

HOUSE BILL No. 2690

By Committee on Energy, Utilities and Telecommunications

Requested by Representative Delperdang on behalf of Representative Hoffman and Representative Carmichael

2-5

Proposed Amendments to House Bill No. 2690
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Office of Revisor of Statutes
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Technical balloon amendments

1 AN ACT concerning emergency communication services; establishing the
2 state 911 board; abolishing the 911 coordinating council; transferring
3 the powers, duties and functions of the 911 coordinating council to the
4 state 911 board; authorizing the board to appoint an executive director
5 and other employees to carry out the powers, duties and functions of
6 the board; abolishing the 911 operations fund, the 911 state grant fund
7 and the 911 state fund and establishing the state 911 operations fund,
8 the state 911 grant fund and the state 911 fund in the state treasury;
9 authorizing counties to contract for the provision of 911 PSAP services
10 with another county; amending K.S.A. 12-5362, 12-5363, 12-5364, 12-
11 5365, 12-5366, 12-5367, 12-5368, 12-5368, as amended by section 16
12 of this act, 12-5368, as amended by section 17 of this act, 12-5369, 12-
13 5370, 12-5371, 12-5372, 12-5374, 12-5374, as amended by section 23
14 of this act, 12-5374, as amended by section 24 of this act, 12-5375, 12-
15 5375, as amended by section 26 of this act, 12-5375, as amended by
16 section 27 of this act, and 12-5377 and repealing the existing sections;
17 also repealing K.S.A. 12-5364, as amended by section 12 of this act,
18 12-5378 and 12-5379.
19

20 *Be it enacted by the Legislature of the State of Kansas:*
21 New Section 1. (a) There is hereby established the state 911 board.
22 The board shall consist of 19 voting members and shall include individuals
23 with technical expertise regarding 911 systems, internet technology and
24 GIS technology.
25 (1) The following 15 voting members shall be appointed by the
26 governor:
27 (A) Two members representing information technology personnel
28 from governmental units;
29 (B) one member representing the Kansas sheriff's association;
30 (C) one member representing the Kansas association of chiefs of
31 police;
32 (D) one member representing a fire chief;
33 (E) one member recommended by the adjutant general;
34 (F) one member recommended by the Kansas emergency medical

1 services board;

2 (G) one member recommended by the Kansas commission for the

3 deaf and hard of hearing;

4 (H) two members representing PSAPs located in counties having a

5 population less than 75,000, at least one of which shall be an administrator

6 of a PSAP or have extensive prior 911 experience in Kansas;

7 (I) two members representing PSAPs located in counties having a

8 population of 75,000 or more, at least one of which shall be an

9 administrator of a PSAP or have extensive prior 911 experience in Kansas;

10 (J) one member representing the Kansas chapter of the association of

11 public safety communications officials;

12 (K) one member recommended by the league of Kansas

13 municipalities; and

14 (L) one member recommended by the Kansas association of counties.

15 (2) The following four voting members shall be appointed as follows:

16 (A) One member of the Kansas house of representatives appointed by

17 the speaker of the house;

18 (B) one member of the Kansas house of representatives appointed by

19 the minority leader of the house;

20 (C) one member of the Kansas senate appointed by the president of

21 the senate; and

22 (D) one member of the Kansas senate appointed by the minority

23 leader of the senate.

24 (b) The state 911 board shall include the following nine nonvoting

25 members to be appointed by the governor:

26 (1) One member representing rural telecommunications companies

27 recommended by the ~~Kansas rural independent telephone companies;~~

28 (2) one member representing incumbent local exchange carriers with

29 over 50,000 access lines;

30 (3) one member representing large wireless providers;

31 (4) one member representing VoIP providers;

32 (5) one member recommended by the Kansas geographic information

33 systems policy board;

34 (6) one member recommended by the Kansas office of information

35 technology services;

36 (7) one member recommended by the Mid-America regional council

37 who shall be a Kansas resident; and

38 (8) two members representing non-traditional PSAPs, one of whom

39 shall be a representative of tribal government.

40 (c) (1) The governor shall select the chairperson of the state 911

41 board. The chairperson shall serve as chairperson at the pleasure of the

42 governor and shall have extensive prior 911 experience in Kansas. The

43 chairperson shall serve subject to the direction of the board and ensure that

communications coalition of Kansas

1 purposes:

2 (1) Administrative and operational expenses of the state 911 board,
3 including salaries of persons employed by the board;

4 (2) payment and expenses incurred pursuant to contracts entered into
5 by the board for the performance of the powers, duties and functions of the
6 board;

7 (3) payment to state agencies or independent contractors for expenses
8 incurred in carrying out the powers, duties and functions of the board; and

9 (4) development, deployment, implementation and maintenance of
10 the statewide next generation 911 system.

11 (c) On or before the 10th of each month, the director of accounts and
12 reports shall transfer from the state general fund to the state 911 operations
13 fund interest earnings based on:

14 (1) The average daily balance of moneys in the state 911 operations
15 fund for the preceding month; and

16 (2) the net earnings rate for the pooled money investment portfolio
17 for the preceding month.

18 (d) The state 911 operations fund shall be used for the purposes set
19 forth in this act and for no other governmental purposes. Moneys in the
20 state 911 operations fund shall not be subject to the provisions of K.S.A.
21 75-3722, 75-3725a and 75-3726a, and amendments thereto.

22 (e) On January 1, 2026:

23 (1) The LCPA shall remit to the state treasurer the balance of all
24 moneys in the 911 operations fund established pursuant to K.S.A. 12-5368,
25 and amendments thereto. Upon receipt of such remittance, the state
26 treasurer shall deposit the entire amount in the state treasury and credit
27 such amount to the state 911 operations fund.

28 (2) All liabilities of the 911 operations fund are hereby transferred to
29 and imposed on the state 911 operations fund.

30 (3) The 911 operations fund established by the LCPA pursuant to
31 K.S.A. 12-5368, and amendments thereto, is hereby abolished.

32 (f) The provisions of this section shall take effect and be in force on
33 and after January 1, 2026.

34 New Sec. 6. (a) There is hereby created in the state treasury the state
35 911 grant fund. All moneys received pursuant to K.S.A. 12-5368 and 12-
36 5374, and amendments thereto, for purposes of such fund shall be
37 deposited into the state 911 grant fund. All expenditures from the state 911
38 grant fund shall be made in accordance with appropriation acts upon
39 warrants of the director of accounts and reports issued pursuant to
40 vouchers approved by the chairperson of the state 911 board or the
41 chairperson's designee.

42 (b) The state 911 grant fund shall be used only for the following
43 purposes:

in accordance with the provisions of K.S.A. 75-4215,
and amendments thereto,

1 (1) Providing state grants for projects involving the development and
2 implementation of next generation 911 services;

3 (2) provide grants to PSAPs based on demonstrated need; and

4 (3) costs associated with PSAP consolidation or cost-sharing projects.

5 (c) On or before the 10th of each month, the director of accounts and
6 reports shall transfer from the state general fund to the state 911 grant fund
7 interest earnings based on:

8 (1) The average daily balance of moneys in the state 911 grant fund
9 for the preceding month; and

10 (2) the net earnings rate for the pooled money investment portfolio
11 for the preceding month.

12 (d) The state 911 grant fund shall be used for the purposes set forth in
13 this act and for no other governmental purposes. Moneys in the state 911
14 grant fund shall not be subject to the provisions of K.S.A. 75-3722, 75-
15 3725a and 75-3726a, and amendments thereto.

16 (e) On January 1, 2026:

17 (1) The LCPA shall remit to the state treasurer the balance of all
18 moneys in the 911 state grant fund established pursuant to K.S.A. 12-5368,
19 and amendments thereto. Upon receipt of such remittance, the state
20 treasurer shall deposit the entire amount in the state treasury and credit
21 such amount to the state 911 grant fund.

22 (2) All liabilities of the 911 state grant fund are hereby transferred to
23 and imposed on the state 911 grant fund.

24 (3) The 911 state grant fund established by the LCPA pursuant to
25 K.S.A. 12-5368, and amendments thereto, is hereby abolished.

26 (f) The provisions of this section shall take effect and be in force on
27 and after January 1, 2026.

28 New Sec. 7. (a) There is hereby created in the state treasury the state
29 911 fund. All moneys received pursuant to K.S.A. 12-5368 and 12-5374,
30 and amendments thereto, for purposes of such fund shall be deposited into
31 the state 911 fund. All expenditures from the state 911 fund shall be made
32 in accordance with appropriation acts upon warrants of the director of
33 accounts and reports issued pursuant to vouchers approved by the
34 chairperson of the state 911 board or the chairperson's designee.

35 (b) The state 911 fund shall be used for direct distributions of moneys
36 pursuant to K.S.A. 12-5374, and amendments thereto.

37 (c) On or before the 10th of each month, the director of accounts and
38 reports shall transfer from the state general fund to the state 911 fund
39 interest earnings based on:

40 (1) The average daily balance of moneys in the state 911 fund for the
41 preceding month; and

42 (2) the net earnings rate for the pooled money investment portfolio
43 for the preceding month.

in accordance with the provisions of K.S.A. 75-4215,
and amendments thereto,

1 (d) The state 911 fund shall be used for the purposes set forth in this
2 act and for no other governmental purposes. Moneys in the state 911 fund
3 shall not be subject to the provisions of K.S.A. 75-3722, 75-3725a and 75-
4 3726a, and amendments thereto.

5 (e) On January 1, 2026:

6 (1) The LCPA shall remit to the state treasurer the balance of all
7 moneys in the 911 state fund established pursuant to K.S.A. 12-5368, and
8 amendments thereto. Upon receipt of such remittance, the state treasurer
9 shall deposit the entire amount in the state treasury and credit such amount
10 to the state 911 fund.

11 (2) All liabilities of the 911 state fund are hereby transferred to and
12 imposed on the state 911 fund.

13 (3) The 911 state fund established by the LCPA pursuant to K.S.A.
14 12-5368, and amendments thereto, is hereby abolished.

15 (f) The provisions of this section shall take effect and be in force on
16 and after January 1, 2026.

17 New Sec. 8. (a) On July 1, 2025, and on the first day of each calendar
18 month thereafter through January 1, 2026, the state 911 board shall require
19 the LCPA to provide a report that accounts for every transaction that has
20 occurred during the previous month in the 911 state fund, 911 state grant
21 fund and the 911 operations fund established outside the state treasury
22 pursuant to K.S.A. 12-5368, and amendments thereto. Such report shall
23 include line item amounts and details for every transaction, including
24 debits, credits, transfers, fees assessed, interest earned, change in
25 ownership, change in authorized signatories or any other event that may
26 have altered the structure or balance of the account. The LCPA shall
27 submit each monthly report to the secretary of administration and to the
28 director of legislative research. On or before January 12, 2026, the state
29 911 board shall prepare and submit to the legislature a report that
30 summarizes the transactions that impacted the account between July 1,
31 2025, and January 1, 2026, and shall confirm that the accounts have been
32 closed and all assets have been transferred to the state treasury in
33 accordance with the requirements of sections 5 through 7, and
34 amendments thereto.

35 (b) The provisions of this section shall take effect and be in force on
36 and after July 1, 2025.

37 New Sec. 9. (a) On and after July 1, 2024, the 911 coordinating
38 council may take any actions necessary to prepare for a seamless and
39 orderly transition of the powers, duties and functions of the 911
40 coordinating council to the state 911 board established pursuant to section
41 1, and amendments thereto. Such actions may include, but shall not be
42 limited to:

43 (1) Employing one or more individuals who the council deems

in accordance with the provisions of K.S.A. 75-4215,
and amendments thereto,

1 necessary to assist with the transition, including the employment of an
 2 individual who shall assume the role of executive director of the state 911
 3 board upon the establishment of the board pursuant to this act; and
 4 (2) preparing a budget that reflects the establishment of the state 911
 5 board and the state 911 operations fund within the state treasury pursuant
 6 to this act.

7 (b) Any persons employed pursuant to this section shall be in the
 8 unclassified service and receive compensation fixed by the council.

9 (c) Any expenses incurred for the employment of individuals
 10 pursuant to this section shall be considered administrative expenses of the
 11 council pursuant to K.S.A. 12-5368, and amendments thereto, and the
 12 council shall have authority to use any moneys held in or transferred to the
 13 911 operations fund to provide for the employment and compensation
 14 authorized pursuant to this section.

15 Sec. 10. On and after July 1, 2025, K.S.A. 12-5362 is hereby
 16 amended to read as follows: 12-5362. K.S.A. 12-5362 through 12-5381,
 17 and amendments thereto, *and sections 1 through 9, and amendments*
 18 *thereto*, shall be known and may be cited as the Kansas 911 act.

19 Sec. 11. On and after July 1, 2025, K.S.A. 12-5363 is hereby
 20 amended to read as follows: 12-5363. As used in the Kansas 911 act:

21 (a) "Board" means the state 911 board.
 22 (b) "Consumer" means a person who purchases prepaid wireless
 23 service in a retail transaction.

24 ~~(b)(c)~~ "Department" means the Kansas department of revenue.
 25 ~~(e)(d)~~ "Enhanced 911 service" or "E-911 service" means an
 26 emergency telephone service that generally may provide, but is not limited to,
 27 selective routing, automatic number identification and automatic
 28 location identification features.

29 ~~(d)(e)~~ "Exchange telecommunications service" means the service that
 30 provides local telecommunications exchange access to a service user.

31 ~~(e)(f)~~ "GIS" means a geographic information system for capturing,
 32 storing, displaying, analyzing and managing data and associated attributes
 33 that are spatially referenced.

34 ~~(f)(g)~~ "GIS data" means the geometry and associated attributes
 35 packaged in a geodatabase that defines the roads, address points and
 36 boundaries within a PSAP's jurisdiction.

37 ~~(g)(h)~~ "Governing body" means the board of county commissioners
 38 of a county or the governing body of a city.

39 ~~(h)(i)~~ "Local collection point administrator" or "LCPA" means the
 40 person designated by the ~~911 coordinating council board~~ to serve as the
 41 local collection point administrator ~~to collect and distribute 911 fees, 911~~
 42 ~~operations fund moneys and distribute 911 state grant fund moneys.~~

43 ~~(i)(j)~~ "Multi-line telephone system" means a system comprised of

pursuant to K.S.A. 12-5367, and amendments thereto

1 (x) one member representing the Kansas chapter of the association of
2 public safety communications officials.

3 (B) At least two of the members representing PSAPs shall be
4 administrators of a PSAP or have extensive prior 911 experience in
5 Kansas.

6 (3) Other voting members of the 911 coordinating council shall
7 include:

8 (A) One member of the Kansas house of representatives as appointed
9 by the speaker of the house;

10 (B) one member of the Kansas house of representatives as appointed
11 by the minority leader of the house;

12 (C) one member of the Kansas senate as appointed by the senate
13 president; and

14 (D) one member of the Kansas senate as appointed by the senate
15 minority leader.

16 (4) The 911 coordinating council shall also include nonvoting
17 members to be appointed by the governor:

18 (A) One member representing rural telecommunications companies
19 recommended by the ~~Kansas rural independent telephone companies;~~

communications coalition of Kansas

20 (B) one member representing incumbent local exchange carriers with
21 over 50,000 access lines;

22 (C) one member representing large wireless providers;

23 (D) one member representing VoIP providers;

24 (E) one member recommended by the league of Kansas
25 municipalities;

26 (F) one member recommended by the Kansas association of counties;

27 (G) one member recommended by the Kansas geographic
28 information systems policy board;

29 (H) one member recommended by the Kansas office of information
30 technology services;

31 (I) one member, a Kansas resident, recommended by the Mid-
32 America regional council; and

33 (J) two members representing non-traditional PSAPs, one of whom
34 shall be a representative of tribal government.

35 (b) (1) ~~Except as provided in subsection (b)(2) and (b)(3), the terms~~
36 ~~of office for~~ Voting members of the 911 coordinating council shall
37 ~~commence on the effective date of this act and shall be subject to~~
38 ~~reappointment every~~ *serve for a term of* three years. No voting member
39 shall serve longer than two successive three-year terms. A voting member
40 appointed as a replacement for another voting member may finish the term
41 of the predecessor and may serve two additional successive three-year
42 terms.

43 (2) ~~The following members, whose terms began on the effective date~~

1 ~~specific PSAP or county shall be transferred to the 911 operations fund.~~

2 (b) ~~All fees remitted to the LCPA shall be deposited in the 911 state~~
 3 ~~fund and for the purposes of this act be treated as if they are public funds,~~
 4 ~~pursuant to article 14 of chapter 9 of the Kansas Statutes Annotated, and~~
 5 ~~amendments thereto.~~

6 (e) ~~All moneys in the 911 state fund that have been collected from the~~
 7 ~~prepaid wireless 911 fee shall be deposited in the 911 operations fund~~
 8 ~~unless \$3 million of such moneys have been deposited in any given year~~
 9 ~~then all remaining moneys shall be distributed to the counties in an amount~~
 10 ~~proportional to each county's population as a percentage share of the~~
 11 ~~population of the state. If there is more than one PSAP in a county, such~~
 12 ~~moneys shall be distributed to each PSAP in an amount proportional to the~~
 13 ~~PSAP's population as a percentage share of the population of the county. If~~
 14 ~~there is no PSAP within a county, then such moneys shall be distributed to~~
 15 ~~the county. Moneys distributed to counties and PSAPs pursuant to this~~
 16 ~~section only shall be used for the uses authorized in K.S.A. 12-5375, and~~
 17 ~~amendments thereto.~~

18 (d) ~~The state 911 board and the LCPA shall keep accurate accounts of~~
 19 ~~all receipts and disbursements of moneys from the 911 fees.~~

20 (e)(c) ~~Records provided by any provider to the LCPA or to the state~~
 21 ~~911 board pursuant to this act shall be treated as proprietary records and~~
 22 ~~shall be withheld from the public upon request of the provider submitting~~
 23 ~~such records.~~

24 Sec. 26. K.S.A. 12-5375 is hereby amended to read as follows: 12-
 25 5375. (a) (1) ~~The proceeds of the 911 fees imposed pursuant to this act~~
 26 ~~moneys distributed to counties and PSAPs pursuant to K.S.A. 12-5374,~~
 27 ~~and amendments thereto, and any interest earned on revenue derived from~~
 28 ~~such fee moneys, shall be used only for necessary and reasonable costs~~
 29 ~~incurred or to be incurred by counties and PSAPs for:~~

- 30 (1)(A) ~~Implementation of 911 services;~~
- 31 (2)(B) ~~purchase of 911 equipment and upgrades;~~
- 32 (3)(C) ~~maintenance and license fees for 911 equipment;~~
- 33 (4)(D) ~~training of personnel, not to include salaries;~~
- 34 (5)(E) ~~monthly recurring charges billed by service suppliers;~~
- 35 (6)(F) ~~installation, service establishment and nonrecurring start-up~~
 36 ~~charges billed by the service supplier;~~
- 37 (7)(G) ~~charges for capital improvements and equipment or other~~
 38 ~~physical enhancements to the 911 system; or~~
- 39 (8)(H) ~~the original acquisition and installation of road signs designed~~
 40 ~~to aid in the delivery of emergency service.~~

41 (2) ~~Such costs shall not include expenditures to lease, construct,~~
 42 ~~expand, acquire, remodel, renovate, repair, furnish or make improvements~~
 43 ~~to buildings or similar facilities. Such costs shall also not include~~

(3) After each distribution that is made pursuant to this section, the state 911 board or LCPA shall certify to the director of accounts and reports the total amount of unencumbered moneys remaining in the state 911 fund and amount of moneys that could not be attributed to a specific PSAP or county. Upon receipt of such certification, the director of accounts and reports shall transfer such certified amount from the state 911 fund to the state 911 operations fund.