AN ACT making and concerning appropriations for fiscal years ending June 30, 2014, June 30, 2015, and June 30, 2016, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing. 

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

Section 1. (a) For the fiscal years ending June 30, 2014, June 30, 2015, and June 30, 2016, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, capital improvement projects, fees, receipts, disbursements and acts incidental to the foregoing are hereby directed or authorized as provided in this act. 

(b) The agencies named in this act are hereby authorized to initiate and complete the capital improvement projects specified and authorized by this act or for which appropriations are made by this act, subject to the restrictions and limitations imposed by this act. 

(c) This act shall not be subject to the provisions of subsection (a) of K.S.A. 75-6702, and amendments thereto. 

(d) The appropriations made by this act shall not be subject to the provisions of K.S.A. 46-155, and amendments thereto. 

Sec. 2. 

DEPARTMENT OF CORRECTIONS 

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2014, the following: 

Treatment and programs.........................................................$3,004,345 

(b) On the effective date of this act, of the $4,622,480 appropriated for the above agency for the fiscal year ending June 30, 2014, by section 246(b) of chapter 136 of the 2013 Session Laws of Kansas from the correctional institutions building fund in the capital improvements – rehabilitation and repair of correctional institutions account, the sum of $7,450 is hereby lapsed. 

(c) On the effective date of this act, of the $128,521 appropriated for the above agency for the fiscal year ending June 30, 2014, by section 246(b) of chapter 136 of the 2013 Session Laws of Kansas from the
correctional institutions building fund in the debt service payment for the
prison capacity expansion projects bond issue account, the sum of $1,103
is hereby lapsed.
(d) On the effective date of this act, of the $3,997,900 appropriated
for the above agency for the fiscal year ending June 30, 2014, by section
246(c) of chapter 136 of the 2013 Session Laws of Kansas from the state
institutions building fund in the debt service – Topeka complex and Larned
juvenile correctional facility account, the sum of $3,461 is hereby lapsed.

Sec. 3.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general
fund for the fiscal year ending June 30, 2015, the following:
Operating expenditures .............................................................$25,849,889
Provided, That any unencumbered balance in the operating expenditures
account in excess of $100 as of June 30, 2014, is hereby reappropriated for
fiscal year 2015: Provided, however; That expenditures from the operating
expenditures account for official hospitality shall not exceed $2,000.
Operating expenditures – juvenile services.............................$2,089,998
Provided, That any unencumbered balance in the operating expenditures –
juvenile services account in excess of $100 as of June 30, 2014, is hereby
reappropriated for fiscal year 2015: Provided, however; That expenditures
from the operating expenditures – juvenile services account for official
hospitality shall not exceed $2,000.
Community corrections......................................................$22,010,385
Provided, That any unencumbered balance in the community corrections
account in excess of $100 as of June 30, 2014, is hereby reappropriated for
fiscal year 2015: Provided, however; That no expenditures may be made by
any county from any grant made to such county from the community
corrections account for either half of state fiscal year 2015 which supplant
any amount of local public or private funding of existing programs as
determined in accordance with rules and regulations adopted by the
secretary of corrections.
Local jail payments..........................................................$800,000
Provided, That any unencumbered balance in the local jail payments
account in excess of $100 as of June 30, 2014, is hereby reappropriated for
fiscal year 2015: Provided further; That, notwithstanding the provisions of
K.S.A. 19-1930, and amendments thereto, payments by the department of
corrections under subsection (b) of K.S.A. 19-1930, and amendments
thereto, for the cost of maintenance of prisoners shall not exceed the per
capita daily operating cost, not including inmate programs, for the
department of corrections.
Treatment and programs..................................................$56,000,067
Provided, That any unencumbered balance in the treatment and programs
account in excess of $100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

Purchase of services...............................................................$23,458,289

Provided, That any unencumbered balance in the purchase of services account in excess of $100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.

Prevention and graduated sanctions community grants............$21,383,874

Provided, That any unencumbered balance in the prevention and graduated sanctions community grants account in excess of $100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: Provided further, That money awarded as grants from the prevention and graduated sanctions community grants account is not an entitlement to communities, but a grant that must meet conditions prescribed by the above agency for appropriate outcomes.

Topeka correctional facility – facilities operations..................$15,001,996

Provided, That any unencumbered balance in the Topeka correctional facility – facilities operations account in excess of $100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: Provided, however, That expenditures from the Topeka correctional facility – facilities operations account for official hospitality shall not exceed $500.

Hutchinson correctional facility – facilities operations.............$30,977,862

Provided, That any unencumbered balance in the Hutchinson correctional facility – facilities operations account in excess of $100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: Provided, however, That expenditures from the Hutchinson correctional facility – facilities operations account for official hospitality shall not exceed $500.

Lansing correctional facility – facilities operations..................$40,141,566

Provided, That any unencumbered balance in the Lansing correctional facility – facilities operations account in excess of $100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: Provided, however, That expenditures from the Lansing correctional facility – facilities operations account for official hospitality shall not exceed $500.

Ellsworth correctional facility – facilities operations...............$14,530,133

Provided, That any unencumbered balance in the Ellsworth correctional facility – facilities operations account in excess of $100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: Provided, however, That expenditures from the Ellsworth correctional facility – facilities operations account for official hospitality shall not exceed $500.

Winfield correctional facility – facilities operations...............$12,998,620

Provided, That any unencumbered balance in the Winfield correctional facility – facilities operations account in excess of $100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: Provided, however, That expenditures from the Winfield correctional facility – facilities operations account for official hospitality shall not exceed $500.
operations account for official hospitality shall not exceed $500.
Norton correctional facility – facilities operations.................$15,297,999
Provided, That any unencumbered balance in the Norton correctional facility – facilities operations account in excess of $100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: Provided, however, That expenditures from the Norton correctional facility – facilities operations account for official hospitality shall not exceed $500.

El Dorado correctional facility – facilities operations...............$28,581,863
Provided, That any unencumbered balance in the El Dorado correctional facility – facilities operations account in excess of $100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: Provided, however, That expenditures from the El Dorado correctional facility – facilities operations account for official hospitality shall not exceed $500.

Larned correctional mental health facility – facilities operations...............................................................$10,702,320
Provided, That any unencumbered balance in the Larned correctional mental health facility – facilities operations account in excess of $100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: Provided, however, That expenditures from the Larned correctional mental health facility – facilities operations account for official hospitality shall not exceed $500.

Kansas juvenile correctional complex facility operations.........$16,169,216
Provided, That any unencumbered balance in the Kansas juvenile correctional complex facility operations account in excess of $100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: Provided further, That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by the above agency with unified school districts or other accredited educational services providers.

Larned juvenile correctional facility operations......................$9,124,523
Provided, That any unencumbered balance in the Larned juvenile correctional facility operations account in excess of $100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: Provided further, That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by the above agency with unified school districts or other accredited educational services providers.

Facilities operations.........................................................................................................................$14,285,777
Provided, That any unencumbered balance in the facilities operations account in excess of $100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015.
Any unencumbered balance in the management information systems account in excess of $100 as of June 30, 2014, is hereby reappropriated for
fiscal year 2015.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2015, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supervision fees fund</td>
<td>No limit</td>
</tr>
<tr>
<td>Residential substance abuse treatment – federal fund</td>
<td>No limit</td>
</tr>
<tr>
<td>Department of corrections forensic psychologist fund</td>
<td>No limit</td>
</tr>
</tbody>
</table>

Provided, That expenditures may be made from the department of corrections forensic psychologist fund for general health care contract expenses.

<table>
<thead>
<tr>
<th>Fund</th>
<th>Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ed Byrne memorial justice assistance grants – federal fund</td>
<td>No limit</td>
</tr>
<tr>
<td>Violence against women – federal fund</td>
<td>No limit</td>
</tr>
<tr>
<td>Sex offender management grant – federal fund</td>
<td>No limit</td>
</tr>
<tr>
<td>Department of corrections state asset forfeiture fund</td>
<td>No limit</td>
</tr>
<tr>
<td>Chapter I – federal fund</td>
<td>No limit</td>
</tr>
<tr>
<td>Victims of crime act – federal fund</td>
<td>No limit</td>
</tr>
<tr>
<td>Correctional industries fund</td>
<td>No limit</td>
</tr>
</tbody>
</table>

Provided, That expenditures may be made from the correctional industries fund for official hospitality.

<table>
<thead>
<tr>
<th>Fund</th>
<th>Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ed Byrne state and local law assistance – federal fund</td>
<td>No limit</td>
</tr>
<tr>
<td>Bulletproof vest partnership – federal fund</td>
<td>No limit</td>
</tr>
<tr>
<td>Safeguard community grants – federal fund</td>
<td>No limit</td>
</tr>
<tr>
<td>Workforce investment act – federal fund</td>
<td>No limit</td>
</tr>
<tr>
<td>Workplace and community transition training – federal fund</td>
<td>No limit</td>
</tr>
<tr>
<td>USMS reimbursement – federal fund</td>
<td>No limit</td>
</tr>
<tr>
<td>Community awareness project – federal fund</td>
<td>No limit</td>
</tr>
<tr>
<td>Corrections training and staff development – federal fund</td>
<td>No limit</td>
</tr>
<tr>
<td>Second chance act – federal fund</td>
<td>No limit</td>
</tr>
<tr>
<td>Alcohol and drug abuse treatment fund</td>
<td>No limit</td>
</tr>
</tbody>
</table>

Provided, That expenditures may be made from the alcohol and drug abuse treatment fund for payments associated with providing treatment services to offenders who were driving under the influence of alcohol or drugs regardless of when the services were rendered.

<table>
<thead>
<tr>
<th>Fund</th>
<th>Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Juvenile delinquency prevention trust fund</td>
<td>No limit</td>
</tr>
<tr>
<td>State of Kansas – department of corrections inmate benefit fund</td>
<td>No limit</td>
</tr>
</tbody>
</table>

Provided, That any unencumbered balance in the state of Kansas – department of corrections inmate benefit fund of the above agency in excess of $100 as of June 30, 2014, is hereby reappropriated to the treatment and programs account of the state general fund of the above agency for fiscal year 2015.

Department of corrections – alien incarceration grant fund –
Provided, That expenditures may be made from the department of corrections – general fees fund for operating expenditures for training programs for correctional personnel, including official hospitality:
Provided further, That the secretary of corrections is hereby authorized to fix, charge and collect fees for such programs: And provided further, That such fees shall be fixed in order to recover all or part of the operating expenses incurred for such training programs, including official hospitality: And provided further, That all fees received for such programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the department of corrections – general fees fund.

Sedgwick county program fund...............................................................No limit
Topeka correctional facility – community development block grant – federal fund...............................................................No limit
Topeka correctional facility – bureau of prisons contract – federal fund...............................................................No limit
Topeka correctional facility – general fees fund...............................................................No limit
Hutchinson correctional facility – general fees fund...............................................................No limit
Lansing correctional facility – general fees fund...............................................................No limit
Ellsworth correctional facility – general fees fund...............................................................No limit
Winfield correctional facility – general fees fund...............................................................No limit
Norton correctional facility – general fees fund...............................................................No limit
El Dorado correctional facility – general fees fund...............................................................No limit
Larned correctional mental health facility – general fees fund...............................................................No limit
Correctional services special revenue fund...............................................................No limit
JEHT reentry program fund...............................................................No limit
Community corrections supervision fund...............................................................No limit
Community corrections special revenue fund...............................................................No limit
Medical assistance program – federal fund...............................................................No limit
Title IV-E fund...............................................................No limit
Juvenile accountability incentive block grant – federal fund...............................................................No limit
Juvenile justice delinquency prevention – federal fund...............................................................No limit
Juvenile detention facilities fund...............................................................No limit
Juvenile justice fee fund – central office...............................................................No limit
Juvenile justice federal fund – Larned juvenile correctional facility...............................................................No limit
Juvenile justice federal fund – Kansas juvenile correctional complex...............................................................No limit
Juvenile justice federal fund...............................................................No limit
Byrne grant – federal fund – Kansas juvenile correctional complex...............................................................No limit
Byrne grant – federal fund – Larned juvenile correctional facility. No limit
Byrne grant – federal fund. No limit
Prisoner reentry initiative demonstration – federal fund. No limit
Comprehensive approaches to sex offender management discretionary grant – federal fund. No limit
Part E – developing, testing, and demonstrating promising new programs – federal fund. No limit
Title V – delinquency prevention program – federal fund. No limit
Block grants for prevention and treatment of substance abuse – federal fund. No limit
Promoting safe and stable families – federal fund. No limit
Title I program for neglected and delinquent children – federal fund. No limit
Improving teacher quality state grants – federal fund. No limit
Kansas juvenile correctional complex – juvenile accountability block grant – federal fund. No limit
Larned juvenile correctional facility – juvenile accountability block grant – federal fund. No limit
National school lunch program – federal fund – Kansas juvenile correctional complex. No limit
National school lunch program – federal fund – Larned juvenile correctional facility. No limit
Atchison youth residential center fee fund. No limit
Larned juvenile correctional facility fee fund. No limit
Larned juvenile correctional facility – Title I neglected and delinquent children – federal fund. No limit
National school breakfast program – federal fund – Larned juvenile correctional facility. No limit
Dev/test/demo new prgs – Larned juvenile correctional facility – federal fund. No limit
Kansas juvenile correctional complex fee fund. No limit
Kansas juvenile correctional complex – Title I neglected and delinquent children – federal fund. No limit
National school breakfast program – federal fund – Kansas juvenile correctional complex. No limit
Kansas juvenile correctional complex – gifts, grants, and donations fund. No limit
Kansas juvenile correctional complex – improvement fund. No limit
Comprehensive approach to sex offender management discretionary grant – Kansas juvenile correctional complex – federal fund. No limit

(c) During the fiscal year ending June 30, 2015, the secretary of
corrections, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2015, from the state general fund for the department of corrections or any correctional institution, correctional facility or juvenile facility under the general supervision and management of the secretary of corrections to another item of appropriation for fiscal year 2015 from the state general fund for the department of corrections or any correctional institution, correctional facility or juvenile facility under the general supervision and management of the secretary of corrections. The secretary of corrections shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(d) Notwithstanding the provisions of K.S.A. 75-3731, and amendments thereto, or any other statute, the director of accounts and reports shall accept for payment from the secretary of corrections any duly authorized claim to be paid from the local jail payments account of the state general fund during fiscal year 2015 for costs pursuant to subsection (b) of K.S.A. 19-1930, and amendments thereto, even though such claim is not submitted or processed for payment within the fiscal year in which the service is rendered and whether or not the services were rendered prior to the effective date of this act.

(e) Notwithstanding the provisions of K.S.A. 75-3731, and amendments thereto, or any other statute, the director of accounts and reports shall accept for payment from the director of Kansas correctional industries any duly authorized claim to be paid from the correctional industries fund during fiscal year 2015 for operating or manufacturing costs even though such claim is not submitted or processed for payment within the fiscal year in which the service is rendered and whether or not the services were rendered prior to the effective date of this act. The director of Kansas correctional industries shall provide to the director of the budget on or before September 15, 2014, a detailed accounting of all such payments made from the correctional industries fund during fiscal year 2014.

(f) On July 1, 2014, October 1, 2014, January 1, 2015, and April 1, 2015, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer $233,750 from the correctional industries fund to the department of corrections – general fees fund.

(g) During the fiscal year ending June 30, 2015, all expenditures made by the department of corrections from the correctional industries fund shall be made on budget for all purposes of state accounting and budgeting for the department of corrections.

(h) On July 1, 2014, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 79-4805, and amendments
In addition to the other purposes for which expenditures may be made by the department of corrections from the juvenile detention facilities fund for fiscal year 2015, notwithstanding the provisions of K.S.A. 79-4803, and amendments thereto, the department of corrections is hereby authorized and directed to make expenditures from the juvenile detention facilities fund for fiscal year 2015 for purchase of services.

Any unencumbered balance in each of the following accounts in the children's initiatives fund in excess of $100 as of June 30, 2014, is hereby reappropriated for fiscal year 2015: Judge Riddel boys ranch.

There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2015, for the capital improvement project or projects specified, the following:

- Capital improvements – rehabilitation and repair of juvenile correctional facilities: $221,955

(l) On July 1, 2014, of the $3,998,825 appropriated for the above agency for the fiscal year ending June 30, 2015, by section 247(c) of chapter 136 of the 2013 Session Laws of Kansas from the state institutions building fund in the debt service – Topeka complex and Larned juvenile correctional facility account, $1,575 is hereby lapsed.

(m) On July 1, 2014, of the $4,140,675 appropriated for the above agency for the fiscal year ending June 30, 2015, by section 247(b) of chapter 136 of the 2013 Session Laws of Kansas from the correctional institutions building fund in the capital improvements – rehabilitation and repair of correctional institutions account, the sum of $3,740 is hereby lapsed.

(n) In addition to the other purposes for which expenditures may be made by the department of corrections from the moneys appropriated from the state institutions building fund or from any special revenue fund or funds for fiscal year 2015 as authorized by this or other appropriation act of the 2014 regular session of the legislature, expenditures may be made by the department of corrections from moneys appropriated from the state institutions building fund or from any special revenue fund or funds for fiscal year 2015 to raze building no. 9 (Kiowa living unit).

(o) During the fiscal year ending June 30, 2015, no expenditures shall be made by the above agency for fiscal year 2015 from the state general fund or any special revenue fund or funds for the fiscal year ending June 30, 2015, by chapter 136 of the 2013 Session Laws of Kansas, this act or any other appropriation act of the 2014 regular session of the legislature to purchase or lease any real property for use...
as a parole office if such property is located within 1,000 feet of any
child care facility as defined in K.S.A. 65-503, and amendments
thereto, licensed by the department of health and environment.}

Sec. 4. Severability. If any provision or clause of this act or
application thereof to any person or circumstances is held invalid, such
invalidity shall not affect other provisions or applications of this act which
can be given effect without the invalid provision or application, and to this
end the provisions of this act are declared to be severable.

Sec. 5. Appeals to exceed expenditure limitations. (a) Upon written
application to the governor and approval of the state finance council,
expenditures from special revenue funds may exceed the amounts
specified in this act.
(b) This section shall not apply to the expanded lottery act revenues
fund, the state economic development initiatives fund, the children's
initiative fund, the state water plan fund or the Kansas endowment for
youth fund, or to any account of any such funds.

Sec. 6. Savings. (a) Any unencumbered balance as of June 30, 2014,
in any special revenue fund, or account thereof, of any state agency named
in chapter 136 of the 2013 Session Laws of Kansas or this act which is not
otherwise specifically appropriated or limited for fiscal year 2015 by
chapter 136 of the 2013 Session Laws of Kansas, this act or any other
appropriation act of the 2014 regular session of the legislature, is hereby
appropriated for the fiscal year ending June 30, 2015, for the same use and
purpose as the same was heretofore appropriated.
(b) This section shall not apply to the expanded lottery act revenues
fund, the state economic development initiatives fund, the children's
initiatives fund, the state water plan fund, the Kansas endowment for youth
fund, the Kansas educational building fund, the state institutions building
fund, or the correctional institutions building fund, or to any account of
any of such funds.

Sec. 7. Federal grants. (a) During the fiscal year ending June 30,
2015, each federal grant or other federal receipt which is received by a
state agency named in chapter 136 of the 2013 Session Laws of Kansas or
this act and which is not otherwise appropriated to that state agency for
fiscal year 2015 by chapter 136 of the 2013 Session Laws of Kansas, this
act or other appropriation act of the 2014 regular session of the legislature,
is hereby appropriated for fiscal year 2015 for that state agency for the
purpose set forth in such federal grant or receipt, except that no
expenditure shall be made from and no obligation shall be incurred against
any such federal grant or other federal receipt, which has not been
previously appropriated or reappropriated or approved for expenditure by
the governor, for fiscal year 2015, until the governor has authorized the
state agency to make expenditures from such federal grant or other federal
receipt for fiscal year 2015.

(b) In addition to the other purposes for which expenditures may be made by any state agency which is named in chapter 136 of the 2013 Session Laws of Kansas or this act and which is not otherwise authorized by law to apply for and receive federal grants, expenditures may be made by such state agency from moneys appropriated for fiscal year 2015 by chapter 136 of the 2013 Session Laws of Kansas, this act or any other appropriation act of the 2014 regular session of the legislature to apply for and receive federal grants during fiscal year 2015, which federal grants are hereby authorized to be applied for and received by such state agencies: Provided, That no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt, which has not been previously appropriated or reappropriated or approved for expenditure by the governor, until the governor has authorized the state agency to make expenditures therefrom.

Sec. 8. (a) Any correctional institutions building fund appropriation heretofore appropriated to any state agency named in chapter 136 of the 2013 Session Laws of Kansas, this act or other appropriation act of the 2014 regular session of the legislature, and having an unencumbered balance as of June 30, 2014, in excess of $100 is hereby reappropriated for the fiscal year ending June 30, 2015, for the same uses and purposes as originally appropriated unless specific provision is made for lapsing such appropriation.

(b) This subsection shall not apply to the unencumbered balance in any account of the correctional institutions building fund that was encumbered for any fiscal year commencing prior to July 1, 2013.

Sec. 9. (a) Any state institutions building fund appropriation heretofore appropriated to any state agency named in chapter 136 of the 2013 Session Laws of Kansas, this act or other appropriation act of the 2014 regular session of the legislature and having an unencumbered balance as of June 30, 2014, in excess of $100 is hereby reappropriated for the fiscal year ending June 30, 2015, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

(b) This subsection shall not apply to the unencumbered balance in any account of the state institutions building fund that was encumbered for any fiscal year commencing prior to July 1, 2013.

Sec. 10. (a) Any transfers of money during the fiscal year ending June 30, 2015, from any special revenue fund of any state agency named in chapter 136 of the 2013 Session Laws of Kansas or this act to the audit services fund of the division of post audit under K.S.A. 46-1121, and amendments thereto, shall be in addition to any expenditure limitation imposed on any such fund for the fiscal year ending June 30, 2015.
Sec. 11. This act shall take effect and be in force from and after its publication in the Kansas register.