AN ACT concerning special revenue funds; abolishing the judiciary technology fund, access to justice fund, KAN-ED fund and ROTC service scholarship program fund; credits, transfers and liabilities; amending K.S.A. 74-3256 and 74-3260a and K.S.A. 2016 Supp. 66-2010 and repealing the existing sections; also repealing K.S.A. 20-1a12 and K.S.A. 2016 Supp. 20-166 and 75-7225.

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

New Section 1. (a) On the effective date of this act, the director of accounts and reports shall transfer all moneys in the judiciary technology fund to the state general fund. On the effective date of this act, all liabilities of the judiciary technology fund are hereby transferred to and imposed on the state general fund and the judiciary technology fund is hereby abolished.

(b) On the effective date of this act, the director of accounts and reports shall transfer all moneys in the access to justice fund to the state general fund. On the effective date of this act, all liabilities of the access to justice fund are hereby transferred to and imposed on the state general fund and the access to justice fund is hereby abolished.

(c) On the effective date of this act, the director of accounts and reports shall transfer all moneys in the KAN-ED fund to the state general fund. On the effective date of this act, all liabilities of the KAN-ED fund are hereby transferred to and imposed on the state general fund and the KAN-ED fund is hereby abolished.

(d) On the effective date of this act, the director of accounts and reports shall transfer all moneys in the ROTC service scholarship program fund to the state general fund. On the effective date of this act, all liabilities of the ROTC service scholarship program fund are hereby transferred to and imposed on the state general fund and the ROTC service scholarship program fund is hereby abolished.

Sec. 2. K.S.A. 2016 Supp. 66-2010 is hereby amended to read as follows: 66-2010. (a) The commission shall utilize a competitive bidding process to select a neutral, competent and bonded third party to administer the KUSF.

(b) The administrator shall be responsible for: (1) Collecting and auditing all relevant information from all qualifying telecommunications
public utilities, telecommunications carriers or wireless telecommunications service providers receiving funds from or providing funds to the KUSF; (2) verifying, based on the calculations of each qualifying telecommunications carrier, telecommunications public utility or wireless telecommunications service provider, the obligation of each such qualifying carrier, utility or provider to generate the funds required by the KUSF; (3) collecting all moneys due to the KUSF from all telecommunications public utilities, telecommunications carriers and wireless telecommunications service providers in the state; and (4) distributing amounts on a monthly basis due to qualifying telecommunications public utilities, wireless telecommunications service providers and telecommunications carriers receiving KUSF funding.

(c) Any information made available or received by the administrator from carriers, utilities or providers receiving funds from or providing funds to the KUSF shall not be subject to any provisions of the Kansas open records act and shall be considered confidential and proprietary.

(d) The administrator shall be authorized to maintain an action to collect any funds owed by any telecommunications carrier, public utility or wireless telecommunications provider in the district court in the county of the registered office of such carrier, utility or provider or, if such carrier, utility or provider does not have a registered office in the state, such an action may be maintained in the county where such carrier's, utility's or provider's principal office is located. If such carrier, utility or provider has no principal office in the state, such an action may be maintained in the district court of any county in which such carrier, utility or provider provides service.

(e)(1) The KUSF administrator shall be responsible to ensure that funds do not fall below the level necessary to pay all amounts collectively owed to all qualifying telecommunications public utilities, wireless telecommunications service providers and telecommunications carriers. The administrator shall have the authority to retain and invest in a prudent and reasonable manner any excess funds collected in any period to help ensure that adequate funds are available to cover amounts payable in other periods.

(2) Subject to the provisions of appropriations acts, for fiscal year 2013, the KUSF administrator may transfer moneys from the KUSF to the state treasurer. Upon the receipt of any payment, the state treasurer shall deposit the entire amount in the state treasury and credit it to the KAN-ED fund. Any such payments shall be made after all payments required by K.S.A. 66-2008, and amendments thereto, for the month are made from the KUSF.

Sec. 3. K.S.A. 74-3256 is hereby amended to read as follows: 74-3256. (a) The state board of regents shall:
(1) Adopt rules and regulations for the administration of this act;
(2) provide for the award of ROTC service scholarships to eligible students who qualify therefor, as determined by the selection committee, not to exceed in any academic year a total of 40 eligible students at each ROTC institution. This provision is subject to the provisions of subsection (c);
(3) provide information regarding application procedures; and
(4) require any ROTC institution to promptly furnish upon request any information which relates to the administration or effect of this act.

(b) If the ROTC institution at which an eligible student who qualifies for an ROTC service scholarship is enrolled is a state educational institution, the scholarship shall provide to the student an amount not to exceed 70% of the cost of attendance at the institution for an academic year. If the ROTC institution at which an eligible student who qualifies for an ROTC service scholarship is enrolled is a municipal university, the scholarship shall provide to the student an amount not to exceed 70% of the average amount of the cost of attendance at the state educational institutions for an academic year. Payments of ROTC service scholarships shall be made pursuant to vouchers approved by the state board of regents and upon warrants of the director of accounts and reports. Payments may be made by issuance of a single warrant to each ROTC institution at which one or more eligible students are enrolled for the total amount of scholarships for all eligible students enrolled at that institution. The director of accounts and reports shall cause such warrant to be delivered to the ROTC institution at which such eligible student or students are enrolled. If an eligible student discontinues attendance before the end of any academic year, after the ROTC institution has received payment under this subsection, the institution shall pay to the state the entire amount which such eligible student would otherwise qualify to have refunded, not to exceed the amount of the payment made under the ROTC service scholarship for the academic year. All amounts paid to the state by ROTC institutions under this subsection shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the ROTC service scholarship program repayment fund.

(c) If all ROTC service scholarships authorized to be awarded to eligible students at each ROTC institution have not been awarded by a date established by the state board of regents, the scholarships that have not been awarded by that date may be awarded to eligible students at any ROTC institution if such students are qualified for such scholarships as determined by the appropriate selection committee. The determination to award ROTC service scholarships under this subsection to eligible
students who are qualified for such scholarships shall be made by the state
board of regents after consultation with the adjutant general.

Sec. 4. K.S.A. 74-3260a is hereby amended to read as follows: 74-
3260a. (a) There is hereby created in the state treasury the ROTC service-
scholarship program fund. The state board of regents shall remit all-
moneys received under the ROTC service scholarship program, which are
paid because of nonattendance or discontinuance by scholarship recipients,
to the state treasurer at least monthly. Upon receipt of each such remittance
the state treasurer shall deposit the entire amount thereof in the state-
treasury, and such amount shall be credited to the ROTC service-
scholarship program fund. All expenditures from the ROTC service-
scholarship program fund shall be for ROTC service scholarships and shall
be made in accordance with appropriation acts upon warrants of the
director of accounts and reports issued pursuant to vouchers approved by
the state board of regents or by a person designated by the state board.

(b) There is hereby created in the state treasury the ROTC service
scholarship repayment fund. The state board of regents shall remit all
moneys received under the ROTC service scholarship program, which are
for payment of amounts pursuant to K.S.A. 74-3260, and amendments
thereto, to the state treasurer at least monthly. Upon receipt of each such
remittance the state treasurer shall deposit the entire amount thereof in the
state treasury, and such amount shall be credited to the ROTC service
scholarship repayment fund. All expenditures from the ROTC service
scholarship repayment fund shall be for scholarships awarded under the
ROTC service scholarship program and shall be made in accordance with
appropriation acts upon warrants of the director of accounts and reports
issued pursuant to vouchers approved by the state board of regents or by a
person designated by the state board.

Sec. 5. K.S.A. 20-1a12, 74-3256 and 74-3260a and K.S.A. 2016
Supp. 20-166, 66-2010 and 75-7225 are hereby repealed.

Sec. 6. This act shall take effect and be in force from and after its
publication in the statute book.