

HOUSE BILL No. 2096

By Representative Highberger

1-29

1 AN ACT concerning the state treasurer; relating to financial institutions;
2 establishing the Kansas children's savings account program; Kansas
3 children's savings account program trust fund; Kansas children's
4 savings account program expense fund; providing an income tax credit
5 for donations to the Kansas children's savings account program trust
6 fund; amending K.S.A. 65-2422d and repealing the existing section.
7

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

9 New Section 1. The provisions of sections 1 through 9, and
10 amendments thereto, shall be known and may be cited as the Kansas
11 children's savings account program. The purpose of the Kansas children's
12 savings account program is to authorize the establishment of savings
13 accounts to facilitate the saving of private moneys by individuals and
14 families, together with any authorized state moneys, to assist children in
15 meeting the expenses incurred in availing themselves of higher education
16 opportunities, to foster expectations of postsecondary education from an
17 early age and to provide guidelines for the maintenance of such accounts.

18 New Sec. 2. As used in this act:

19 (a) "Account" or "Kansas children's savings account" means an
20 individual savings account established in accordance with this act;

21 (b) "account owner" means the person or persons who enter into a
22 Kansas children's savings account agreement pursuant to this act. If the
23 account is owned by one individual, the account owner may also be the
24 designated beneficiary of the account. An account owner shall not be
25 allowed to withdraw any third-party moneys contributed to the account,
26 except for permitted purposes under this act;

27 (c) "act" means the provisions of sections 1 through 9, and
28 amendments thereto;

29 (d) "designated beneficiary" means, with respect to an account, the
30 individual designated at the time the account is established as the
31 individual whose higher education expenses are expected to be paid from
32 the account or in the case of a change in beneficiaries, the individual who
33 is the new beneficiary;

34 (e) "financial organization" means an organization authorized to do
35 business in the state of Kansas and is:

36 (1) Licensed or chartered by the commissioner of insurance;

- 1 (2) licensed or chartered by the state bank commissioner;
- 2 (3) chartered by an agency of the federal government; or
- 3 (4) subject to the jurisdiction and regulation of the securities and
4 exchange commission of the federal government;
- 5 (f) "institution of postsecondary education" means any institution of
6 postsecondary education that is accredited by a nationally recognized
7 accrediting agency or association, offers credit toward an undergraduate or
8 graduate degree or other recognized postsecondary education credential,
9 and qualifies as an eligible institution for federal student aid programs;
- 10 (g) "Kansas children's savings agreement" means an agreement
11 between the state treasurer and the account owner or owners;
- 12 (h) "management contract" means the contract executed by the state
13 treasurer and a financial organization selected to act as a depository and
14 manager of the program;
- 15 (i) "member of the family" means the same as defined in section 529
16 of the federal internal revenue code;
- 17 (j) "program" means the Kansas children's savings account program
18 established pursuant to this act;
- 19 (k) "program manager" means a financial organization selected by the
20 state treasurer to act as a depository and manager of the program;
- 21 (l) "qualified higher education expenses" means any qualified higher
22 education expense included in section 529 of the federal internal revenue
23 code;
- 24 (m) "qualified withdrawal" means a withdrawal from an account to
25 pay the qualified higher education expenses of the designated beneficiary
26 of the account;
- 27 (n) "nonqualified withdrawal" means a withdrawal from an account,
28 but does not mean:
- 29 (1) A qualified withdrawal;
- 30 (2) a withdrawal made as a result of the death or disability of the
31 designated beneficiary of an account; or
- 32 (3) a rollover distribution; and
- 33 (o) "rollover distribution" means a rollover distribution as defined in
34 section 529 of the federal internal revenue code.
- 35 New Sec. 3. (a) (1) The state treasurer shall implement and
36 administer the program under the terms and conditions established by this
37 act.
- 38 (b) In furtherance of such implementation and administration, the
39 state treasurer shall have the authority and responsibility to:
- 40 (1) Develop, implement and administer the program in a manner
41 consistent with the provisions of this act, through the adoption of rules and
42 regulations;
- 43 (2) engage the services of consultants on a contract basis for

1 rendering professional and technical assistance and advice;

2 (3) seek rulings and other guidance from the United States
3 department of the treasury and the federal internal revenue service relating
4 to the program;

5 (4) make changes to the program required for the participants in the
6 program to obtain the federal income tax benefits or treatment provided by
7 section 529 of the federal internal revenue code;

8 (5) charge, impose and collect reasonable administrative fees and
9 service charges in connection with any agreement, contract or transaction
10 relating to the program, not to exceed the administrative fees and service
11 charges imposed for the Kansas postsecondary education savings program,
12 K.S.A. 75-640 through 75-648, and amendments thereto;

13 (6) develop marketing plans and promotion material;

14 (7) establish the methods by which the funds held in accounts shall be
15 dispersed;

16 (8) establish the method by which funds shall be allocated to pay for
17 administrative costs;

18 (9) do all things necessary and proper to carry out the purposes of this
19 act; and

20 (10) evaluate the Kansas children's savings account program
21 annually, and make a report thereon to the governor and legislature for the
22 period.

23 New Sec. 4. (a) The state treasurer may implement the program
24 through use of financial organizations as account depositories and program
25 managers.

26 (b) The state treasurer may solicit proposals from financial
27 organizations to act as depositories and managers of the program,
28 including any financial organization that is the program manager for the
29 Kansas postsecondary education savings program, K.S.A. 2018 Supp. 75-
30 640 through 75-648, and amendments thereto. Financial organizations
31 submitting proposals shall describe the investment instrument that will be
32 held in the accounts. The state treasurer shall select as program
33 depositories and managers the financial organization, from among the
34 bidding financial organizations, that demonstrates the most advantageous
35 combination, both to potential program participants and this state, of the
36 following factors:

37 (1) Financial stability and integrity of the financial organization;

38 (2) the safety of the investment instrument being offered;

39 (3) the ability of the investment instrument to track increasing costs
40 of postsecondary education;

41 (4) the ability of the financial organization to satisfy recordkeeping
42 and reporting requirements;

43 (5) the fees, if any, proposed to be charged to persons for opening

1 accounts;

2 (6) the minimum initial deposit and minimum contributions that the
3 financial organization will require;

4 (7) the ability of the financial organization to accept electronic
5 withdrawals, including payroll deduction plans, and to issue and distribute
6 gift cards in order to accept gifts and donations through the use of such
7 cards; and

8 (8) other benefits to the state or its residents included in the proposal,
9 including fees payable to the state to cover expenses of operation of the
10 program.

11 (c) The state treasurer may enter into a contract with a financial
12 organization. Such financial organization management shall provide only
13 one type of investment instrument.

14 (d) The state treasurer may select more than one financial
15 organization and investment instrument for the program if the federal
16 internal revenue service provides guidance that giving a contributor the
17 choice of two or more investment instruments under a state program will
18 not cause the program to fail to qualify for favorable tax treatment under
19 section 529 of the federal internal revenue code.

20 (e) A management contract shall include, at a minimum, terms
21 requiring the financial organization to:

22 (1) Take any action required to maintain the program's compliance
23 with the requirements of this act, and any actions not contrary to its
24 contract to manage the program to qualify as a "qualified state tuition
25 plan" as defined in section 529 of the federal internal revenue code;

26 (2) maintain adequate records of each account, segregate accounts
27 from each other and provide the state treasurer with the information
28 necessary to prepare the statements required by section 5, and amendments
29 thereto;

30 (3) compile and total information contained in statements required to
31 be prepared under section 5, and amendments thereto, and provide such
32 compilations to the state treasurer;

33 (4) if there is more than one program manager, provide the state
34 treasurer with such information as is necessary to determine compliance
35 with section 5, and amendments thereto;

36 (5) provide the state treasurer with access to the books and records of
37 the program manager to the extent needed to determine compliance with
38 the contract;

39 (6) hold all accounts for the benefit of the account owner or owners;

40 (7) be audited at least annually by a firm of certified public
41 accountants selected by the program manager and provide the results of
42 such audit to the state treasurer;

43 (8) provide the state treasurer with copies of all regulatory filings and

1 reports made by the financial organization during the term of the
2 management contract or while the financial organization is holding any
3 accounts, other than confidential filings or reports that will not become
4 part of the program. The program manager shall make available for review
5 by the state treasurer the results of any periodic examination of such
6 manager by any state or federal banking, insurance or securities
7 commission, except to the extent that such report or reports may not be
8 disclosed under law; and

9 (9) ensure that any description of the program, whether in writing or
10 through the use of any media, is consistent with the marketing plan
11 developed pursuant to the provisions of this act.

12 (f) The state treasurer may require that an audit be conducted of the
13 operations and financial position of the program depository and manager
14 at any time, if the state treasurer has any reason to be concerned about the
15 financial position, the recordkeeping practices or the status of accounts of
16 such program depository and manager.

17 (g) During the term of any contract with a program manager, the state
18 treasurer shall conduct an examination of such manager and the manager's
19 handling of accounts. Such examination shall be conducted at least
20 biennially, if such manager is not otherwise subject to periodic
21 examination by the state bank commissioner, the federal deposit insurance
22 corporation or other similar entity.

23 (h) (1) If a financial organization's selection as a program manager or
24 depository is not renewed after the end of the financial organization's term:

25 (A) Accounts previously established and held in investment
26 instruments at such financial organization may be terminated;

27 (B) additional contributions may be made to such accounts;

28 (C) no new accounts may be placed with such financial organization;
29 and

30 (D) existing accounts held by such depository shall remain subject to
31 all oversight and reporting requirements established by the state treasurer.

32 (2) If the state treasurer terminates a financial organization as a
33 program manager or depository, the state treasurer shall take custody of
34 accounts held by such financial organization and shall seek to promptly
35 transfer such accounts to another financial organization that is selected as a
36 program manager or depository and into investment instruments as similar
37 to the original instruments as possible.

38 (i) The state treasurer may enter into such contracts as the state
39 treasurer deems necessary and proper for the implementation of the
40 program.

41 New Sec. 5. (a) (1) Kansas children's savings accounts established
42 pursuant to the provisions of this act shall be governed by the provisions of
43 this section.

1 (2) The state treasurer shall establish an account for each child born
2 in Kansas within six months after receiving birth information from the
3 office of vital statistics. The office of vital statistics shall include on all
4 birth certificate applications a box allowing a parent to consent to sharing
5 the child's identifying information, including, but not limited to, the child's
6 social security number, date of birth and any other information deemed
7 necessary by the state treasurer with the office of vital statistics and the
8 office of the state treasurer for the purpose of establishing an account
9 under the program.

10 (3) A parent of a child born prior to July 1, 2019, may make
11 application to the state treasurer for establishment of an account for such
12 parent's child. Accounts established pursuant to the provisions of this act
13 shall be in addition to accounts established under K.S.A. 2018 Supp. 75-
14 640 through 75-648, and amendments thereto, or established under K.S.A.
15 2018 Supp. 75-650, and amendments thereto, and moneys in such accounts
16 may be transferred from one account to another to the extent permitted by
17 the federal internal revenue code.

18 (4) For a child who is eligible for any type of assistance as provided
19 in K.S.A. 39-709, and amendments thereto, the program shall provide an
20 initial funding of \$250 per account out of unencumbered temporary
21 assistance for needy families moneys. The Kansas department for children
22 and families and the department of health and environment shall include
23 an optional release of information to the program as part of any application
24 for assistance. All assets in the account shall be exempt from any asset test
25 for the purpose of determining eligibility for any public assistance.

26 (b) Any person may make contributions to the account after the
27 account is opened.

28 (c) An account owner may withdraw all or part of the balance from
29 an account on 60-days' notice or such shorter period as may be authorized
30 under rules and regulations governing the program.

31 (d) (1) An account owner may change the designated beneficiary of
32 an account to an individual who is a member of the family of the prior
33 designated beneficiary in accordance with procedures established pursuant
34 to the provisions of this act.

35 (2) An account owner may transfer all or a portion of an account to
36 another Kansas children's savings account, the designated beneficiary of
37 which is a member of the family as defined in section 529 of the federal
38 internal revenue code.

39 (3) Changes to designated beneficiaries and transfers under this
40 subsection shall not be permitted to the extent that they would constitute
41 excess contributions or unauthorized investment choices.

42 (e) The program shall provide separate accounting for each
43 designated beneficiary.

1 (f) Subject to the provisions of section 529 of the internal revenue
2 code, an account owner of any account shall be permitted to direct the
3 investment of any contributions to an account or the earnings thereon.

4 (g) Neither an account owner nor a designated beneficiary may use an
5 interest in an account as security for a loan. Any pledge of an interest in an
6 account shall be of no force and effect.

7 (h) (1) The state treasurer shall adopt rules and regulations to prevent
8 contributions on behalf of a designated beneficiary in excess of an amount
9 equal to the average amount of the qualified higher education expenses
10 that would be incurred for five years of study at institutions of
11 postsecondary education located in the midwest states. Such amount shall
12 be determined annually by the state treasurer.

13 (2) Such rules and regulations shall require that any excess
14 contributions with respect to a designated beneficiary be promptly
15 withdrawn in a nonqualified withdrawal or transferred to another account.

16 (i) (1) If there is any distribution from an account to any individual or
17 for the benefit of any individual during a calendar year, such distribution
18 shall be reported to the federal internal revenue service and each account
19 owner, the designated beneficiary, or the distributee to the extent required
20 by federal law or rules and regulations.

21 (2) Statements shall be provided to each account owner at least twice
22 each year within 60 days after the end of the six-month period to which
23 they relate. The statement shall identify the contributions made during a
24 preceding six-month period, the total contributions made to the account
25 through the end of the period, the value of the account at the end of such
26 period, distributions made during such period and any other information
27 that the state treasurer shall require to be reported to the account owner.
28 Statements may be provided electronically.

29 (3) Statements and information relating to accounts shall be prepared
30 and filed to the extent required by federal and state tax law.

31 (j) (1) A state or local government, or agency or instrumentality
32 thereof, or organization described in section 501(c)(3) of the federal
33 internal revenue code may open and become the account owner of an
34 account to fund scholarships for persons whose identity will be determined
35 upon disbursement.

36 (2) In the case of any account opened pursuant to paragraph (1), each
37 individual who receives an interest in such account as a scholarship shall
38 be treated as a designated beneficiary with respect to such interest.

39 (k) A reasonable annual fee, as determined by the state treasurer in
40 rules and regulations, may be imposed upon the account owner or owners
41 for the maintenance of the account.

42 (l) An account owner or designated beneficiary of a Kansas children's
43 savings account shall be a citizen or resident of the United States of

1 America.

2 (m) The program shall disclose the following information in writing
3 to each account owner and prospective account owner of a Kansas
4 children's savings account:

5 (1) The terms and conditions for purchasing a Kansas children's
6 savings account;

7 (2) any restrictions on the substitution of beneficiaries;

8 (3) the person or entity entitled to terminate the savings agreement;

9 (4) the period of time during which a beneficiary may receive
10 benefits under the savings agreement;

11 (5) the terms and conditions under which moneys may be wholly or
12 partially withdrawn from the program, including, but not limited to, any
13 reasonable charges and fees that may be imposed for withdrawal;

14 (6) the potential tax consequences associated with contributions to
15 and distributions from accounts; and

16 (7) all other rights and obligations pursuant to savings agreements,
17 and any other terms, conditions and provisions deemed necessary and
18 appropriate by the state treasurer.

19 (n) Nothing in this act, or in any savings agreement entered into
20 pursuant to this act, shall be construed as a guarantee by the state of
21 Kansas or any institution of postsecondary education that a beneficiary
22 will be admitted to the institution of postsecondary education or, upon
23 admission to any institution of postsecondary education, will be permitted
24 to continue to attend or will receive a degree from such institution of
25 postsecondary education.

26 (o) Moneys in a Kansas children's savings account shall be exempt
27 from attachment, execution or garnishment as provided by K.S.A. 60-
28 2308, and amendments thereto.

29 New Sec. 6. (a) Nothing in this act shall be construed to:

30 (1) Give any designated beneficiary any rights or legal interest with
31 respect to an account unless the designated beneficiary is the account
32 owner;

33 (2) guarantee that a designated beneficiary will be admitted to an
34 institution of postsecondary education;

35 (3) create state residency for an individual merely because the
36 individual is a designated beneficiary; or

37 (4) guarantee that amounts saved pursuant to the program will be
38 sufficient to cover the qualified higher education expenses of a designated
39 beneficiary.

40 (b) (1) Nothing in this act shall create or be construed to create any
41 obligation of the state treasurer, the state or any agency or instrumentality
42 of the state to guarantee for the benefit of any account owner or designated
43 beneficiary with respect to:

1 (A) The rate of interest or other return on any account; and

2 (B) the payment of interest or other return on any account.

3 (2) The state treasurer, by rules and regulations, shall provide that
4 every contract, application, deposit slip or other similar document that may
5 be used in connection with a contribution to an account clearly indicate
6 that the account is not insured by the state and neither the principal
7 deposited nor the investment return is guaranteed by the state.

8 New Sec. 7. (a) (1) The Kansas children's savings account program
9 trust fund is hereby established in the state treasury. The Kansas children's
10 savings account program trust fund shall consist of moneys deposited by
11 depositors pursuant to the provisions of this act, moneys acquired from
12 governmental and private sources through grants, gifts or donations and
13 state general fund appropriations, if any. All interest derived from the
14 deposit and investment of moneys in such fund shall be credited to the
15 fund. At the end of any fiscal year, all unexpended and unencumbered
16 moneys in such fund shall remain therein and not be credited or transferred
17 to the state general fund or to any other fund. The state treasurer shall
18 transfer \$250 per year from the Kansas children's savings account program
19 trust fund to each account that has received at least one contribution after
20 the initial deposit. In the event that there is insufficient funding to transfer
21 \$250 to each account, the state treasurer shall prorate the existing funds to
22 provide an equal or lesser amount to each account.

23 (2) Except as provided in subsection (b), the state treasurer shall
24 credit all moneys received in connection with the Kansas children's
25 savings account program to the Kansas children's savings account program
26 trust fund.

27 (b) (1) The Kansas children's savings account program expense fund
28 is hereby established in the state treasury. The fund shall consist of moneys
29 received from the Kansas children's savings account program manager.

30 (2) All expenses incurred by the state treasurer in developing and
31 administering the Kansas children's savings account program shall be
32 payable from the Kansas children's savings account program expense fund.

33 New Sec. 8. The director of accounts and reports shall make payroll
34 deductions from the salary and wages of state officers and employees for
35 Kansas children's savings accounts provided for in section 5, and
36 amendments thereto, when authorized to make such deductions by the
37 written, voluntary authorization of such officers and employees. No
38 administrative fees or charges shall be assessed for costs incurred in
39 making such deductions. Subject to the approval of the secretary of
40 administration, the director of accounts and reports may prescribe
41 procedures, limitations and conditions for making payroll deductions
42 pursuant to this section.

43 New Sec. 9. (a) (1) For tax years commencing after December 31,

1 2019, there shall be allowed a credit against the income tax liability
2 imposed upon a taxpayer pursuant to the Kansas income tax act, the
3 privilege tax liability imposed upon a taxpayer pursuant to the privilege
4 tax imposed upon any national banking association, state bank, trust
5 company or savings and loan association pursuant to article 11 of chapter
6 79 of the Kansas Statutes Annotated, and amendments thereto, and the
7 premium tax liability imposed upon a taxpayer pursuant to the premiums
8 tax and privilege fees imposed upon an insurance company pursuant to
9 K.S.A. 40-252, and amendments thereto, an amount equal to 70% of the
10 amount donated to the Kansas children's savings account program trust
11 fund established by section 7, and amendments thereto.

12 (b) The credit shall be claimed and deducted from the taxpayer's tax
13 liability during the tax year in which the donation was made to the Kansas
14 children's savings account program trust fund.

15 (c) For each tax year, in no event shall the total amount of credits
16 allowed under this section exceed \$5,000,000 for any one tax year.

17 (d) If the amount of any such tax credit claimed by a taxpayer
18 exceeds the taxpayer's income, privilege or premium tax liability, such
19 excess amount may be carried over for deduction from the taxpayer's
20 income, privilege or premium tax liability in the next succeeding year or
21 years until the total amount of the credit has been deducted from tax
22 liability.

23 (e) The secretary of revenue shall adopt rules and regulations
24 regarding filing of documents that support the amount of credit claimed
25 pursuant to this section.

26 Sec. 10. K.S.A. 65-2422d is hereby amended to read as follows: 65-
27 2422d. (a) The records and files of the division of public health pertaining
28 to vital statistics shall be open to inspection, subject to the provisions of
29 the uniform vital statistics act and rules and regulations of the secretary. It
30 shall be unlawful for any officer or employee of the state to disclose data
31 contained in vital statistical records, except as authorized by the uniform
32 vital statistics act and the secretary, and it shall be unlawful for anyone
33 who possesses, stores or in any way handles vital statistics records under
34 contract with the state to disclose any data contained in the records, except
35 as authorized by law.

36 (b) No information concerning the birth of a child shall be disclosed
37 in a manner that enables determination that the child was born out of
38 wedlock, except upon order of a court in a case where the information is
39 necessary for the determination of personal or property rights and then
40 only for that purpose, or except that employees of the office of child
41 support enforcement of the federal department of health and human
42 services shall be provided information when the information is necessary
43 to ensure compliance with federal reporting and audit requirements

1 pursuant to title IV-D of the federal social security act or except that the
2 secretary for children and families or the secretary's designee performing
3 child support enforcement functions pursuant to title IV-D of the federal
4 social security act shall be provided information and copies of birth
5 certificates when the information is necessary to establish parentage in
6 legal actions or to ensure compliance with federal reporting and audit
7 requirements pursuant to title IV-D of the federal social security act.
8 Nothing in this subsection shall be construed as exempting such
9 employees of the federal department of health and human services or the
10 secretary for children and families or the secretary's designee from the fees
11 prescribed by K.S.A. 65-2418, and amendments thereto.

12 (c) Except as provided in subsection (b), and amendments thereto, the
13 state registrar shall not permit inspection of the records or issue a certified
14 copy or abstract of a certificate or part thereof unless the state registrar is
15 satisfied the applicant therefor has a direct interest in the matter recorded
16 and the information contained in the record is necessary for the
17 determination of personal or property rights. The state registrar's decision
18 shall be subject, however, to review by the secretary or by a court in
19 accordance with the Kansas judicial review act, subject to the limitations
20 of this section.

21 (d) The secretary shall permit the use of data contained in vital
22 statistical records for research purposes only, but no identifying use of
23 them shall be made. The secretary shall permit the use of birth, death and
24 stillbirth certificates as identifiable data for purposes of maternal and child
25 health surveillance and monitoring. The secretary or the secretary's
26 designee may interview individuals for purposes of maternal and child
27 health surveillance and monitoring only with an approval of the health and
28 environmental institutional review board as provided in title 45, part 46 of
29 the code of federal regulations. The secretary shall inform such individuals
30 that the participation in such surveillance and monitoring is voluntary and
31 may only be conducted with the written consent of the person who is the
32 subject of the information or with the informed consent of a parent or legal
33 guardian if the person is under 18 years of age. Informed consent is not
34 required if the person who is the subject of the information is deceased.

35 (e) Subject to the provisions of this section the secretary may direct
36 the state registrar to release birth, death and stillbirth certificate data to
37 federal, state or municipal agencies. *The secretary shall direct the state*
38 *registrar to release to the state treasurer birth certificate data and related*
39 *information deemed necessary by the state treasurer for the purpose of*
40 *implementing the Kansas children's savings account program, sections 1*
41 *through 9, and amendments thereto.*

42 (f) On or before the 20th day of each month, the state registrar shall
43 furnish to the county election officer of each county and the clerk of the

1 district court in each county, without charge, a list of deceased residents of
2 the county who were at least 18 years of age and for whom death
3 certificates have been filed in the office of the state registrar during the
4 preceding calendar month. The list shall include the name, age or date of
5 birth, address and date of death of each of the deceased persons and shall
6 be used solely by the election officer for the purpose of correcting records
7 of their offices and by the clerk of the district court in each county for the
8 purpose of correcting juror information for such county. Information
9 provided under this subsection to the clerk of the district court shall be
10 considered confidential and shall not be disclosed to the public. The
11 provisions of ~~subsection (b) of K.S.A. 45-229(b)~~, and amendments thereto,
12 shall not apply to the provisions of this subsection.

13 (g) No person shall prepare or issue any certificate ~~which that~~
14 purports to be an original, certified copy or abstract or copy of a certificate
15 of birth, death or fetal death, except as authorized in this act or rules and
16 regulations adopted under this act.

17 (h) Records of births, deaths or marriages ~~which that~~ are not in the
18 custody of the secretary of health and environment and ~~which that~~ were
19 created before July 1, 1911, pursuant to chapter 129 of the 1885 Session
20 Laws of Kansas, and any copies of such records, shall be open to
21 inspection by any person and the provisions of this section shall not apply
22 to such records.

23 (i) Social security numbers furnished pursuant to K.S.A. 65-2409a,
24 and amendments thereto, shall only be used as permitted by title IV-D of
25 the federal social security act, and amendments thereto, or as permitted by
26 section 7(a) of the federal privacy act of 1974, and amendments thereto.
27 The secretary shall make social security numbers furnished pursuant to
28 K.S.A. 65-2409a, and amendments thereto, available to the Kansas
29 department for children and families for purposes permitted under title IV-
30 D of the federal social security act.

31 (j) Fact of death information may be disseminated to state and federal
32 agencies administering benefit programs. Such information shall be used
33 for file clearance purposes only.

34 Sec. 11. K.S.A. 65-2422d is hereby repealed.

35 Sec. 12. This act shall take effect and be in force from and after its
36 publication in the statute book.