AN ACT concerning abortion; establishing the alternatives to abortion program and the alternatives to abortion public awareness program; providing services that promote childbirth to women facing unplanned pregnancies; establishing requirements and penalties for failure to fulfill program contract requirements; promoting public awareness of such services.

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

Section 1. (a) (1) There is hereby established the alternatives to abortion program. The program shall be administered by the secretary for children and families.

(2) The alternatives to abortion program shall serve as a statewide program to enhance and increase resources that promote childbirth instead of abortion to women facing unplanned pregnancies. The program shall offer a full range of services, including pregnancy support centers, adoption assistance and maternity homes.

(b) The alternatives to abortion program shall include only the following services:

1. Counseling and mentoring;
2. Care coordination for prenatal services, including connecting clients to health programs;
3. Providing educational materials and information about pregnancy and parenting;
4. Referrals to county and social service programs, including, but not limited to, child care, transportation, housing and state and federal benefit programs;
5. Classes on life skills, budgeting, parenting, stress management, job training, job placement and obtaining a GED certificate;
6. Providing material items, including, but not limited to, car seats, cribs, maternity clothes, infant diapers and formula; and
7. Support groups in maternity homes.

(c) Alternatives to abortion program services shall be available to any Kansas resident who is:

1. A pregnant woman;
2. The biological father of an unborn child;
3. The biological or adoptive parent of a child 24 months of age or
younger;

(4) a program participant who has experienced the loss of a child; or

(5) a parent or legal guardian of a pregnant child who is a program participant.

(d) (1) The provision and delivery of services under the alternatives to abortion program shall be dependent on participant needs as assessed by the nonprofit organization providing the services and not otherwise prioritized by the secretary for children and families. Such services shall be available to participants only during pregnancy and continuing for up to two years after birth of the child.

(2) The state treasurer shall contract with one nonprofit organization to provide services under the alternatives to abortion program. Such nonprofit organization shall subcontract with existing pregnancy centers, adoption agencies, maternity homes and social service organizations that promote childbirth instead of abortion to provide the services described in subsection (b). The contractor and subcontractors may provide services in addition to the services described in subsection (b) that are not otherwise inconsistent with this section, but such services shall not be funded under the alternatives to abortion program.

(e) To the greatest extent possible, the secretary for children and families shall supplement and match moneys appropriated for the alternatives to abortion program with federal and other public and private moneys. The secretary shall prioritize such additional moneys to be used preferentially for the alternatives to abortion program. The secretary shall remit such supplemental and matching moneys to the state treasurer in accordance with K.S.A. 75-4215, and amendments thereto. Such moneys shall be expended for the alternatives to abortion program.

(f) The alternatives to abortion program and any moneys expended therefor shall not be used to perform, induce, assist in the performing or inducing of or refer for abortions. Moneys expended for the alternatives to abortion program shall not be granted to organizations or affiliates of organizations that perform, induce, assist in the performing or inducing of or refer for abortions.

(g) Any contract or renewal of such contract awarded under this section shall be for a term not longer than two years.

(h) The state treasurer shall assess an administrative fine against any nonprofit organization awarded a contract under this section for failure to satisfy the requirements of this section or for the intentional or reckless misuse of any funds awarded by the terms of such contract. Such fine shall be in the amount of 10% of the funds awarded by the terms of such contract. The state treasurer shall deposit any moneys recovered from any such fine into the state treasury to the credit of the state general fund.

(i) On or before July 31 of each year, the nonprofit organization
selected to provide services under the alternatives to abortion program shall submit a report to the legislature and the state treasurer on the administration of the program covering the fiscal year ending on the immediately preceding June 30. Such report shall include:

(1) The number of clients enrolled in the program;
(2) the number of clients who participated in case management services provided under the program;
(3) the number of case management hours provided under the program;
(4) the number of clients engaged in educational services or job training and placement activities under the program;
(5) the number of newborns who were born to program participants;
(6) the number of such newborns placed for adoption;
(7) the number of fathers who participated in program services;
(8) the number of client satisfaction surveys completed; and
(9) any other information that shows the success of the contractor's administration of the program.

Sec. 2. (a) There is hereby established the alternatives to abortion public awareness program. The program shall be administered by the same nonprofit organization providing services under contract with the state treasurer pursuant to section 1, and amendments thereto.

(b) The purpose of the alternatives to abortion public awareness program is to help pregnant women who are at risk of having abortions to be made aware of the alternatives to abortion services made available in accordance with section 1, and amendments thereto.

(c) (1) The alternatives to abortion public awareness program shall include the development and promotion of a website that provides a geographically indexed list of alternatives to abortion services and subcontractors available in accordance with section 1, and amendments thereto. Such agencies shall be entities that are exempt from income taxation pursuant to the internal revenue code and provide alternatives to abortion services as described in section 1, and amendments thereto.

(2) The alternatives to abortion public awareness program may include, but shall not be limited to, the use of television, radio, outdoor advertising, newspapers, magazines, other print media and the internet to provide information about alternatives to abortion services, agencies and contractors.

(d) To the greatest extent possible, the secretary for children and families shall supplement and match moneys appropriated for the alternatives to abortion public awareness program with federal and other public and private moneys. The secretary shall prioritize such additional moneys to be used preferentially for the alternatives to abortion public awareness program. The secretary shall remit such supplemental and
matching moneys to the state treasurer in accordance with K.S.A. 75-4215, and amendments thereto. Such moneys shall be expended for the alternatives to abortion program.

(e) The alternatives to abortion public awareness program and any moneys expended therefor shall not be used to perform, induce, assist in the performing or inducing of or refer for abortions. Moneys expended for the alternatives to abortion public awareness program shall not be granted to organizations or affiliates of organizations that perform, induce, assist in the performing or inducing of or refer for abortions.

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