator" may also be a provider.~~

24       Sec. 12. K.S.A. 12-5364 is hereby amended to read as follows: 12-  
25 5364. (a) (1) There is hereby created the 911 coordinating council which  
26 shall monitor the delivery of 911 services, develop strategies for future  
27 enhancements to the 911 system and distribute available grant funds to  
28 PSAPs *and counties that contract with other counties for the provision of*  
29 *911 PSAP services*. In as much as possible, the council shall include  
30 individuals with technical expertise regarding 911 systems, internet  
31 technology and GIS technology.

32       (2) (A) The 911 coordinating council shall consist of 13 voting  
33 members to be appointed by the governor:

34       (i) Two members representing information technology personnel  
35 from government units;

36       (ii) one member representing the Kansas sheriff's association;

37       (iii) one member representing the Kansas association of chiefs of  
38 police;

39       (iv) one member representing a fire chief;

40       (v) one member recommended by the adjutant general;

41       (vi) one member recommended by the Kansas emergency medical  
42 services board;

43       (vii) one member recommended by the Kansas commission for the

1 deaf and hard of hearing;

2 (viii) two members representing PSAPs located in counties with less  
3 than 75,000 in population;

4 (ix) two members representing PSAPs located in counties with  
5 greater than 75,000 in population; and

6 (x) one member representing the Kansas chapter of the association of  
7 public safety communications officials.

8 (B) At least two of the members representing PSAPs shall be  
9 administrators of a PSAP or have extensive prior 911 experience in  
10 Kansas.

11 (3) Other voting members of the 911 coordinating council shall  
12 include:

13 (A) One member of the Kansas house of representatives as appointed  
14 by the speaker of the house;

15 (B) one member of the Kansas house of representatives as appointed  
16 by the minority leader of the house;

17 (C) one member of the Kansas senate as appointed by the senate  
18 president; and

19 (D) one member of the Kansas senate as appointed by the senate  
20 minority leader.

21 (4) The 911 coordinating council shall also include nonvoting  
22 members to be appointed by the governor:

23 (A) One member representing rural telecommunications companies  
24 recommended by the ~~Kansas rural independent telephone companies~~  
25 **communications coalition of Kansas**;

26 (B) one member representing incumbent local exchange carriers with  
27 over 50,000 access lines;

28 (C) one member representing large wireless providers;

29 (D) one member representing VoIP providers;

30 (E) one member recommended by the league of Kansas  
31 municipalities;

32 (F) one member recommended by the Kansas association of counties;

33 (G) one member recommended by the Kansas geographic  
34 information systems policy board;

35 (H) one member recommended by the Kansas office of information  
36 technology services;

37 (I) one member, a Kansas resident, recommended by the Mid-  
38 America regional council; and

39 (J) two members representing non-traditional PSAPs, one of whom  
40 shall be a representative of tribal government.

41 (b) (1) ~~Except as provided in subsection (b)(2) and (b)(3), the terms~~  
42 ~~of office for Voting members of the 911 coordinating council shall~~  
43 ~~commence on the effective date of this act and shall be subject to~~

1 ~~reappointment every~~ *serve for a term of* three years. No voting member  
2 shall serve longer than two successive three-year terms. A voting member  
3 appointed as a replacement for another voting member may finish the term  
4 of the predecessor and may serve two additional successive three-year  
5 terms.

6 (2) ~~The following members, whose terms began on the effective date~~  
7 ~~of this act, shall serve initial terms as follows:~~

8 (A) ~~One member representing information technology personnel from~~  
9 ~~government units, one member recommended by the adjutant general, one~~  
10 ~~member representing PSAPs located in counties with less than 75,000 in~~  
11 ~~population and one member representing PSAPs located in counties with~~  
12 ~~75,000 or more in population shall serve a term of two years;~~

13 (B) ~~one member representing information technology personnel from~~  
14 ~~government units, one member recommended by the Kansas emergency~~  
15 ~~medical services board, one member representing PSAPs located in~~  
16 ~~counties with less than 75,000 in population and one member representing~~  
17 ~~PSAPs without regard to size shall serve a term of three years; and~~

18 (C) ~~one member representing a fire chief, one member recommended~~  
19 ~~by the Kansas commission for the deaf and hard of hearing, one member~~  
20 ~~representing the Kansas association of chiefs of police and one member~~  
21 ~~representing PSAPs located in counties with 75,000 or more in population~~  
22 ~~shall serve a term of four years.~~

23 (3) ~~The initial term for one member representing the Kansas sheriff's~~  
24 ~~association shall begin on July 1, 2014, and be for a period of three years.~~

25 (4) ~~The terms of members specified in this subsection shall expire on~~  
26 ~~June 30 in the last year of such member's term.~~

27 (c) (1) The governor shall select the chair of the 911 coordinating  
28 council, who shall serve at the pleasure of the governor and have extensive  
29 prior 911 experience in Kansas.

30 (2) The chair shall serve as the coordinator of E-911 services and next  
31 generation 911 services in the state, implement statewide 911 planning,  
32 have the authority to sign all certifications required under 47 C.F.R. part  
33 400 and administer the 911 federal grant fund and 911 state maintenance  
34 fund. The chair shall serve subject to the direction of the council and  
35 ensure that policies adopted by the council are carried out. The chair shall  
36 serve as the liaison between the council and the LCPA. The chair shall  
37 preside over all meetings of the council and assist the council in  
38 effectuating the provisions of this act.

39 (d) The 911 coordinating council, by an affirmative vote of nine  
40 voting members, shall select the local collection point administrator,  
41 pursuant to K.S.A. 12-5367, and amendments thereto, to collect 911 fees  
42 and to distribute such fees to PSAPs *and counties that contract with other*  
43 *counties for the provision of 911 PSAP services* and to distribute 911

1 operations fund moneys and 911 state grant fund moneys as directed by  
2 the council. The council shall adopt rules and regulations for the terms of  
3 the contract with the LCPA. All contract terms and conditions shall satisfy  
4 all contract requirements as established by the secretary of administration.  
5 The council shall determine the compensation of the LCPA who shall  
6 provide the council with any staffing necessary in carrying out the  
7 business of the council or effectuating the provisions of this act. The  
8 moneys used to reimburse these expenses shall be paid from the 911  
9 operations fund, pursuant to subsection (j).

10 (e) (1) The 911 coordinating council is hereby authorized to adopt  
11 rules and regulations necessary to effectuate the provisions of this act,  
12 including, but not limited to: (A) Creating a uniform reporting form  
13 designating how moneys, including 911 fees, have been spent by the  
14 PSAPs *and counties that contract with other counties for the provision of*  
15 *911 PSAP services*; (B) requiring service providers to notify the council  
16 pursuant to subsection (k); (C) establishing standards for coordinating and  
17 purchasing equipment; (D) recommending standards for general operations  
18 training of PSAP personnel; (E) establishing training standards and  
19 programs related to the technology and operations of the NG911 hosted  
20 solution; (F) establishing data standards, maintenance policies and data  
21 reporting requirements for GIS data; and (G) assessing civil penalties  
22 pursuant to subsection (m).

23 (2) The chair of the council shall work with the council to adopt rules  
24 and regulations necessary for the administration of this act, but the council  
25 shall not adopt any rules and regulations or impose any requirements that  
26 creates a mandatory certification program of PSAP operations or PSAP  
27 emergency communications personnel.

28 (f) If the 911 coordinating council finds that the GIS data for a PSAP  
29 *or county that contracts with another county for the provision of 911 PSAP*  
30 *services* is inaccurate or has not been updated for one year or more, the  
31 council shall give written notice to the governing body that oversees the  
32 PSAP *or county*. If, within 60 days of providing such notice, the council  
33 does not receive an acceptable proposal for the PSAP *or county* to bring  
34 the GIS data into compliance, the council may contract with a third party  
35 to review and update the GIS data. A PSAP *or county* with GIS data that  
36 has not been updated for one year or more may provide a certification  
37 attesting that the GIS data has been reviewed and remains accurate. If the  
38 council receives such certification and has information that the data may  
39 not be accurate, the council shall provide a written notice to the PSAP *or*  
40 *county* that describes the areas the council believes to be inaccurate and a  
41 deadline of 30 days for the PSAP *or county* to submit updated GIS data. If  
42 the updated GIS data is not received within the deadline, the council may  
43 contract with a third party to review and update the GIS data. The council

1 shall assess the governing body that oversees the PSAP *or county* for any  
2 costs incurred in updating the GIS data.

3 (g) The council may, pursuant to rules and regulations, lower the 911  
4 fee established pursuant to K.S.A. 12-5369, and amendments thereto, upon  
5 a finding based on information submitted on the uniform reporting forms,  
6 that moneys generated by such fee are in excess of the costs required to  
7 operate PSAPs in the state.

8 (h) The council may appoint subcommittees as necessary to  
9 administer grants, oversee collection and distribution of moneys by the  
10 LCPA, develop technology standards, develop training recommendations  
11 and other issues as deemed necessary by the council. Subcommittees, if  
12 appointed, shall include members of the council and other persons as  
13 needed.

14 (i) The council may reimburse independent contractors or state  
15 agencies for expenses incurred in carrying out the business of the council,  
16 including salaries, that are directly attributable to effectuating the  
17 provisions of this act. The moneys used to reimburse these expenses shall  
18 be paid from the 911 operations fund, pursuant to subsection (j).

19 (j) All expenses related to the council shall be paid from the 911  
20 operations fund. No more than 2.0% of the total receipts from providers  
21 and the department received by the LCPA shall be used to pay for  
22 administrative expenses of the council. Members of the council and other  
23 persons appointed to subcommittees by the council may receive  
24 reimbursement for meals and travel expenses, but shall serve without other  
25 compensation with the exception of legislative members who shall receive  
26 compensation pursuant to K.S.A. 75-3212, and amendments thereto.

27 (k) Every provider shall submit contact information for the provider  
28 to the council. Any provider that has not previously provided wireless  
29 telecommunications service in this state shall submit contact information  
30 for the provider to the council within three months of first offering  
31 wireless telecommunications services in this state.

32 (l) (1) Each PSAP *and county that contracts with another county for*  
33 *the provision of 911 PSAP services* shall file an annual report with the  
34 council by March 1 of each year demonstrating how such PSAP *or county*  
35 has spent the moneys earned from the 911 fee during the preceding  
36 calendar year. The council shall designate the content and form of such  
37 report and any associated documentation that is required to finalize such  
38 report.

39 (2) If a PSAP *or county that contracts with another county for the*  
40 *provision of 911 PSAP services* fails to file and finalize an annual report,  
41 the council shall provide notice of such failure to the PSAP *or county* and  
42 the governing body of such PSAP *or county*. If such PSAP *or county* fails  
43 to file or finalize an annual report within 60 days of receiving such notice,



1 10% of each subsequent distribution of 911 fees to such PSAP *or county*  
2 pursuant to K.S.A. 12-5373, and amendments thereto, shall be withheld by  
3 the LCPA and only distributed to such PSAP *or county* once the report has  
4 been submitted.

5 (m) The council, upon a finding that a provider has violated any  
6 provision of this act, may impose a civil penalty. No civil penalty shall be  
7 imposed pursuant to this section except upon the written order of the  
8 council. Such order shall state the violation, the penalty to be imposed and  
9 the right of such person to appeal to a hearing before the council. Any such  
10 person may, within 15 days after service of the order, make a written  
11 request to the council for a hearing thereon. Hearings under this subsection  
12 shall be conducted in accordance with the provisions of the Kansas  
13 administrative procedure act.

14 (n) Any action of the council pursuant to subsection (m) is subject to  
15 review in accordance with the Kansas judicial review act.

16 (o) Any civil penalty recovered pursuant to this section shall be  
17 transferred to the LCPA for deposit in the 911 state grant fund.

18 (p) The 911 coordinating council shall make an annual report, to  
19 include a detailed description of all expenditures made from 911 fees  
20 received by the PSAPs *and counties that contract with other counties for*  
21 *the provision of 911 PSAP services*, to the house committee on energy,  
22 utilities and telecommunications and the senate committee on utilities.

23 Sec. 13. On and after July 1, 2025, K.S.A. 12-5365 is hereby  
24 amended to read as follows: 12-5365. (a) There is hereby established in the  
25 state treasury the 911 federal grant fund. *All moneys received by the state*  
26 *from the federal government for the purposes provided in this section shall*  
27 *be remitted to the state treasurer in accordance with the provisions of*  
28 *K.S.A. 75-4215, and amendments thereto. Upon receipt of each such*  
29 *remittance, the state treasurer shall deposit the entire amount in the state*  
30 *treasury to the credit of the 911 federal grant fund.*

31 ~~(b) The chair of the 911 coordinating council shall serve as the~~  
32 ~~administrator of the 911 federal grant fund and shall distribute grants in~~  
33 ~~accordance with the recommendations of the 911 coordinating council.~~  
34 Subject to the conditions and in accordance with the requirements of this  
35 act and 47 C.F.R. part 400, *as in effect on July 1, 2025*, the ~~chair~~  
36 ~~chairperson of the board~~ is authorized to perform such acts necessary for  
37 the effectuation of this act.

38 ~~(c) Moneys received by the state from the federal government for the~~  
39 ~~purposes of the fund shall be credited to the fund.~~

40 ~~(d)(1)~~ Subject to the conditions and in accordance with the  
41 requirements of ~~this act~~ *the Kansas 911 act* and 47 C.F.R. part 400, *as in*  
42 *effect on July 1, 2025*, moneys credited to the fund shall be used only:

43 ~~(+)(A)~~ To pay all expenses incurred in the administration of the fund;

1 and

2 ~~(2)(B)~~ to provide grants to eligible municipalities only for necessary  
3 and reasonable costs incurred or to be incurred by PSAPs for:

4 ~~(A)(i)~~ Implementation of enhanced 911 service and next generation  
5 911 service, as defined in K.S.A. 12-5363, and amendments thereto;

6 ~~(B)(ii)~~ purchase of equipment and upgrades and modification to  
7 equipment used solely to process the data elements of enhanced 911  
8 service and next generation 911 service, as defined in K.S.A. 12-5363, and  
9 amendments thereto; and

10 ~~(C)(iii)~~ maintenance and license fees for such equipment and training  
11 of personnel to operate such equipment, including costs of training PSAP  
12 personnel to provide effective service to all users of the emergency  
13 telephone system who have communications disabilities.

14 (2) Such costs shall not include expenditures to lease, construct,  
15 expand, acquire, remodel, renovate, repair, furnish or make improvements  
16 to buildings or similar facilities or for other capital outlay or equipment  
17 not expressly authorized by this act.

18 ~~(e)(d)~~ All payments and disbursements from the fund shall be made  
19 in accordance with appropriation acts upon warrants of the director of  
20 accounts and reports issued pursuant to vouchers approved by the chair or  
21 by a person or persons designated by the chair *chairperson of the board or*  
22 *the chairperson's designee.*

23 Sec. 14. On and after July 1, 2025, K.S.A. 12-5366 is hereby  
24 amended to read as follows: 12-5366. (a) There is hereby established in the  
25 state treasury the 911 state maintenance fund. *All moneys received*  
26 *pursuant to this section shall be remitted to the state treasurer in*  
27 *accordance with the provisions of K.S.A. 75-4215, and amendments*  
28 *thereto. Upon receipt of each such remittance, the state treasurer shall*  
29 *deposit the entire amount in the state treasury to the credit of the 911 state*  
30 *maintenance fund.*

31 ~~(b)~~ ~~The chair of the 911 coordinating council shall serve as the~~  
32 ~~administrator of the 911 state maintenance fund and shall distribute grants~~  
33 ~~in accordance with the recommendations of the 911 coordinating council.~~  
34 ~~Subject to the conditions and in accordance with the requirements of this~~  
35 ~~act and 47 C.F.R. part 400, the chair is authorized to perform such acts~~  
36 ~~necessary for the effectuation of this act.~~

37 ~~(e)~~—Moneys from the following sources shall be credited to the fund:

38 (1) Amounts appropriated or otherwise made available by the  
39 legislature for the purposes of the fund;

40 (2) interest attributable to investment of moneys in the fund; and

41 (3) amounts received from any public or private entity for the  
42 purposes of the fund.

43 ~~(d)(c)~~ (1) Moneys credited to the fund shall be used only:

1       ~~(A)~~(A) To pay all expenses incurred in the administration of the fund;  
2 and

3       ~~(B)~~(B) *development, deployment, implementation and maintenance of*  
4 *the statewide next generation 911 system; and*

5       (C) to provide grants to eligible municipalities only for necessary and  
6 reasonable costs incurred or to be incurred by PSAPs for:

7       ~~(A)~~(i) Implementation of enhanced 911 service and next generation  
8 911 service, as defined in K.S.A. 12-5363, and amendments thereto;

9       ~~(B)~~(ii) purchase of equipment and upgrades and modification to  
10 equipment used solely to process the data elements of enhanced 911  
11 service and next generation 911 service, as defined in K.S.A. 12-5363, and  
12 amendments thereto; and

13       ~~(C)~~(iii) maintenance and license fees for such equipment and training  
14 of personnel to operate such equipment, including costs of training PSAP  
15 personnel to provide effective service to all users of the emergency  
16 telephone system who have communications disabilities.

17       (2) Such costs shall not include expenditures to lease, construct,  
18 expand, acquire, remodel, renovate, repair, furnish or make improvements  
19 to buildings or similar facilities or for other capital outlay or equipment  
20 not expressly authorized by this act.

21       (e) On or before the 10<sup>th</sup> of each month, the director of accounts and  
22 reports shall transfer from the state general fund to the 911 state  
23 maintenance fund interest earnings based on:

24       (1) The average daily balance of moneys in the 911 state maintenance  
25 fund for the preceding month; and

26       (2) the net earnings rate of the pooled money investment portfolio for  
27 the preceding month.

28       (f) All payments and disbursements from the fund shall be made in  
29 accordance with appropriation acts upon warrants of the director of  
30 accounts and reports issued pursuant to vouchers approved by the ~~chair or~~  
31 ~~by a person or persons designated by the chair~~ *chairperson of the board or*  
32 *the chairperson's designee.*

33       Sec. 15. On and after July 1, 2025, K.S.A. 12-5367 is hereby  
34 amended to read as follows: 12-5367. ~~(a) The 911 coordinating council~~  
35 ~~state 911 board~~, by an affirmative vote of nine voting members, shall  
36 select the local collection point administrator. In selecting the LCPA, the  
37 ~~council board~~ shall contract with the LCPA for services for no longer than  
38 two years, however, the ~~council board~~ may, by an affirmative vote of nine  
39 voting members, extend such contract for up to two additional years. The  
40 ~~911 coordinating council board~~ shall receive the approval of the legislative  
41 coordinating council in selecting an LCPA if the entity to be designated as  
42 the LCPA is different than the previous entity designated as the LCPA. The  
43 ~~911 coordinating council board~~ shall annually review the designation of

1 the LCPA and the contract with the LCPA ~~for services.~~

2 (b) *Any contract made between the 911 coordinating council and an*  
3 *LCPA that is in existence on January 1, 2025, shall continue to be valid,*  
4 *effective and enforceable until extended, revised, revoked or terminated by*  
5 *the board.*

6 (c) The LCPA shall be subject to the requirements of the Kansas open  
7 meetings act *and, except as provided in K.S.A. 12-5374, and amendments*  
8 *thereto, the Kansas open records act* ~~and~~. *The LCPA shall treat all moneys*  
9 *received by the LCPA as public funds pursuant to article 14 of chapter 9 of*  
10 *the Kansas Statutes Annotated, and amendments thereto. Notwithstanding*  
11 *any other provision of law to the contrary, the LCPA shall not be*  
12 *considered a state agency.*

13 Sec. 16. K.S.A. 12-5368 is hereby amended to read as follows: 12-  
14 5368. (a) Upon the approval of the 911 coordinating council, the LCPA  
15 shall establish the following funds, which shall not be a part of the state  
16 treasury: (1) The 911 state fund for the collection and distribution of 911  
17 fees; (2) the 911 operations fund for administrative costs of the 911  
18 coordinating council and deployment and maintenance of the statewide  
19 NG911 system; and (3) the 911 state grant fund for grants to individual  
20 PSAPs. All moneys originating from 911 fees, and any interest accrued on  
21 such fees, shall be paid to the LCPA for deposit in the 911 state fund or  
22 911 operations fund pursuant to subsection (b). All unobligated federal  
23 moneys, and any interest accrued on such moneys, shall be transferred to  
24 the 911 federal grant fund.

25 (b) (1) Except as provided for in paragraph (2), prior to the  
26 distribution ~~to the PSAPs~~ *of moneys* pursuant to K.S.A. 12-5374, and  
27 amendments thereto, the LCPA shall withhold \$.23 from every 911 fee  
28 remitted pursuant to K.S.A. 12-5369, and amendments thereto, and shall  
29 deposit such amount in the 911 operations fund for the deployment and  
30 maintenance of the statewide NG911 system and standardized  
31 functionality upgrades to that system.

32 (2) If the ~~funds~~ *moneys* withheld from distribution pursuant to  
33 paragraph (1) exceed 15% of the total receipts received by the LCPA from  
34 providers and the department over the prior three years, such ~~funds~~  
35 *moneys* in excess of that 15% total shall be deposited in the 911 state grant  
36 fund and used for PSAP grants based on demonstrated need pursuant to  
37 subsection (d).

38 (3) If the balance in the 911 state grant fund is less than \$2,000,000,  
39 prior to the distribution ~~to the PSAPs~~ pursuant to K.S.A. 12-5374, and  
40 amendments thereto, the LCPA shall withhold \$.01 from every 911 fee  
41 remitted pursuant to K.S.A. 12-5369, and amendments thereto, and shall  
42 deposit such amount in the 911 state grant fund. If the balance in the 911  
43 state grant fund exceeds \$2,000,000, the LCPA shall not withhold such

1 amount.

2 (c) The council shall be responsible for ensuring that the 911  
3 operations fund and the 911 state grant fund and any interest earned on  
4 money credited to the fund is only expended for the following purposes:

5 (1) Projects involving the development and implementation of next  
6 generation 911 services; (2) costs associated with PSAP consolidation or  
7 cost-sharing projects; (3) expenses related to the 911 coordinating council;  
8 (4) costs of audits conducted pursuant to K.S.A. 12-5377, and amendments  
9 thereto; and (5) other costs pursuant to K.S.A. 12-5375, and amendments  
10 thereto.

11 (d) The council shall develop criteria ~~for PSAPs~~ for eligible  
12 purchases and for grant applicants and make the final determination as to  
13 the distribution of grant funds. Such criteria shall promote the procurement  
14 of equipment that meets open architecture and national technical  
15 standards. ~~Distribution of Grant funds moneys shall not include~~  
16 ~~expenditures be used~~ to procure, maintain or upgrade subscriber radio  
17 equipment.

18 (e) The LCPA shall be authorized to maintain an action to collect any  
19 ~~funds moneys~~ owed by any ~~providers~~ *provider* in the district court in the  
20 county of the registered office of such provider or, if such provider does  
21 not have a registered office in the state, such an action may be maintained  
22 in the county where such provider's principal office is located. If such  
23 provider has no principal office in the state, such an action may be  
24 maintained in the district court of any county ~~in which~~ *where* such  
25 provider provides service.

26 Sec. 17. On and after July 1, 2025, K.S.A. 12-5368, as amended by  
27 section 16 of this act, is hereby amended to read as follows: 12-5368. (a)  
28 Upon the approval of the ~~911 coordinating council~~ *state 911 board*, the  
29 LCPA shall establish the following funds, which shall not be a part of the  
30 state treasury: (1) The 911 state fund for the collection and distribution of  
31 911 fees; (2) the 911 operations fund for administrative costs of the ~~911~~  
32 ~~coordinating council~~ *state 911 board* and deployment and maintenance of  
33 the statewide NG911 system; and (3) the 911 state grant fund for grants to  
34 individual PSAPs. All moneys originating from 911 fees, and any interest  
35 accrued on such fees, shall be paid to the LCPA for deposit in the 911 state  
36 fund or 911 operations fund pursuant to subsection (b). All unobligated  
37 federal moneys, and any interest accrued on such moneys, shall be  
38 transferred to the 911 federal grant fund.

39 (b) (1) Except as provided for in paragraph (2), prior to the  
40 distribution of moneys pursuant to K.S.A. 12-5374, and amendments  
41 thereto, the LCPA shall withhold \$.23 from every 911 fee remitted  
42 pursuant to K.S.A. 12-5369, and amendments thereto, and shall deposit  
43 such amount in the 911 operations fund for the deployment and

1 maintenance of the statewide NG911 system and standardized  
2 functionality upgrades to that system.

3 (2) If the moneys withheld from distribution pursuant to paragraph  
4 (1) exceed 15% of the total receipts received by the LCPA from providers  
5 and the department over the prior three years, such moneys in excess of  
6 that 15% total shall be deposited in the 911 state grant fund and used for  
7 PSAP grants based on demonstrated need pursuant to subsection (d).

8 (3) If the balance in the 911 state grant fund is less than \$2,000,000,  
9 prior to the distribution pursuant to K.S.A. 12-5374, and amendments  
10 thereto, the LCPA shall withhold \$.01 from every 911 fee remitted  
11 pursuant to K.S.A. 12-5369, and amendments thereto, and shall deposit  
12 such amount in the 911 state grant fund. If the balance in the 911 state  
13 grant fund exceeds \$2,000,000, the LCPA shall not withhold such amount.

14 (c) ~~The council~~ *state 911 board* shall be responsible for ensuring that  
15 the 911 operations fund and the 911 state grant fund and any interest  
16 earned on money credited to the fund is only expended for the following  
17 purposes: (1) Projects involving the development and implementation of  
18 next generation 911 services; (2) costs associated with PSAP consolidation  
19 or cost-sharing projects; (3) expenses related to the 911 coordinating  
20 council; ~~(4) costs of audits conducted pursuant to K.S.A. 12-5377, and~~  
21 ~~amendments thereto; and~~ ~~(5)~~ (4) other costs pursuant to K.S.A. 12-5375,  
22 and amendments thereto.

23 (d) ~~The council~~ *state 911 board* shall develop criteria for eligible  
24 purchases and for grant applicants and make the final determination as to  
25 the distribution of grant funds. Such criteria shall promote the procurement  
26 of equipment that meets open architecture and national technical  
27 standards. Grant moneys shall not be used to procure, maintain or upgrade  
28 subscriber radio equipment.

29 (e) *The state 911 board or the* LCPA shall be authorized to maintain  
30 an action to collect any moneys owed by any provider in the district court  
31 in the county of the registered office of such provider or, if such provider  
32 does not have a registered office in the state, such an action may be  
33 maintained in the county where such provider's principal office is located.  
34 If such provider has no principal office in the state, such an action may be  
35 maintained in the district court of any county where such provider  
36 provides service.

37 Sec. 18. On and after January 1, 2026, K.S.A. 12-5368, as amended  
38 by section 17 of this act, is hereby amended to read as follows: 12-5368.  
39 ~~Upon the approval of the state 911 board, the LCPA shall establish the~~  
40 ~~following funds, which shall not be a part of the state treasury: (1) The 911~~  
41 ~~state fund for the collection and distribution of 911 fees; (2) the 911~~  
42 ~~operations fund for administrative costs of the state 911 board and~~  
43 ~~deployment and maintenance of the statewide NG911 system; and (3) the~~

1 ~~911 state grant fund for grants to individual PSAPs. All moneys~~  
2 ~~originating from 911 fees, and any interest accrued on such fees, shall be~~  
3 ~~paid to the LCPA for deposit in the 911 state fund or 911 operations fund~~  
4 ~~pursuant to subsection (b). All unobligated federal moneys, and any~~  
5 ~~interest accrued on such moneys, shall be transferred to the 911 federal~~  
6 ~~grant fund.~~

7 (b) (1) Except as provided for in paragraph (2), prior to the  
8 distribution of moneys pursuant to K.S.A. 12-5374, and amendments  
9 thereto, the LCPA shall withhold \$.23 from every 911 fee remitted  
10 pursuant to K.S.A. 12-5369, and amendments thereto, and shall ~~deposit~~  
11 ~~such amount in the 911 operations fund for the deployment and~~  
12 ~~maintenance of the statewide NG911 system and standardized~~  
13 ~~functionality upgrades to that system~~ *remit such moneys to the state*  
14 *treasurer in accordance with the provisions of K.S.A. 75-4215, and*  
15 *amendments thereto. Upon receipt of each such remittance, the state*  
16 *treasurer shall deposit the entire amount in the state treasury and credit*  
17 *such amount to the state 911 operations fund established pursuant to*  
18 *section 5, and amendments thereto.*

19 (2) If the moneys withheld from distribution pursuant to paragraph  
20 (1) exceed 15% of the total receipts received by the LCPA from providers  
21 and the department over the prior three years, such moneys in excess of  
22 that 15% total shall be ~~deposited in the 911 state grant fund and used for~~  
23 ~~PSAP grants based on demonstrated need pursuant to subsection (d)~~  
24 ~~remitted to the state treasurer in accordance with the provisions of K.S.A.~~  
25 ~~75-4215, and amendments thereto. Upon receipt of each such remittance,~~  
26 ~~the state treasurer shall deposit the entire amount in the state treasury and~~  
27 ~~credit such amount to the state 911 grant fund established pursuant to~~  
28 ~~section 6, and amendments thereto.~~

29 (3) If the balance in the ~~state 911-state~~ grant fund is less than  
30 \$2,000,000, prior to the distribution pursuant to K.S.A. 12-5374, and  
31 amendments thereto, the LCPA shall withhold \$.01 from every 911 fee  
32 remitted pursuant to K.S.A. 12-5369, and amendments thereto, and shall  
33 ~~deposit such amount in the 911 state grant fund. If the balance in the 911~~  
34 ~~state grant fund exceeds \$2,000,000, the LCPA shall not withhold such~~  
35 ~~amount~~ *remit such moneys to the state treasurer in accordance with the*  
36 *provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of*  
37 *each such remittance, the state treasurer shall deposit the entire amount in*  
38 *the state treasury and credit such amount to the state 911 grant fund*  
39 *established pursuant to section 6, and amendments thereto.*

40 (e)(b) The state 911 board shall be responsible for ensuring that the  
41 ~~911 operations fund and the 911 state grant fund and any interest earned on~~  
42 ~~money credited to the fund is only expended for the following purposes:~~  
43 (1) ~~Projects involving the development and implementation of next-~~

1 ~~generation 911 services; (2) costs associated with PSAP consolidation or~~  
2 ~~cost-sharing projects; (3) expenses related to the 911 coordinating council;~~  
3 ~~and (4) other costs pursuant to K.S.A. 12-5375, and amendments thereto~~  
4 *moneys collected from 911 fees and prepaid wireless 911 fees are only*  
5 *expended for purposes authorized pursuant to the Kansas 911 act.*

6 (d)(c) The state 911 board shall develop criteria for eligible purchases  
7 and for grant applicants and make the final determination as to the  
8 distribution of grant funds. Such criteria shall promote the procurement of  
9 equipment that meets open architecture and national technical standards.  
10 Grant moneys shall not be used to procure, maintain or upgrade subscriber  
11 radio equipment.

12 (e)(d) The state 911 board or the LCPA shall be authorized to  
13 maintain an action to collect any moneys owed by any provider in the  
14 district court in the county of the registered office of such provider or, if  
15 such provider does not have a registered office in the state, such an action  
16 may be maintained in the county where such provider's principal office is  
17 located. If such provider has no principal office in the state, such an action  
18 may be maintained in the district court of any county where such provider  
19 provides service.

20 Sec. 19. On and after July 1, 2025, K.S.A. 12-5369 is hereby  
21 amended to read as follows: 12-5369. ~~Subject to the provisions of K.S.A.~~  
22 ~~12-5364(g), and amendments thereto~~(a) *Except as provided in subsection*  
23 *(b), there is hereby imposed a 911 fee in the amount of \$.90 per month per*  
24 *subscriber account of any exchange telecommunications service, wireless*  
25 *telecommunications service, VoIP service, or other service capable of*  
26 *contacting a PSAP. Such fee shall not be imposed on prepaid wireless*  
27 *service. It shall be the duty of each exchange telecommunications service*  
28 *provider, wireless telecommunications service provider, VoIP service*  
29 *provider or other service provider to remit such fees to the LCPA as*  
30 *provided in K.S.A. 12-5370, and amendments thereto.*

31 (b) *The state 911 board may, pursuant to rules and regulations, lower*  
32 *the 911 fee established pursuant to subsection (a) upon a finding that the*  
33 *moneys generated by such 911 fee exceed the costs required to operate*  
34 *PSAPs in the state.*

35 Sec. 20. On and after July 1, 2025, K.S.A. 12-5370 is hereby  
36 amended to read as follows: 12-5370. (a) Every billed service user shall be  
37 liable for the 911 fee until such fees have been paid to the exchange  
38 telecommunications service provider, wireless telecommunications service  
39 provider, VoIP service provider or other service provider.

40 (b) All providers shall have the duty to collect the ~~fees~~ *911 fee*  
41 *imposed pursuant to this act K.S.A. 12-5369, and amendments thereto.*  
42 *Such fees 911 fee shall be added to and may be stated separately in billings*  
43 *for the subscriber account. If stated separately in billings, the fees shall be*



1 labeled "911 fees."

2 (c) The provider shall have no obligation to take any legal action to  
3 enforce the collection of the ~~fees imposed by this act~~ 911 fee. The provider  
4 shall provide annually to the LCPA a list of the amount of uncollected 911  
5 fees along with the names and addresses of those service users ~~which that~~  
6 carry a balance that can be determined by the provider to be nonpayment  
7 of such fees.

8 (d) ~~The fees imposed by this act~~ 911 fee shall be collected insofar as  
9 practicable at the same time as, and along with, the charges for local  
10 exchange, wireless, VoIP, or other service in accordance with regular  
11 billing practice of the provider.

12 (e) ~~The 911 fees and the amounts required to be collected therefor are~~  
13 ~~due monthly.~~ Each provider shall remit the amount of such all 911 fees  
14 collected in ~~one each calendar month by the provider shall be remitted to~~  
15 the LCPA not more than 15 days after the close of ~~the such~~ calendar  
16 month. ~~On or before the 15<sup>th</sup> day of each calendar month following,~~ Upon  
17 each such remittance, the provider shall file a return for the preceding  
18 month ~~shall be filed~~ with the LCPA. Such return shall be *provided* in such  
19 form and ~~shall contain such information~~ manner as required by the LCPA  
20 board. The provider required to file the return shall deliver the return  
21 together with a remittance of the amount of fees payable to the LCPA. The  
22 provider shall maintain records of the amount of any such fees collected in  
23 accordance with this act for a period of three years from the time the fees  
24 are collected.

25 (f) The provisions of this section shall not be construed to apply to  
26 the prepaid wireless ~~service~~ 911 fee.

27 Sec. 21. On and after July 1, 2025, K.S.A. 12-5371 is hereby  
28 amended to read as follows: 12-5371. (a) There is hereby imposed a  
29 prepaid wireless 911 fee of 2.06% per retail transaction or, on and after the  
30 effective date of an adjusted amount per retail transaction that is  
31 established under subsection (f), such adjusted amount.

32 (b) The prepaid wireless 911 fee shall be collected by the seller from  
33 the consumer with respect to each retail transaction occurring in this state.  
34 The amount of the prepaid wireless 911 fee shall be either separately stated  
35 on an invoice, receipt or other similar document that is provided to the  
36 consumer by the seller, or otherwise disclosed to the consumer.

37 (c) For purposes of subsection (b), a retail transaction that is effected  
38 in person by a consumer in a business location of the seller shall be treated  
39 as occurring in this state if that business location is in this state, and any  
40 other retail transaction shall be treated as occurring in this state if the retail  
41 transaction is treated as occurring in this state for the purposes of K.S.A.  
42 79-3673(c)(3), and amendments thereto.

43 (d) The prepaid wireless 911 fee is the liability of the consumer and

1 not of the seller nor of any provider, except that the seller shall be liable to  
2 remit all prepaid wireless 911 fees that the seller collects from consumers  
3 pursuant to this section, ~~and amendments thereto~~, including all such fees  
4 that the seller is deemed to collect ~~where~~ when the amount of the charge  
5 has not been separately stated in an invoice, receipt or other similar  
6 document provided to the consumer by the seller.

7 (e) The amount of the prepaid wireless 911 fee that is collected by a  
8 seller from a consumer, if such amount is separately stated on an invoice,  
9 receipt or other similar document provided to the consumer by the seller,  
10 shall not be included in the base for measuring any tax, fee, surcharge or  
11 other charge that is imposed by this state, any political subdivision of this  
12 state or any intergovernmental agency.

13 (f) The prepaid wireless 911 fee shall be proportionately reduced  
14 upon any reduction to the fee imposed by K.S.A. 12-5369(a), and  
15 amendments thereto, pursuant to the ~~911 coordinating council's board's~~  
16 authority to reduce the 911 fee under K.S.A. ~~12-5364(g)~~ 12-5369(b), and  
17 amendments thereto. The adjusted amount shall be the product of dividing  
18 the numeric amount of the new 911 fee adjusted pursuant to K.S.A. ~~12-~~  
19 ~~5364(g)~~ 12-5369(b), and amendments thereto, by 50. Such reduction shall  
20 be effective on the effective date of the reduction of the 911 fee imposed  
21 by K.S.A. 12-5369(a), and amendments thereto, or, if later, the first day of  
22 the calendar quarter to occur at least 60 days after the enactment of the  
23 reduction of the 911 fee imposed by K.S.A. 12-5369(a), and amendments  
24 thereto. The department shall provide not less than 60 days' notice of such  
25 decrease on the department's website.

26 (g) When prepaid wireless service is sold with one or more other  
27 products or services for a single, non-itemized price, then the percentage  
28 specified in subsection (a) shall apply to the entire non-itemized price  
29 unless the seller elects to apply such percentage to: (1) If the amount of the  
30 prepaid wireless service is disclosed to the consumer as a dollar amount,  
31 such dollar amount; or (2) if the seller can identify the portion of the price  
32 that is attributable to the prepaid wireless service by reasonable and  
33 verifiable standards from its books and records that are kept in the regular  
34 course of business for other purposes, including, but not limited to, non-  
35 tax purposes, such portion.

36 Sec. 22. On and after January 1, 2026, K.S.A. 12-5372 is hereby  
37 amended to read as follows: 12-5372. (a) Prepaid wireless 911 fees  
38 collected by sellers shall be remitted to the department by electronic filing  
39 that is consistent with the provisions of article 36 of chapter 79 of the  
40 Kansas Statutes Annotated, and amendments thereto. The department shall  
41 establish registration and payment procedures for the collection of the  
42 prepaid wireless 911 fee.

43 (b) To minimize additional costs to the department, the department

1 may conduct audits of sellers in conjunction with sales and use tax audits.  
2 The department is authorized to provide the *board and* LCPA with  
3 information obtained in such audits if such information indicates that a  
4 seller may not be complying with the provisions of this section and K.S.A.  
5 12-5371, and amendments thereto. The *board or* LCPA may request the  
6 department to initiate collection or audit procedures on individual sellers if  
7 collection efforts by the *board or* LCPA are unsuccessful.

8 (c) The department shall establish procedures by which a seller may  
9 document that a sale is not a retail sale, which procedures shall  
10 substantially coincide with procedures for documenting sale for resale  
11 transactions for article 36 of chapter 79 of the Kansas Statutes Annotated,  
12 and amendments thereto.

13 (d) ~~(1) The department shall transfer all remitted prepaid wireless 911~~  
14 ~~fees to the LCPA within 30 days of receipt for distribution as provided in~~  
15 ~~K.S.A. 12-5374, and amendments thereto. Except as provided in~~  
16 ~~paragraph (2), the department shall remit all moneys collected from the~~  
17 ~~prepaid wireless 911 fees to the state treasurer in accordance with K.S.A.~~  
18 ~~75-4215, and amendments thereto. Upon receipt of each such remittance,~~  
19 ~~the state treasurer shall deposit the entire amount in the state treasury and~~  
20 ~~credit such amount to the state 911 operations fund established pursuant~~  
21 ~~to section 5, and amendments thereto.~~

22 (2) *If the department remits \$3,000,000 to the state treasurer*  
23 *pursuant to paragraph (1) in any given year, then all remaining moneys*  
24 *collected from the prepaid wireless 911 fee shall be remitted to the state*  
25 *treasurer in accordance with K.S.A. 75-4215, and amendments thereto.*  
26 *Upon receipt of each such remittance, the state treasurer shall deposit the*  
27 *entire amount in the state treasury and credit such amount to the state 911*  
28 *fund established pursuant to section 7, and amendments thereto. Such*  
29 *moneys shall be distributed to the counties in an amount proportional to*  
30 *each county's population as a percentage share of the population of the*  
31 *state. For each PSAP within a county, such moneys shall be distributed to*  
32 *each PSAP in an amount proportional to the PSAP's population as a*  
33 *percentage share of the population of the county. If there is no PSAP*  
34 *within a county, then such moneys shall be distributed to the PSAP*  
35 *providing service to such county. Moneys distributed pursuant to this*  
36 *paragraph shall only be used for the uses authorized in K.S.A. 12-5375,*  
37 *and amendments thereto.*

38 Sec. 23. K.S.A. 12-5374 is hereby amended to read as follows: 12-  
39 5374. (a) (1) Except for the amounts withheld by the LCPA pursuant to  
40 K.S.A. 12-5368(b), and amendments thereto, and any amounts withheld  
41 pursuant to K.S.A. 12-5364(1), and amendments thereto, not later than 30  
42 days after the receipt of ~~moneys 911 fees~~ from providers pursuant to  
43 K.S.A. 12-5370 ~~and 12-5371~~, and amendments thereto, and *prepaid*

1 *wireless 911 fees* from the department pursuant to K.S.A. 12-5372, and  
 2 amendments thereto, the LCPA shall distribute such moneys to the PSAPs  
 3 *or to counties that contract with other counties for the provision of 911*  
 4 *PSAP services pursuant to this section.* The amount of money distributed  
 5 to the PSAPs in each county, *or to any county that contracts with another*  
 6 *county for the provision of 911 PSAP services,* shall be based upon the  
 7 amount of 911 fees collected from service users located in that county,  
 8 based on place of primary use information provided by the providers, by  
 9 using the following distribution method:

10 Population of county	Percentage of collected
11 <del>where PSAP is located</del>	911 fees to distribute
12 Over 80,000.....	82%
13 65,000 to 79,999.....	85%
14 55,000 to 64,999.....	88%
15 45,000 to 54,999.....	91%
16 35,000 to 44,999.....	94%
17 25,000 to 34,999.....	97%
18 Less than 25,000.....	100%

19 (2) There shall be a minimum county distribution of ~~\$60,000~~ \$70,000  
 20 and no county shall receive less than ~~\$60,000~~ \$70,000 of direct  
 21 distribution moneys. If there is more than one PSAP in a county then the  
 22 direct distribution allocated to that county by population shall be deducted  
 23 from the minimum county distribution and the difference shall be  
 24 proportionately divided between the PSAPs in the county. All moneys  
 25 remaining after distribution, moneys withheld pursuant to K.S.A. 12-  
 26 5368(b)(1), and amendments thereto, and any moneys that cannot be  
 27 attributed to a specific PSAP *or county* shall be transferred to the 911  
 28 operations fund.

29 (b) All fees remitted to the LCPA shall be deposited in the 911 state  
 30 fund and for the purposes of this act be treated as if they are public funds,  
 31 pursuant to article 14 of chapter 9 of the Kansas Statutes Annotated, and  
 32 amendments thereto.

33 (c) All moneys in the 911 state fund that have been collected from the  
 34 prepaid wireless 911 fee shall be deposited in the 911 operations fund  
 35 unless \$3 million of such moneys have been deposited in any given year  
 36 then all remaining moneys shall be distributed to the counties in an amount  
 37 proportional to each county's population as a percentage share of the  
 38 population of the state. ~~For each PSAP within~~ *If there is more than one*  
 39 *PSAP in a county,* such moneys shall be distributed to each PSAP in an  
 40 amount proportional to the PSAP's population as a percentage share of the  
 41 population of the county. If there is no PSAP within a county, then such  
 42 moneys shall be distributed to the ~~PSAP providing service to such~~ county.  
 43 ~~Such~~ Moneys distributed to counties and PSAPs *pursuant to this section*  
 44 only shall be used for the uses authorized in K.S.A. 12-5375, and  
 45 amendments thereto.

1 (d) The LCPA shall keep accurate accounts of all receipts and  
 2 disbursements of moneys from the 911 fees.

3 (e) ~~Information~~Records provided by ~~providers~~ any provider to the  
 4 ~~local collection point administrator~~ LCPA or to the 911 coordinating  
 5 council pursuant to this act ~~will~~ shall be treated as proprietary records ~~that~~  
 6 ~~will and shall~~ be withheld from the public upon request of the ~~party~~  
 7 provider submitting such records.

8 Sec. 24. On and after July 1, 2025, K.S.A. 12-5374, as amended by  
 9 section 23 of this act, is hereby amended to read as follows: 12-5374. (a)

10 (1) Except for the amounts withheld by the LCPA pursuant to K.S.A. 12-  
 11 5368(b), and amendments thereto, and any amounts withheld pursuant to  
 12 ~~K.S.A. 12-5364~~(h) section 4, and amendments thereto, not later than 30  
 13 days after the receipt of 911 fees from providers pursuant to K.S.A. 12-  
 14 5370, and amendments thereto, and prepaid wireless 911 fees from the  
 15 department pursuant to K.S.A. 12-5372, and amendments thereto, the  
 16 LCPA shall distribute such moneys to the PSAPs or to counties that  
 17 contract with other counties for the provision of 911 PSAP services  
 18 pursuant to this section. The amount of money distributed to the PSAPs in  
 19 each county, or to any county that contracts with another county for the  
 20 provision of 911 PSAP services, shall be based upon the amount of 911  
 21 fees collected from service users located in that county, based on place of  
 22 primary use information provided by the providers, by using the following  
 23 distribution method:

24 Population of county	Percentage of collected 25 911 fees to distribute
26 Over 80,000.....	82%
27 65,000 to 79,999.....	85%
28 55,000 to 64,999.....	88%
29 45,000 to 54,999.....	91%
30 35,000 to 44,999.....	94%
31 25,000 to 34,999.....	97%
32 Less than 25,000.....	100%

33 (2) There shall be a minimum county distribution of \$70,000 and no  
 34 county shall receive less than \$70,000 of direct distribution moneys. If  
 35 there is more than one PSAP in a county then the direct distribution  
 36 allocated to that county by population shall be deducted from the  
 37 minimum county distribution and the difference shall be proportionately  
 38 divided between the PSAPs in the county. **The state 911 board may**  
 39 **increase the minimum county distribution amount not more than once**  
 40 **per calendar year by an amount that shall not exceed the minimum**  
 41 **county distribution amount established for the preceding calendar**  
 42 **year multiplied by the average percentage increase in the consumer**  
 43 **price index for all urban consumers in the midwest region as**  
 44 **published by the bureau of labor statistics of the United States**  
 45 **department of labor for the preceding calendar year. Prior to**

1 **increasing the minimum county distribution amount, the state 911**  
2 **board shall evaluate:**

3 **(A) Whether an increase is needed based on the expenditures of**  
4 **the counties that are subject to such minimum distribution; and**

5 **(B) the impact of any such proposed increase to the long term**  
6 **financial stability of all other distributions to PSAPs and counties**  
7 **made pursuant to this section.**

8 **(3)** All moneys remaining after distribution, moneys withheld  
9 pursuant to K.S.A. 12-5368(b)(1), and amendments thereto, and any  
10 moneys that cannot be attributed to a specific PSAP or county shall be  
11 transferred to the 911 operations fund.

12 (b) All fees remitted to the LCPA shall be deposited in the 911 state  
13 fund and for the purposes of this act be treated as if they are public funds,  
14 pursuant to article 14 of chapter 9 of the Kansas Statutes Annotated, and  
15 amendments thereto.

16 (c) All moneys in the 911 state fund that have been collected from the  
17 prepaid wireless 911 fee shall be deposited in the 911 operations fund  
18 unless \$3 million of such moneys have been deposited in any given year  
19 then all remaining moneys shall be distributed to the counties in an amount  
20 proportional to each county's population as a percentage share of the  
21 population of the state. If there is more than one PSAP in a county, such  
22 moneys shall be distributed to each PSAP in an amount proportional to the  
23 PSAP's population as a percentage share of the population of the county. If  
24 there is no PSAP within a county, then such moneys shall be distributed to  
25 the county. Moneys distributed to counties and PSAPs pursuant to this  
26 section only shall be used for the uses authorized in K.S.A. 12-5375, and  
27 amendments thereto.

28 (d) The LCPA shall keep accurate accounts of all receipts and  
29 disbursements of moneys from the 911 fees.

30 (e) Records provided by any provider to the LCPA or to the ~~911-~~  
31 ~~coordinating council~~ *state 911 board* pursuant to this act shall be treated as  
32 proprietary records and shall be withheld from the public upon request of  
33 the provider submitting such records.

34 ~~Sec. 25.—On and after January 1, 2026, K.S.A. 12-5374, as amended~~  
35 ~~by section 24 of this act, is hereby amended to read as follows: 12-5374.~~  
36 ~~(a) (1) Except for the amounts withheld by the LCPA pursuant to K.S.A.~~  
37 ~~12-5368(b) 12-5368, and amendments thereto, and any amounts withheld~~  
38 ~~pursuant to section 4, and amendments thereto, not later than 30 days after~~  
39 ~~the receipt of 911 fees from providers pursuant to K.S.A. 12-5370, and~~  
40 ~~amendments thereto, and prepaid wireless 911 fees from the department~~  
41 ~~pursuant to K.S.A. 12-5372, and amendments thereto, the LCPA *state 911*~~  
42 ~~board shall distribute such moneys to the PSAPs or to counties that~~  
43 ~~contract with other counties for the provision of 911 PSAP services-~~

1 pursuant to this section. The amount of money distributed to the PSAPs in  
 2 each county, or to any county that contracts with another county for the  
 3 provision of 911 PSAP services, shall be based upon the amount of 911  
 4 fees collected from service users located in that county, based on place of  
 5 primary use information provided by the providers, by using the following  
 6 distribution method:

7 Population of county _____	8 Percentage of collected 911 fees to distribute
9 Over 80,000.....	82%
10 65,000 to 79,999.....	85%
11 55,000 to 64,999.....	88%
12 45,000 to 54,999.....	91%
13 35,000 to 44,999.....	94%
14 25,000 to 34,999.....	97%
15 Less than 25,000.....	100%

16 ~~(2) There shall be a minimum county distribution of \$70,000 and no~~  
 17 ~~county shall receive less than \$70,000 of direct distribution moneys. If~~  
 18 ~~there is more than one PSAP in a county then the direct distribution~~  
 19 ~~allocated to that county by population shall be deducted from the~~  
 20 ~~minimum county distribution and the difference shall be proportionately~~  
 21 ~~divided between the PSAPs in the county. All moneys remaining after~~  
 22 ~~distribution, moneys withheld pursuant to K.S.A. 12-5368(b)(1), and~~  
 23 ~~amendments thereto, and any moneys that cannot be attributed to a~~  
 24 ~~specific PSAP or county shall be transferred to the 911 operations fund.~~

25 (b) All fees remitted to the LCPA shall be deposited in the 911 state  
 26 fund and for the purposes of this act be treated as if they are public funds,  
 27 pursuant to article 14 of chapter 9 of the Kansas Statutes Annotated, and  
 28 amendments thereto.

29 (c) All moneys in the 911 state fund that have been collected from the  
 30 prepaid wireless 911 fee shall be deposited in the 911 operations fund  
 31 unless \$3 million of such moneys have been deposited in any given year  
 32 then all remaining moneys shall be distributed to the counties in an amount  
 33 proportional to each county's population as a percentage share of the  
 34 population of the state. If there is more than one PSAP in a county, such  
 35 moneys shall be distributed to each PSAP in an amount proportional to the  
 36 PSAP's population as a percentage share of the population of the county. If  
 37 there is no PSAP within a county, then such moneys shall be distributed to  
 38 the county. Moneys distributed to counties and PSAPs pursuant to this  
 39 section only shall be used for the uses authorized in K.S.A. 12-5375, and  
 40 amendments thereto.

41 (d) ~~The state 911 board and the LCPA shall keep accurate accounts of~~  
 42 ~~all receipts and disbursements of moneys from the 911 fees.~~

43 (e)(e) Records provided by any provider to the LCPA or to the state

1 911 board pursuant to this act shall be treated as proprietary records and  
 2 shall be withheld from the public upon request of the provider submitting  
 3 such records.

4 **Sec. 25. On and after January 1, 2026, K.S.A. 12-5374, as**  
 5 **amended by section 24 of this act, is hereby amended to read as**  
 6 **follows: 12-5374. (a) (1) Except for the amounts withheld by the LCPA**  
 7 **pursuant to K.S.A. ~~12-5368(b)~~ 12-5368, and amendments thereto, and**  
 8 **any amounts withheld pursuant to section 4, and amendments thereto, not**  
 9 **later than 30 days after the receipt of 911 fees from providers pursuant to**  
 10 **K.S.A. 12-5370, and amendments thereto, and prepaid wireless 911 fees**  
 11 **from the department pursuant to K.S.A. 12-5372, and amendments thereto,**  
 12 **the LCPA state 911 board shall distribute such moneys to the PSAPs or to**  
 13 **counties that contract with other counties for the provision of 911 PSAP**  
 14 **services pursuant to this section. The amount of money distributed to the**  
 15 **PSAPs in each county, or to any county that contracts with another county**  
 16 **for the provision of 911 PSAP services, shall be based upon the amount of**  
 17 **911 fees collected from service users located in that county, based on place**  
 18 **of primary use information provided by the providers, by using the**  
 19 **following distribution method:**

<b>Population of county</b>	<b>Percentage of collected 911 fees to distribute</b>
20 <b>Over 80,000.....</b>	<b>82%</b>
21 <b>65,000 to 79,999.....</b>	<b>85%</b>
22 <b>55,000 to 64,999.....</b>	<b>88%</b>
23 <b>45,000 to 54,999.....</b>	<b>91%</b>
24 <b>35,000 to 44,999.....</b>	<b>94%</b>
25 <b>25,000 to 34,999.....</b>	<b>97%</b>
26 <b>Less than 25,000.....</b>	<b>100%</b>

27  
 28 (2) There shall be a minimum county distribution of \$70,000 and  
 29 no county shall receive less than \$70,000 of direct distribution  
 30 moneys. If there is more than one PSAP in a county then the direct  
 31 distribution allocated to that county by population shall be deducted  
 32 from the minimum county distribution and the difference shall be  
 33 proportionately divided between the PSAPs in the county. The state  
 34 911 board may increase the minimum county distribution amount not  
 35 more than once per calendar year by an amount that shall not exceed  
 36 the minimum county distribution amount established for the  
 37 preceding calendar year multiplied by the average percentage increase  
 38 in the consumer price index for all urban consumers in the midwest  
 39 region as published by the bureau of labor statistics of the United  
 40 States department of labor for the preceding calendar year. Prior to  
 41 increasing the minimum county distribution amount, the state 911  
 42 board shall evaluate:  
 43



1       **(A) Whether an increase is needed based on the expenditures of**  
2 **the counties that are subject to such minimum distribution; and**

3       **(B) the impact of any such proposed increase to the long term**  
4 **financial stability of all other distributions to PSAPs and counties**  
5 **made pursuant to this section.**

6       ~~(3) All moneys remaining after distribution, moneys withheld~~  
7 ~~pursuant to K.S.A. 12-5368(b)(1), and amendments thereto, and any~~  
8 ~~moneys that cannot be attributed to a specific PSAP or county shall be~~  
9 ~~transferred to the 911 operations fund. After each distribution that is made~~  
10 ~~pursuant to this section, the state 911 board or LCPA shall certify to the~~  
11 ~~director of accounts and reports the total amount of unencumbered~~  
12 ~~moneys remaining in the state 911 fund and amount of moneys that could~~  
13 ~~not be attributed to a specific PSAP or county. Upon receipt of such~~  
14 ~~certification, the director of accounts and reports shall transfer such~~  
15 ~~certified amount from the state 911 fund to the state 911 operations fund.~~

16       ~~(b) All fees remitted to the LCPA shall be deposited in the 911 state~~  
17 ~~fund and for the purposes of this act be treated as if they are public funds,~~  
18 ~~pursuant to article 14 of chapter 9 of the Kansas Statutes Annotated, and~~  
19 ~~amendments thereto.~~

20       ~~(e) All moneys in the 911 state fund that have been collected from the~~  
21 ~~prepaid wireless 911 fee shall be deposited in the 911 operations fund~~  
22 ~~unless \$3 million of such moneys have been deposited in any given year~~  
23 ~~then all remaining moneys shall be distributed to the counties in an amount~~  
24 ~~proportional to each county's population as a percentage share of the~~  
25 ~~population of the state. If there is more than one PSAP in a county, such~~  
26 ~~moneys shall be distributed to each PSAP in an amount proportional to the~~  
27 ~~PSAP's population as a percentage share of the population of the county. If~~  
28 ~~there is no PSAP within a county, then such moneys shall be distributed to~~  
29 ~~the county. Moneys distributed to counties and PSAPs pursuant to this~~  
30 ~~section only shall be used for the uses authorized in K.S.A. 12-5375, and~~  
31 ~~amendments thereto.~~

32       ~~(d) The state 911 board and the LCPA shall keep accurate accounts~~  
33 ~~of all receipts and disbursements of moneys from the 911 fees.~~

34       ~~(e)(c) Records provided by any provider to the LCPA or to the~~  
35 ~~state 911 board pursuant to this act shall be treated as proprietary~~  
36 ~~records and shall be withheld from the public upon request of the~~  
37 ~~provider submitting such records.~~

38       Sec. 26. K.S.A. 12-5375 is hereby amended to read as follows: 12-  
39 5375. (a) *(1) The proceeds of the 911 fees imposed pursuant to this act*  
40 *moneys distributed to counties and PSAPs pursuant to K.S.A. 12-5374,*  
41 *and amendments thereto, and any interest earned on revenue derived from*  
42 *such fee moneys, shall be used only for necessary and reasonable costs*  
43 *incurred or to be incurred by counties and PSAPs for:*

- 1       ~~(1)~~(A) Implementation of 911 services;
- 2       ~~(2)~~(B) purchase of 911 equipment and upgrades;
- 3       ~~(3)~~(C) maintenance and license fees for 911 equipment;
- 4       ~~(4)~~(D) training of personnel, not to include salaries;
- 5       ~~(5)~~(E) monthly recurring charges billed by service suppliers;
- 6       ~~(6)~~(F) installation, service establishment and nonrecurring start-up
- 7 charges billed by the service supplier;
- 8       ~~(7)~~(G) charges for capital improvements and equipment or other
- 9 physical enhancements to the 911 system; or
- 10       ~~(8)~~(H) the original acquisition and installation of road signs designed
- 11 to aid in the delivery of emergency service.

12       (2) Such costs shall not include expenditures to lease, construct,

13 expand, acquire, remodel, renovate, repair, furnish or make improvements

14 to buildings or similar facilities. Such costs shall also not include

15 expenditures to purchase, procure, maintain or upgrade subscriber radio

16 equipment.

17       (3) *A county may contract with another county for the provision of*

18 *911 PSAP services provided that the moneys distributed to such county*

19 *pursuant to K.S.A. 12-5374, and amendments thereto, shall only be used*

20 *as authorized by this section.*

21       (b) The 911 coordinating council shall, pursuant to rules and

22 regulations, establish a process for a PSAP *or county that contracts with*

23 *another county for the provision of 911 PSAP services, at the discretion of*

24 ~~the PSAP~~, to seek pre-approval of an expenditure. The council shall

25 respond in writing to any pre-approval request within 30 days and inform

26 the PSAP ~~if stating whether~~ the requested expenditure is approved or

27 disapproved. If the expenditure is disapproved, the written notification

28 shall state the reason for the disapproval and such PSAP *or county* may,

29 within 15 days after service of the notification, make a written request to

30 the council to appeal the council's decision and for a hearing to be

31 conducted in accordance with the provisions of the Kansas administrative

32 procedure act.

33       (c) The 911 coordinating council shall annually review expenditures

34 of 911 ~~funds~~ *moneys* reported on the annual report for each PSAP *or*

35 *county that contracts with another county for the provision of 911 PSAP*

36 *services* and shall appoint a committee to review such expenditures. If the

37 committee determines that a reported expenditure was not authorized by

38 this act, the committee shall request that the expenditure be refunded by

39 the PSAP *or county* to the PSAP's *or county's* 911 account. If a PSAP *or*

40 *county* does not concur with the finding of the committee, the PSAP *or*

41 *county* may request a review of the decision of the committee before the

42 911 coordinating council. If the 911 coordinating council, based upon

43 information obtained from an audit ~~of the PSAPs~~, determines that any

1 PSAP *or county* has used any 911 fees for any purpose other than those  
2 authorized in this act, the governing body for such PSAP *or county* shall  
3 repay all such moneys used for any unauthorized purposes to the 911 fee  
4 fund of such PSAP *or county*. Upon a finding that the expenditure was  
5 made intentionally ~~from the 911 fee fund of such PSAP~~ for a purpose  
6 clearly established as an unauthorized expenditure, the 911 coordinating  
7 council may require such PSAP *or county* to pay the lesser of \$500 or  
8 10%, of such misused moneys, to the LCPA for deposit in the 911 state  
9 grant fund. No such repayment of 911 fees shall be imposed pursuant to  
10 this section except upon the written order of the council. Such order shall  
11 state the unauthorized purposes for which the funds were used, the amount  
12 of funds to be ~~repayed~~ *repaid* and the right of such PSAP *or county* to  
13 appeal to a hearing before the Kansas office of administrative hearings.  
14 Any such PSAP *or county* may, within 15 days after service of the order,  
15 make a written request to the council for a hearing thereon. Hearings under  
16 this subsection shall be conducted in accordance with the provisions of the  
17 Kansas administrative procedure act.

18 (d) Any final action of the council pursuant to subsection (b) or (c) is  
19 subject to review in accordance with the Kansas judicial review act.

20 Sec. 27. On and after July 1, 2025, K.S.A. 12-5375, as amended by  
21 section 26 of this act, is hereby amended to read as follows: 12-5375. (a)  
22 (1) The moneys distributed to counties and PSAPs pursuant to K.S.A. 12-  
23 5374, and amendments thereto, and any interest earned on revenue derived  
24 from such moneys, shall be used only for necessary and reasonable costs  
25 incurred or to be incurred by counties and PSAPs for:

- 26 (A) Implementation of 911 services;
- 27 (B) purchase of 911 equipment and upgrades;
- 28 (C) maintenance and license fees for 911 equipment;
- 29 (D) training of personnel, not to include salaries;
- 30 (E) monthly recurring charges billed by service suppliers;
- 31 (F) installation, service establishment and nonrecurring start-up  
32 charges billed by the service supplier;
- 33 (G) charges for capital improvements and equipment or other  
34 physical enhancements to the 911 system; or
- 35 (H) the original acquisition and installation of road signs designed to  
36 aid in the delivery of emergency service.

37 (2) Such costs shall not include expenditures to lease, construct,  
38 expand, acquire, remodel, renovate, repair, furnish or make improvements  
39 to buildings or similar facilities. Such costs shall also not include  
40 expenditures to purchase, procure, maintain or upgrade subscriber radio  
41 equipment.

42 (3) A county may contract with another county for the provision of  
43 911 PSAP services provided that the moneys distributed to such county

1 pursuant to K.S.A. 12-5374, and amendments thereto, shall only be used  
2 for the uses authorized pursuant to this section.

3 (b) The ~~911 coordinating council~~ *state 911 board* shall, pursuant to  
4 rules and regulations, establish a process for a PSAP or county that  
5 contracts with another county for the provision of 911 PSAP services, to  
6 seek pre-approval of an expenditure. The ~~council~~ *state 911 board* shall  
7 respond in writing to any pre-approval request within 30 days and inform  
8 the PSAP stating whether the requested expenditure is approved or  
9 disapproved. If the expenditure is disapproved, the written notification  
10 shall state the reason for the disapproval and such PSAP or county may,  
11 within 15 days after service of the notification, make a written request to  
12 the ~~council~~ *state 911 board* to appeal the ~~council's~~ *board's* decision and for  
13 a hearing to be conducted in accordance with the provisions of the Kansas  
14 administrative procedure act.

15 (c) The ~~911 coordinating council~~ *state 911 board* shall annually  
16 review expenditures of 911 moneys reported on the annual report for each  
17 PSAP or county that contracts with another county for the provision of 911  
18 PSAP services and shall appoint a committee to review such expenditures.  
19 If the committee determines that a reported expenditure was not authorized  
20 by this act, the committee shall request that the expenditure be refunded by  
21 the PSAP or county to the PSAP's or county's 911 account. If a PSAP or  
22 county does not concur with the finding of the committee, the PSAP or  
23 county may request a review of the decision of the committee before the  
24 ~~911 coordinating council~~ *state 911 board*. If the ~~911 coordinating council~~  
25 *state 911 board*, based upon information obtained from an audit,  
26 determines that any PSAP or county has used any 911 fees for any purpose  
27 other than those authorized in this act, the governing body for such PSAP  
28 or county shall repay all such moneys used for any unauthorized purposes  
29 to the 911 fee fund of such PSAP or county. Upon a finding that the  
30 expenditure was made intentionally for a purpose clearly established as an  
31 unauthorized expenditure, the ~~911 coordinating council~~ *state 911 board*  
32 may require such PSAP or county to pay the lesser of \$500 or 10%, of  
33 such misused moneys, to the LCPA for deposit in the 911 state grant fund.  
34 No such repayment of 911 fees shall be imposed pursuant to this section  
35 except upon the written order of the ~~council~~ *state 911 board*. Such order  
36 shall state the unauthorized purposes for which the funds were used, the  
37 amount of funds to be repaid and the right of such PSAP or county to  
38 appeal to a hearing before the Kansas office of administrative hearings.  
39 Any such PSAP or county may, within 15 days after service of the order,  
40 make a written request to the ~~council~~ *state 911 board* for a hearing thereon.  
41 Hearings under this subsection shall be conducted in accordance with the  
42 provisions of the Kansas administrative procedure act.

43 (d) Any final action of the ~~council~~ *state 911 board* pursuant to

1 subsection (b) or (c) is subject to review in accordance with the Kansas  
2 judicial review act.

3 Sec. 28. On and after January 1, 2026, K.S.A. 12-5375, as amended  
4 by section 27 of this act, is hereby amended to read as follows: 12-5375.

5 (a) (1) The moneys distributed to counties and PSAPs pursuant to K.S.A.  
6 12-5374, and amendments thereto, and any interest earned on revenue  
7 derived from such moneys, shall be used only for necessary and  
8 reasonable costs incurred or to be incurred by counties and PSAPs for:

9 (A) Implementation of 911 services;

10 (B) purchase of 911 equipment and upgrades;

11 (C) maintenance and license fees for 911 equipment;

12 (D) training of personnel, not to include salaries;

13 (E) monthly recurring charges billed by service suppliers;

14 (F) installation, service establishment and nonrecurring start-up  
15 charges billed by the service supplier;

16 (G) charges for capital improvements and equipment or other  
17 physical enhancements to the 911 system; or

18 (H) the original acquisition and installation of road signs designed to  
19 aid in the delivery of emergency service.

20 (2) Such costs shall not include expenditures to lease, construct,  
21 expand, acquire, remodel, renovate, repair, furnish or make improvements  
22 to buildings or similar facilities. Such costs shall also not include  
23 expenditures to purchase, procure, maintain or upgrade subscriber radio  
24 equipment.

25 (3) A county may contract with another county for the provision of  
26 911 PSAP services provided that the moneys distributed to such county  
27 pursuant to K.S.A. 12-5374, and amendments thereto, shall only be used  
28 for the uses authorized pursuant to this section.

29 (b) The state 911 board shall, pursuant to rules and regulations,  
30 establish a process for a PSAP or county that contracts with another county  
31 for the provision of 911 PSAP services, to seek pre-approval of an  
32 expenditure. The state 911 board shall respond in writing to any pre-  
33 approval request within 30 days and inform the PSAP stating whether the  
34 requested expenditure is approved or disapproved. If the expenditure is  
35 disapproved, the written notification shall state the reason for the  
36 disapproval and such PSAP or county may, within 15 days after service of  
37 the notification, make a written request to the state 911 board to appeal the  
38 board's decision and for a hearing to be conducted in accordance with the  
39 provisions of the Kansas administrative procedure act.

40 (c) The state 911 board shall annually review expenditures of 911  
41 moneys reported on the annual report for each PSAP or county that  
42 contracts with another county for the provision of 911 PSAP services and  
43 shall appoint a committee to review such expenditures. If the committee

1 determines that a reported expenditure was not authorized by this act, the  
2 committee shall request that the expenditure be refunded by the PSAP or  
3 county to the PSAP's or county's 911 account. If a PSAP or county does  
4 not concur with the finding of the committee, the PSAP or county may  
5 request a review of the decision of the committee before the state 911  
6 board. If the state 911 board, based upon information obtained from an  
7 audit, determines that any PSAP or county has used any 911 fees for any  
8 purpose other than those authorized in this act, the governing body for  
9 such PSAP or county shall repay all such moneys used for any  
10 unauthorized purposes to the 911 fee fund of such PSAP or county. Upon a  
11 finding that the expenditure was made intentionally for a purpose clearly  
12 established as an unauthorized expenditure, the state 911 board may  
13 require such PSAP or county to pay the lesser of \$500 or 10%, of such  
14 misused moneys, to the LCPA ~~for deposit in the 911 state grant fund.~~  
15 *Upon receipt of any moneys paid pursuant to this subsection, the LCPA*  
16 *shall remit such moneys to the state treasurer in accordance with K.S.A.*  
17 *75-4215, and amendments thereto. Upon receipt of each such remittance,*  
18 *the state treasurer shall deposit the entire amount in the state treasury and*  
19 *credit such amount to the state 911 grant fund established pursuant to*  
20 *section 6, and amendments thereto. No such repayment of 911 fees shall*  
21 *be imposed pursuant to this section except upon the written order of the*  
22 *state 911 board. Such order shall state the unauthorized purposes for which*  
23 *the funds were used, the amount of funds to be repaid and the right of such*  
24 *PSAP or county to appeal to a hearing before the Kansas office of*  
25 *administrative hearings. Any such PSAP or county may, within 15 days*  
26 *after service of the order, make a written request to the state 911 board for*  
27 *a hearing thereon. Hearings under this subsection shall be conducted in*  
28 *accordance with the provisions of the Kansas administrative procedure act.*  
29 (d) Any final action of the state 911 board pursuant to subsection (b)  
30 or (c) is subject to review in accordance with the Kansas judicial review  
31 act.

32 Sec. 29. On and after July 1, 2025, K.S.A. 12-5377 is hereby  
33 amended to read as follows: 12-5377. (a) The receipts and disbursements  
34 of the LCPA shall be audited yearly by a licensed municipal accountant or  
35 certified public accountant.

36 (b) ~~The LCPA state 911 board~~ may require an audit of any provider's  
37 books and records concerning the collection and remittance of fees  
38 pursuant to this act. ~~The cost of any such audit shall be paid from the 911~~  
39 ~~operations fund.~~

40 (c) ~~(1) On or before December 31, 2018, and at least once every five~~  
41 ~~years thereafter, the division of post audit shall conduct an audit of the 911~~  
42 ~~system to determine: (A) Whether the moneys received by PSAPs pursuant~~  
43 ~~to this act are being used appropriately; (B) whether the amount of moneys~~

1 collected pursuant to this act is adequate; and (C) the status of 911 service  
2 implementation. The auditor to conduct such audit shall be specified in  
3 accordance with K.S.A. 46-1122, and amendments thereto.

4 ~~(2) The post auditor shall compute the reasonably anticipated cost of~~  
5 ~~providing audits pursuant to this subsection, subject to review and~~  
6 ~~approval by the contract audit committee established by K.S.A. 46-1120,~~  
7 ~~and amendments thereto. Upon such approval, the division of post audit~~  
8 ~~shall be reimbursed from the 911 operations fund for the amount approved~~  
9 ~~by the contract audit committee. The audit report shall be submitted to the~~  
10 ~~911 coordinating council, the LCPA, the house of representatives~~  
11 ~~committee on energy, utilities and telecommunications and the senate~~  
12 ~~committee on utilities.~~

13 ~~(d) (1) On or before December 31, 2018, the division of post audit~~  
14 ~~shall conduct an audit of the budget and expenditures of the 911~~  
15 ~~coordinating council. In conducting such audit, the division shall examine:~~  
16 ~~(A) The annual expenses and financial needs, including personnel, of the~~  
17 ~~council; (B) the total annual operating expenses of the council that are~~  
18 ~~included in the 2.5% cap on expenditures pursuant to K.S.A. 12-5364(i),~~  
19 ~~and amendments thereto; (C) the current and projected contractual~~  
20 ~~expenses of the council; (D) the expenditures and distribution of moneys~~  
21 ~~from the 911 state grant fund by the council; and (E) whether the moneys~~  
22 ~~expended by the council are being used pursuant to this act. The auditor, to~~  
23 ~~conduct such audit, shall be specified in accordance with K.S.A. 46-1122,~~  
24 ~~and amendments thereto.~~

25 ~~(2) The post auditor shall compute the reasonably anticipated cost of~~  
26 ~~providing the audit pursuant to this subsection, subject to review and~~  
27 ~~approval by the contract audit committee established by K.S.A. 46-1120,~~  
28 ~~and amendments thereto. Upon such approval, the division of post audit~~  
29 ~~shall be reimbursed from the 911 operations fund for the amount approved~~  
30 ~~by the contract audit committee. The audit report shall be submitted to the~~  
31 ~~911 coordinating council, the house of representatives committee on~~  
32 ~~energy, utilities and telecommunications and the senate committee on~~  
33 ~~utilities.~~

34 ~~(e) The legislature shall review this act at the regular 2019 legislative~~  
35 ~~session and at the regular legislative session every five years thereafter.~~

36 Sec. 30. K.S.A. 12-5364, 12-5368, 12-5374 and 12-5375 are hereby  
37 repealed.

38 Sec. 31. On and after July 1, 2025, K.S.A. 12-5362, 12-5363, 12-  
39 5364, as amended by section 12 of this act, 12-5365, 12-5366, 12-5367,  
40 12-5368, as amended by section 16 of this act, 12-5369, 12-5370, 12-5371,  
41 12-5374, as amended by section 23 of this act, 12-5375, as amended by  
42 section 26 of this act, 12-5377, 12-5378 and 12-5379 are hereby repealed.

43 Sec. 32. On and after January 1, 2026, K.S.A. 12-5368, as amended

1 by section 17 of this act, 12-5372, 12-5374, as amended by section 24 of  
2 this act, and 12-5375, as amended by section 27 of this act, are hereby  
3 repealed.

4 Sec. 33. This act shall take effect and be in force from and after its  
5 publication in the statute book.