

As Amended by House Committee

Session of 2017

HOUSE BILL No. 2353

By Committee on Commerce, Labor and Economic Development

2-10

1 AN ACT concerning state contracts and purchases; relating to purchases of
2 products and services from not-for-profit entities; employment of
3 persons with disabilities; qualified vendors; amending K.S.A. 2016
4 Supp. 75-3317 and repealing the existing section.

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

7 Section 1. K.S.A. 2016 Supp. 75-3317 is hereby amended to read as
8 follows: 75-3317. As used in K.S.A. 75-3317 through 75-3322, and
9 amendments thereto, unless the context requires otherwise:

10 (a) "Director of purchases" means the director of purchases of the
11 department of administration;

12 (b) "qualified vendor" means: ~~(1)~~ a not-for-profit entity incorporated
13 in the state of Kansas that:

14 ~~(1)(A)~~ **(1)** ~~Primarily employs the~~ **Has a mission to employ persons**
15 *who are blind or disabled and who reside in Kansas. Persons who are*
16 *employed by a third-party entity other than the vendor are not employed*
17 *by the vendor for purposes of this section;*

18 ~~(2)(B)~~ **(2)** *does business primarily in Kansas or substantially all of its*
19 *production in Kansas;*

20 ~~(C)~~ **(3)** *is operated in the interest of and for the benefit of the persons*
21 *who are blind or persons with have other severe disabilities, or both;*

22 ~~(3)(D)~~ **(4)** *the net income of such entity shall not, in whole or any*
23 *part, financially benefit any shareholder or other individual; and*

24 ~~(4)(E)~~ **(5)** *such qualified vendor's primary purpose shall be to provide*
25 *employment for persons who are blind or have other severe disabilities; ~~or~~*

26 ~~(2) — an employer who employs individuals under a certificate issued~~
27 ~~by the United States secretary of labor under 29 U.S.C. § 214(e) and~~
28 ~~meets the requirements of subsection (b)(1);~~

29 (c) "state agency" means any state office or officer, department,
30 board, commission, institution, bureau or any agency, division or any unit
31 within an office, department, board, commission or other state authority;

32 (d) "unified school district" means any unified school district, board
33 of education or any purchasing cooperative formed by one or more unified
34 school districts;

35 (e) "committee" means the state use law committee authorized
36 pursuant to K.S.A. 2016 Supp. 75-3322c, and amendments thereto; ~~and~~

1 (f) "municipality" has the meaning ascribed thereto in K.S.A. 75-
2 6102, and amendments thereto; *and*

3 (g) *"persons who are disabled" means any person of employable age*
4 ~~*who, by reason of any*~~ **whose disability, whether physical or mental,**
5 ~~*whether congenital or acquired by accident, injury or disease, is or may*~~
6 ~~*be expected to be totally or partially incapacitated from engaging in a*~~
7 ~~*remunerative occupation*~~ **a substantial barrier to employment.**

8 Sec. 2. K.S.A. 2016 Supp. 75-3317 is hereby repealed.

9 Sec. 3. This act shall take effect and be in force from and after its
10 publication in the statute book.