

As Amended by House Committee

Session of 2023

HOUSE BILL No. 2429

By Committee on Appropriations

2-16

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

7
8 *Be it enacted by the Legislature of the State of Kansas:*

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

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

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

19 (1) Counseling and mentoring;

20 (2) care coordination for prenatal services, including connecting
21 clients to health programs;

22 (3) providing educational materials and information about pregnancy
23 and parenting;

24 (4) referrals to county and social service programs, including, but not
25 limited to, child care, transportation, housing and state and federal benefit
26 programs;

27 (5) classes on life skills, budgeting, parenting, stress management, job
28 training, job placement and obtaining a GED certificate;

29 (6) providing material items, including, but not limited to, car seats,
30 cribs, maternity clothes, infant diapers and formula; and

31 (7) support groups in maternity homes.

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

34 (1) A pregnant woman;

35 (2) the biological father of an unborn child;

36 (3) the biological or adoptive parent of a child 24 months of age or

1 younger;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

41 (d) To the greatest extent possible, the secretary for children and
42 families shall supplement and match moneys appropriated for the
43 alternatives to abortion public awareness program with federal and other

1 public and private moneys. The secretary shall prioritize such additional
2 moneys to be used preferentially for the alternatives to abortion public
3 awareness program. The secretary shall remit such supplemental and
4 matching moneys to the state treasurer in accordance with K.S.A. 75-4215,
5 and amendments thereto. Such moneys shall be expended for the
6 alternatives to abortion program.

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

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