

SENATE BILL No. 284

By Committee on Ways and Means

3-2

1 AN ACT concerning disability services; relating to telecommunications
2 and information access services; establishing the blind information
3 access act; requiring the state librarian to contract with an organization
4 to provide on-demand information access services to persons who are
5 blind, visually impaired, deafblind or print disabled; establishing the
6 blind information access fund; requiring the transfer of moneys from
7 the Kansas universal service fund to provide for such services;
8 amending K.S.A. 66-2010 and repealing the existing section.
9

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

11 New Section 1. (a) This act shall be known and may be cited as the
12 blind information access act.

13 (b) The state librarian shall estimate the cost of entering into a
14 contract with an organization that delivers on-demand information access
15 services to persons who are blind, visually impaired, deafblind, print
16 disabled or who have another disability. Such services shall provide access
17 to digital content through audio, electronic text and braille reading
18 technologies and other related services, including, but not limited to,
19 Kansas specific publications, national publications, international
20 publications, breaking news sources and localized emergency weather
21 alerts. Such on-demand information access services shall be provided
22 using telecommunication services or internet services.

23 (c) On or before ~~January 8, 2024~~ **November 1 of each year**, the state
24 librarian shall submit a report to the legislature **and the state corporation**
25 **commission** that specifies the estimate of the cost to enter into a contract
26 to provide such on-demand information access services:

27 (d) ~~On March 15, 2024, and on March 15 each year thereafter, the~~
28 ~~state librarian~~ **and** shall certify ~~the such~~ cost to enter into or renew such
29 ~~contract~~ to the director of accounts and reports and the administrator of the
30 Kansas universal service fund. Upon receipt of such certification, the **total**
31 amount certified shall be transferred by the administrator of the Kansas
32 universal service fund from the Kansas universal service fund to the state
33 treasurer ~~who shall~~ **in the following calendar year by 12 equal monthly**
34 **installment payments. Upon receipt of each such payment, the state**
35 **treasurer shall deposit such amount in the state treasury and** credit such
36 amount to the blind information access fund.

1 ~~(e)~~(d) Upon receipt of the amount certified pursuant to subsection~~(d)~~
2 (c), the state librarian shall enter into or renew the contract required
3 pursuant to this section.

4 ~~(f)~~(e) There is hereby created in the state treasury the blind
5 information access fund. All moneys credited to the blind information
6 access fund shall be used by the state librarian to implement the provisions
7 of this section. All expenditures from the blind information access fund
8 shall be made in accordance with appropriation acts upon warrants of the
9 director of accounts and reports issued pursuant to vouchers approved by
10 the state librarian or the state librarian's designee.

11 ~~(g)~~(f) The state librarian shall promote the information access
12 services to persons who may be eligible for such services.

13 Sec. 2. K.S.A. 66-2010 is hereby amended to read as follows: 66-
14 2010. (a) The commission shall utilize a competitive bidding process to
15 select a neutral, competent and bonded third party to administer the KUSF.

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

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

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

1 (e) (1) The KUSF administrator shall be responsible to ensure that
2 funds do not fall below the level necessary to pay all amounts collectively
3 owed to all qualifying telecommunications public utilities, wireless
4 telecommunications service providers—and, telecommunications carriers
5 *and the information access services contracted for pursuant to section 1,*
6 *and amendments thereto.* The administrator shall have the authority to
7 retain and invest in a prudent and reasonable manner any excess funds
8 collected in any period to help ensure that adequate funds are available to
9 cover amounts payable in other periods.

10 ~~(2) Subject to the provisions of appropriations acts, for fiscal year~~
11 ~~2013, the KUSF administrator may transfer moneys from the KUSF to the~~
12 ~~state treasurer. Upon the receipt of any payment, the state treasurer shall~~
13 ~~deposit the entire amount in the state treasury and credit it to the KAN-ED~~
14 ~~fund. Any such payments shall be made after all payments required by~~
15 ~~K.S.A. 66-2008, and amendments thereto, for the month are made from~~
16 ~~the KUSF.~~

17 (2) *Upon receipt of the certification from the state librarian issued*
18 *pursuant to section 1, and amendments thereto, the KUSF administrator*
19 *shall transfer the **total** amount of moneys certified by the state librarian*
20 *from the KUSF to the state treasurer **in the following calendar year by 12***
21 ***equal monthly installment payments.** Upon receipt of **each** such payment,*
22 *the state treasurer shall deposit such amount in the state treasury and*
23 *credit-# **such amount** to the blind information access fund.*

24 Sec. 3. K.S.A. 66-2010 is hereby repealed.

25 Sec. 4. This act shall take effect and be in force from and after its
26 publication in the statute book.