

Senate Substitute for HOUSE BILL No. 2199

By Committee on Federal and State Affairs

4-2

1 AN ACT concerning certain state officers; amending K.S.A. 75-3727a and
2 K.S.A. 2012 Supp. 75-4203 and *{77-420 and}* repealing the existing
3 sections.
4

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

6 Section 1. K.S.A. 2012 Supp. 75-4203 is hereby amended to read as
7 follows: 75-4203. The treasurer shall prepare daily deposits in accordance
8 with K.S.A. 75-4206, and amendments thereto. The treasurer shall prepare
9 and provide a form upon which all daily deposits shall be listed in
10 sufficient detail to make effective the purposes of this act, and such form
11 shall be called the "daily cash sheet." The daily cash sheet shall be
12 completed in sufficient copies, and there shall be delivered daily one copy
13 thereof to the ~~director of accounts and reports~~ *secretary of administration*
14 *or the secretary's designee* and one copy shall be retained by the treasurer.
15 Before any deposit of state moneys is made, each copy of the daily cash
16 sheet shall be signed by the treasurer or a deputy duly authorized by the
17 treasurer.

18 Sec. 2. K.S.A. 75-3727a is hereby amended to read as follows: 75-
19 3727a. (a) There is hereby established within and as a part of the
20 department of administration, a division of accounts and reports, the head
21 of which shall be the director of accounts and reports. Under the
22 supervision of the secretary of administration, the director of accounts and
23 reports shall administer the division of accounts and reports. The director
24 of accounts and reports shall be in the unclassified service under the
25 Kansas civil service act and shall be appointed by the secretary of
26 administration.

27 (b) *On and after July 1, 2013, whenever the division of accounts and*
28 *reports, or words of like effect, are referred to or designated by any*
29 *statute, rule and regulation, contract or any other document, such*
30 *reference or designation shall be deemed to apply to the department of*
31 *administration.*

32 (c) *On and after July 1, 2013, whenever the director of accounts and*
33 *reports, or words of like effect, are referred to or designated by any*
34 *statute, rule and regulation, contract or any other document, such*
35 *reference or designation shall be deemed to apply to the secretary of*
36 *administration or the secretary's designee.*

1 *{Sec. 3. K.S.A. 2012 Supp. 77-420 is hereby amended to read as*
2 *follows: 77-420. (a) Every rule and regulation proposed to be adopted by*
3 *any state agency, before being submitted to the attorney general under*
4 *this section, shall be submitted to the secretary of administration for*
5 *approval of its organization, style, orthography and grammar subject to*
6 *such requirements as to organization, style, orthography and grammar*
7 *as the secretary may adopt. Every rule and regulation submitted to the*
8 *secretary of administration under this subsection (a) shall be*
9 *accompanied by a copy of any document which is adopted by reference*
10 *by the rule and regulation. Every rule and regulation approved by the*
11 *secretary of administration under this subsection (a) shall be stamped as*
12 *approved and the date of such approval shall be indicated therein.*

13 *(b) Every rule and regulation proposed by any state agency which*
14 *has been approved by the secretary of administration as provided in*
15 *subsection (a) before being adopted or filed shall be submitted to the*
16 *attorney general for an opinion as to the legality of the same, including*
17 *whether the making of such rule and regulation is within the authority*
18 *conferred by law on the state agency. The attorney general shall*
19 *promptly furnish an opinion as to the legality of the proposed rule and*
20 *regulation so submitted. Every rule and regulation submitted to the*
21 *attorney general under this subsection (b) shall be accompanied by a*
22 *copy of any document which is adopted by reference by the rule and*
23 *regulation. Every rule and regulation approved by the attorney general*
24 *under this subsection (b) shall be stamped as approved and the date of*
25 *such approval shall be indicated therein.*

26 *(c) No rule and regulation shall be filed by the secretary of state*
27 *unless:*

28 *(1) The organization, style, orthography and grammar have been*
29 *approved by the secretary of administration;*

30 *(2) the rule and regulation has been approved in writing by the*
31 *attorney general as to legality;*

32 *(3) the rule and regulation has been formally adopted by the state*
33 *agency after it has been approved by the secretary of administration and*
34 *the attorney general and is accompanied by a certified or other formal*
35 *statement of adoption when adoption is by an executive officer of a state*
36 *agency, or by a certified copy of the roll call vote required for its*
37 *adoption by K.S.A. 77-421, and amendments thereto, when adoption is*
38 *by a board, commission, authority or other similar body;*

39 *(4) the rule and regulation to be filed is accompanied by a copy of*
40 *the economic impact statement as provided by K.S.A. 77-416, and*
41 *amendments thereto; and*

42 *(5) the rule and regulation to be filed is accompanied by a copy of*
43 *the environmental benefit statement required by K.S.A. 77-416, and*

1 ***amendments thereto, if applicable.***

2 *(d) All rules and regulations adopted on and after July 1, 2012, and*
3 *prior to July 1, 2013, to implement provisions of K.S.A. 2012 Supp. 41-*
4 *308d, 41-354, 41-713 and 41-2655 shall continue to be effective and shall*
5 *be deemed to be duly adopted rules and regulations of the secretary of*
6 *revenue until revised, amended, revoked or nullified pursuant to law. K.S.A*
7 *2012 Supp. 41-308d, 41-354, 41-713 and 41-2655 shall be a part of and*
8 *supplemental to the Kansas liquor control act.*

9 ~~Sec. 3, {4.}~~ K.S.A. 75-3727a and K.S.A. 2012 Supp. 75-4203 ***{and***
10 ***77-420}*** are hereby repealed.

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