AN ACT concerning arts industries; creating the Kansas arts commission
and transferring to it certain functions from the Kansas creative arts
industries commission; creating the Kansas arts commission gifts,
grants and bequests fund, the Kansas arts commission special gifts
fund, Kansas arts commission fund and the Kansas arts commission
checkoff fund; amending K.S.A. 74-5207, 74-5208, 74-5209 and 74-
7901 and K.S.A. 2018 Supp. 8-1,161, 75-2269, 75-5072 and 79-3221m
and repealing the existing sections.

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

New Section 1. (a) There is hereby created a Kansas arts commission,
which shall be composed of nine members. The members of the
commission shall include:

(1) Two members appointed by the president of the senate;
(2) one member appointed by the minority leader of the senate;
(3) two members appointed by the speaker of the house of
representatives;
(4) one member appointed by the minority leader of the house of
representatives; and
(5) three members appointed by the governor.

The members of the commission shall be broadly representative of the
major fields of the arts and shall be appointed from among private citizens
who are widely known for having competence and experience in
connection with the arts, or educational or business leaders in the arts field
with an interest in promoting the arts, as well as having knowledge of
community and state interests. In making these appointments, the
appointing authorities shall seek and consider those recommended for
membership by persons or organizations involved in the educational,
business and professional arts fields. Except as provided by subsection (b),
members shall be appointed for terms of three years. Members may not
serve more than two terms and are not eligible for reappointment
following the end of their second term of office. The commission shall
have a chairperson, vice-chairperson, and secretary-treasurer, which
officers shall be designated by the governor from the membership of the
commission. The commission shall meet upon call of the chairperson at
least once each quarter. Meetings may take place in various locations.
across Kansas. Members of the Kansas arts commission attending
meetings of such commission, or attending a subcommittee meeting
thereof authorized by such commission, shall be paid compensation,
subsistence allowances, mileage and other expenses as provided in K.S.A.
75-3223, and amendments thereto. Employment by the state, or any
instrumentality or subdivision of the state, shall not prevent any person
from accepting appointment to and serving on the commission.

(b) Of the members appointed for the initial appointments, three
members shall be appointed for terms of one year, three members shall be
appointed for terms of two years, and three members shall be appointed for
terms of three years, as selected by the governor. Thereafter, members
shall be appointed for terms of three years and until successors are
appointed and qualified.

(c) Nothing in this section shall be construed as prohibiting the
reappointment of members of the commission who had been appointed to
the commission prior to July 1, 2019.

New Sec. 2. (a) The Kansas arts commission shall be the official
agency of the state for the development and coordination of the arts within
the state.

(b) The commission shall support, coordinate, foster and develop the
arts and their practice within this state.

(c) The commission may develop a program or programs of
coordination between the state and any local subdivision of government
within this state, private agencies, organizations, associations, or with the
United States or any agency or instrumentality thereof. The commission
shall fulfill all grant requirements of the federal national endowment for
the arts and shall take all steps necessary to obtain and maintain such
status with the national endowment for the arts conferring full eligibility
for national endowment for the arts grant programs.

(d) The commission may accept funds, artifacts or property from any
person, corporation, association, or from the federal government, or any
agency or instrumentality thereof or from any subdivision of government
of this state, for any purpose relating to the promotion or expansion of the
arts. The commission may sell, transfer, trade, loan or dispose of the
property received by the commission consistent with any lawful conditions
under which such property has been accepted and received by the
commission. The commission shall remit all moneys received by or for it
under this subsection to the state treasurer in accordance with the
provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of
each such remittance, the state treasurer shall deposit the entire amount in
the state treasury to the credit of the Kansas arts commission gifts, grants
and bequests fund, which is hereby created in the state treasury. All
expenditures from the fund shall be made in accordance with appropriation
acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chairperson of the commission or by a person or persons designated by the chairperson.

(e) The commission may accept and receive funds, including funds from the sale of property, real or personal, the acceptance of which is subject to use for a purpose specified by the donor of such funds. The commission shall remit all moneys received by or for it under this subsection to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the Kansas arts commission special gifts fund, which is hereby created in the state treasury. All expenditures from the fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chairperson of the commission or by a person or persons designated by the chairperson.

(f) All moneys, funds and accounts of the commission shall be subject to post audit under article 11 of chapter 46 of the Kansas Statutes Annotated, and amendments thereto. Acceptance of real property by the commission shall be subject to prior approval of the legislature.

(g) The commission may enter into agreement with other states, or with the United States or any agency or instrumentality thereof, having duties or functions similar to the commission, or with private associations or corporations, private or public colleges or universities, any public or private school or individual persons, for any purpose consistent with the objectives and purposes of the commission.

(h) The commission may prepare, promulgate or publish advertising and promotional books, pamphlets and materials relating to the arts, and shall prepare and publish reports or surveys containing information relating to the arts and the activities of the commission or other agencies, public or private, as may be requested by the governor or the legislature.

(i) The commission may formulate, in cooperation with the state board of education, programs furthering the arts in education, including artists-in-residence programs. Such programs shall be designed to foster a greater understanding and knowledge of the arts, to utilize the arts as an intellectual stimulus, to utilize the arts as an aid in dealing with personal and social adjustment problems or learning disabilities and to facilitate and to improve other academic courses or programs by using the arts as an educational tool and medium. The commission may prepare, promulgate or publish information about such programs. Any board of education or the governing body of any other political subdivision, or any agent or employee thereof, may request information on such programs or request to participate in such programs, and such board of education or governing
body may implement such programs within such political subdivision.

(j) The commission may appoint an executive director who shall be in
the unclassified service under the Kansas civil service act and who shall
receive an annual salary fixed by the commission and approved by the
governor. The executive director may appoint other necessary employees
who shall be in the unclassified service or classified service of the Kansas
civil service act as designated by the executive director.

(k) There is hereby created in the state treasury the Kansas arts
commission fund. Subject to appropriation, all moneys deposited in the
fund shall be used solely for the purpose of funding the Kansas arts
commission and shall be sufficient to meet minimum financial matching
requirements of the national endowment for the arts. All expenditures from
the fund shall be made in accordance with appropriation acts upon
warrants of the director of accounts and reports issued pursuant to
vouchers approved by the chairperson of the commission or by a person or
persons designated by the chairperson.

(l) The commission may do any and all other acts or things as may be
deemed necessary and convenient by the commission to foster and
promote the development of the arts in this state. The commission shall
take all acts within the power of the commission to obtain and maintain
minimum financial matching requirements of the national endowment for
the arts and to obtain and maintain membership in the mid-American arts
alliance.

(m) The attorney general shall furnish such legal services as may be
necessary upon receipt of a request from the commission, except that legal
services may be furnished by private counsel in the commission's
discretion.

New Sec. 3. (a) Except as otherwise provided by this section, all of
the powers, duties and functions of the existing Kansas creative arts
industries commission are hereby transferred to, conferred and imposed
upon the Kansas arts commission established by this act. The following
functions shall remain with the Kansas creative arts industries commission
within the department of commerce: Development of strategies on
methods to attract film-making enterprises to the state of Kansas;
assistance to the department of commerce division of business
development in locating and researching locations for possible use by the
movie industry; assistance to students in Kansas in developing film-
making skills; provision of assistance to movie personnel who utilize
Kansas as a location for filming as may be directed by the division;
provision of support at official hospitality functions for the film industry;
participation in trade shows and official functions pertaining to the film
industry; and assistance in the establishment of motion picture ventures
and such related matters as the division deems appropriate.
(b) Except as otherwise provided by subsection (a), the Kansas arts commission established by this act shall be the successor in every way to the powers, duties and functions of the Kansas creative arts industries commission in which the same were vested prior to July 1, 2019. Every act performed in the exercise of such powers, duties and functions by or under the authority of the Kansas arts commission shall be deemed to have the same force and effect as if performed by the Kansas creative arts industries commission in which such powers, duties and functions were vested prior to July 1, 2019.

(c) Except as otherwise provided with respect to the functions identified in subsection (a), whenever the Kansas creative arts industries commission, or words of like effect, are referred to or designated by a statute, contract or other document, such reference or designation shall be deemed to apply to the Kansas arts commission.

(d) Except as otherwise provided by this section, rules and regulations of the Kansas creative arts industries commission in existence on the effective date of this act shall continue to be effective and shall be deemed to be duly adopted rules and regulations of the Kansas arts commission established by this act, until revised, amended, revoked or nullified pursuant to law.

(e) Except as otherwise provided by this section, orders and directives of the Kansas creative arts industries commission in existence on the effective date of this act shall continue to be effective and shall be deemed to be orders and directives of the Kansas arts commission established by this act, until revised, amended, revoked or nullified pursuant to law.

(f) Except with respect to the functions identified in subsection (a), on the effective date of this act, the Kansas arts commission shall succeed to whatever right, title or interest the Kansas creative arts industries commission has acquired in any real property in this state, and the Kansas arts commission shall hold the same for and in the name of the state of Kansas. On and after July 1, 2019, whenever any statute, contract, deed or other document concerns the power or authority of the Kansas creative arts industries commission to acquire, hold or dispose of real property or any interest therein, the Kansas arts commission shall succeed to such power or authority.

(g) On July 1, 2019, all officers and employees who, immediately prior to such date, were engaged in the performance of powers, duties or functions of the Kansas creative industries commission that are transferred by this act, and who, in the opinion of the executive director of the Kansas arts commission, are necessary to perform the powers, duties and functions of the Kansas arts commission, shall be transferred to, and shall become officers and employees of the Kansas arts commission.

(h) Officers and employees of the Kansas creative industries
commission transferred by this act shall retain all retirement benefits and leave balances and rights that had accrued or vested prior to the date of transfer. The service of each such officer and employee so transferred shall be deemed to have been continuous. All transfers, layoffs or abolition of classified service positions under the Kansas civil service act shall be made in accordance with the civil service laws and any rule and regulation adopted thereunder.

(i) For the purposes of K.S.A. 12-2536, and amendments thereto, the Kansas arts commission, instead of the Kansas creative arts industries commission within the department of commerce, shall provide an appointee to serve on the metropolitan culture commission.

Sec. 4. K.S.A. 2018 Supp. 8-1,161 is hereby amended to read as follows: 8-1,161. (a) Any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of not more than 20,000 pounds who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one support Kansas arts license plate for each such passenger vehicle or truck. Such license plates shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and either the payment to the county treasurer of the logo use royalty payment established by the commission or the presentation of the annual logo use authorization statement provided for in subsection (b).

(b) The Kansas creative arts industries commission, created under K.S.A. 74-5207 sections 1 and 2, and amendments thereto, may authorize the use of their logo to be affixed on license plates as provided by this section. Any royalty payment derived from this section shall be credited to the Kansas creative arts industries commission special gifts fund and shall be used in accordance with the provisions of K.S.A. 74-5208 section 2, and amendments thereto. Any motor vehicle owner or lessee may annually apply to the commission for the use of such logo. Upon annual application and payment to either: (1) The commission in an amount of not less than $25 nor more than $100 as a logo use royalty payment for each license plate to be issued, the commission shall issue to the motor vehicle owner or lessee, without further charge, a logo use authorization statement, which shall be presented by the motor vehicle owner or lessee at the time of registration; or (2) the county treasurer of the logo use royalty payment for each license plate to be issued.

(c) Any applicant for a support Kansas arts license plate may make application for such plates not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of motor vehicles, and any applicant for the support Kansas arts license plates shall either provide the annual logo use authorization
statement provided for in subsection (b) or pay to the county treasurer the
logo use royalty payment established by the commission. Application for
registration of a passenger vehicle or truck and issuance of the license
plate under this section shall be made by the owner or lessee in a manner
prescribed by the director of vehicles upon forms furnished by the director.

(d) No registration or support Kansas arts license plate issued under
this section shall be transferable to any other person.

(e) The director of vehicles may transfer support Kansas arts license
plates from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be made annually,
upon payment of the fee prescribed in subsection (a), in the manner
prescribed in subsection (b) of K.S.A. 8-132 (b), and amendments thereto.

No renewal of registration shall be made to any applicant until such
applicant provides to the county treasurer either the annual logo use
authorization statement provided for in subsection (b) or the payment of
the annual logo use royalty payment established by the commission. If
such logo use authorization statement is not presented at the time of
registration or faxed by the commission, or the annual logo use royalty
payment is not made to the county treasurer, the applicant shall be required
to comply with K.S.A. 8-143, and amendments thereto, and return the
support Kansas arts license plate to the county treasurer of such person's
residence.

(g) The Kansas creative arts industries commission shall:

(1) Pay the initial cost of silk-screening for such support Kansas arts
license plates; and

(2) provide to all county treasurers a toll-free telephone number
where applicants can call the Kansas creative arts industries commission
for information concerning the application process or the status of their
license plate application.

(h) The Kansas creative arts industries commission, with the approval
of the director of vehicles and subject to the availability of materials and
equipment, shall design a plate to be issued under the provisions of this
section.

(i) As a condition of receiving the support Kansas arts license plate
and any subsequent registration renewal of such plate, the applicant must
provide consent to the division authorizing the division's release of motor
vehicle record information, including the applicant's name, address,
royalty payment amount, plate number and vehicle type to the Kansas
creative arts industries commission.

(j) Annual royalty payments collected by county treasurers under this
section shall be remitted to the state treasurer in accordance with the
provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of
each such remittance the state treasurer shall deposit the entire amount in
the state treasury to the credit of the Kansas creative arts industries commission special gifts fund.

Sec. 5. K.S.A. 74-5207 is hereby amended to read as follows: 74-5207. (a) There is hereby created within the department of commerce the Kansas creative arts industries commission to measure, promote, support and expand the creative film and movie industries to drive the Kansas economy, grow jobs and enhance the quality of life for all Kansans.

(b) (1) The commission shall consist of 11 members, serving for terms of three years. Members may be reappointed to a term of three years. Members may not serve more than two terms and are not eligible for reappointment following the end of such member's second term of office. There shall always be at least one member from each congressional district. The members of the commission shall include: Two members appointed by the president of the senate; one member appointed by the minority leader of the senate; two members appointed by the speaker of the house of representatives; one member appointed by the minority leader of the house of representatives; and five members appointed by the governor. All members appointed by the governor shall be appointed for terms of three years, except that, in the initial appointment, three of the members shall be appointed for two-year terms and two shall be appointed for three-year terms. The governor shall designate the term for which that each of the members first appointed shall serve. The commission shall convene annually by the 20th day of the legislative session and elect a chairperson and a vice-chairperson from among its members.

(2) The members of the commission shall be broadly representative of the major fields of the arts and related creative industries and shall be appointed from among private citizens who are widely known for having competence and experience in connection with the arts film and related creative industries or business leaders with an interest in promoting the arts film and the creative movie industries, as well as having knowledge of community and state interests. In making these appointments, the appointing authorities shall seek and consider those recommended for membership by persons or organizations involved in civic, educational, business, labor, professional, cultural, ethnic or performing and creative arts or film and movie fields.

(c) The commission shall meet on the call of the chair, but not less than four times during each calendar year. Six members of the commission shall constitute a quorum. Meetings may take place in various locations across Kansas. Members of the commission attending meetings of such division, or attending a subcommittee meeting thereof, authorized by such division, shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3223, and amendments thereto. Employment by the state, or any instrumentality or subdivision of the
state, shall not prevent any person from accepting appointment to and
serving on the advisory board.

Sec. 6. K.S.A. 74-5208 is hereby amended to read as follows: 74-
5208. (a) There is hereby created in the state treasury the creative
industries fund. Moneys from the following sources shall be credited to the
fund:
1. Moneys appropriated to the fund by the legislature; and
2. any gifts, grants or donations from private or public sources that
the commission is hereby authorized to accept. No moneys from gifts,
grants and donations shall be spent for any purpose other than—arts-
programs to further the film and movie industries in Kansas that the
commission has authorized.

(b) All payments and disbursements from the fund shall be made in
accordance with appropriation acts upon warrants of the director of
accounts and reports issued pursuant to vouchers approved by the director
or by a person or persons designated by the director.

Sec. 7. K.S.A. 74-5209 is hereby amended to read as follows: 74-
5209. (a) The commission shall be the official agency of the state for the
development and coordination of the film arts within the state and
employment development in the creative arts film and movie industries.
The commission shall promote, support, coordinate, foster, develop and
measure the outcomes of the such arts, their practice and their impact on
employment development within this state and shall have the power to:
1. Appoint such advisory committees as it deems advisable and
necessary to effectuate the provisions of this act;
2. accept, on behalf of the state of Kansas, and expend any federal
funds granted by act of congress or by executive order for all or any
purpose of the commission, except that the commission may expend such
funds only upon appropriation by the legislature if the federal funds
require matching state contributions or capital outlay or create a
commitment for future state spending;
3. accept any gifts, grants, donations or bequests for all or any of the
purposes of the commission, including funds from the sale of real or
personal property;
4. propose methods and processes to encourage private and public
initiatives that recognize and enhance the role that the arts play in creative
industries;
5. prepare, promulgate or publish advertising and promotional
books, pamphlets and materials consistent with the purposes of this act,
and prepare and publish reports or surveys containing information relating
to the arts film and movies and the activities of the commission or other
agencies, public or private, as may be requested by the governor or the
legislature;
(6) advise and consult with national foundations and other local, state-
and federal departments and agencies on methods by which to coordinate
and assist existing resources and facilities to foster artistic and cultural-
endeavors toward the use of the arts, both nationally and internationally, in
the best interest of Kansas;
(7) enter into agreement with other states, or with the United States
or any agency or instrumentality thereof, having duties or functions similar
to the commission, or with private associations or corporations, or with
private or public colleges or universities, or with any public or private
school, or with individual persons for any purpose consistent with the
objectives and purposes of this act;
(8) undertake any and all other acts or things as may be deemed
necessary and convenient by the commission to foster and promote the
development of the film and movie industry in this state;
(9) promote employment development within the creative film and
movie industries; and
(10) adopt rules and regulations as may be necessary to effectuate
the provisions of this act.
(b) The duties of the commission shall include:
(1) To stimulate and encourage throughout the state the study and
development of the arts film and movie industry, as well as public interest
and participation therein;
(2) to take such steps as may be necessary and appropriate to
encourage public interest in the cultural heritage of the state of Kansas and
to expand the state's cultural resources;
(3) to encourage and assist freedom of artistic expression essential for
the well-being of the arts;
(4) to assist the communities and organizations within the state in
originating and creating their own cultural and artistic programs;
(5) to make such surveys as may be deemed advisable of public and
private institutions engaged within the state in artistic and cultural
activities, including, but not limited to, humanities, music, theater, dance,
painting, sculpture, photography, architecture and allied arts and crafts and
to make recommendations concerning the appropriate methods to
encourage participation in and appreciation of the arts in order to meet the
legitimate needs and aspirations of persons in all parts of the state;
(6) to develop strategies on methods to attract film making enterprises
to the state of Kansas; assist the division of business development in the
locating and researching of locations for possible use by the movie
industry; assist students in Kansas in developing film making skills;
provide assistance to movie personnel who utilize Kansas as a location for
filming as may be directed by the division; provide support at official
hospitality functions for the film industry; participate in trade show and
official functions pertaining to the film industry; and assist in the
establishment of motion picture ventures and such related matters as the
commission deems appropriate;

(7) to formulate, in cooperation with the state board of education,
programs furthering the arts in education, including artists in residence
programs. Such programs shall be designed to foster a greater
understanding and knowledge of the arts, to utilize the arts as an
intellectual stimulus, to utilize the arts as an aid in dealing with personal
and social adjustment problems or learning disabilities and to facilitate and
to improve other academic courses or programs by using the arts as an
educational tool and medium. The commission shall disseminate
information about such programs. Any board of education or the governing
body of any other political subdivision, or any agent or employee thereof,
may request information on such programs or request to participate in such
programs, and such board of education or governing body may implement
such programs with such political subdivision;

(9)(3) to develop metrics showing the impact of the creative film and
movie industries on employment development; and

(9)(4) to submit a report of the commission's recommendations not
later than February 1 of each calendar year to the governor, the secretary
of commerce and the legislature.

(c) The department of commerce shall provide staff consisting of a
director and other assistance as may be required by the commission in the
performance of its duties. The secretary of revenue shall provide any
data relevant in measuring the economic outcomes of arts programs to
the commission.

Sec. 8. K.S.A. 74-7901 is hereby amended to read as follows: 74-
7901. There is hereby created a Kansas wildlife arts council, which shall
be composed of five members. One member shall be a member of the
Kansas wildlife, parks and tourism commission appointed by such
commission, one member shall be a member of the Kansas creative arts
industries commission appointed by such commission, one member shall
be the director of the Fort Hays state university Sternberg museum, and
two members shall be from the public at large appointed by the president
of Fort Hays state university. The director of the Fort Hays state university
Sternberg museum shall be chairperson of the council, and personnel of
the Fort Hays state university Sternberg museum shall provide such staff
and clerical services as the council may require.

Sec. 9. K.S.A. 2018 Supp. 75-2269 is hereby amended to read as
follows: 75-2269. (a) There is hereby created a capitol preservation
committee, which will include the membership of the following:

(1) The statehouse architect;

(2) the executive director of the state historical society;
(3) the executive director of the Kansas Creative Arts Industries Commission;

(4) three members appointed by the governor;

(5) two members appointed by the president of the senate and one member appointed by the minority leader of the senate; and

(6) two members appointed by the speaker of the house of representatives and one member appointed by the minority leader of the house of representatives.

The governor shall appoint the chair of the committee. The committee shall meet at least annually and more often upon call of the chairperson, but no more than four meetings shall be called in any year.

(b) Of the members first appointed to the committee, the following term lengths shall apply:

(1) Two members appointed by the governor shall serve two-year terms, and one member appointed by the governor shall serve a one-year term;

(2) the members appointed by the minority leaders of the senate and the house of representatives shall each serve two-year terms; and

(3) the members appointed by the president of the senate and the speaker of the house of representatives shall each serve one-year terms.

Successors to such members shall serve two-year terms.

(c) The committee shall have the following responsibilities:

(1) On or after January 1, 2013, approve all proposals for renovation of all areas of the state capitol, the capitol's visitor center and the grounds surrounding the state capitol to insure that the historical beauty of the areas are preserved;

(2) preserve the proper decor of such areas;

(3) assure that any art or artistic displays are historically accurate and have historic significance;

(4) the location and types of temporary displays and revolving displays in the state capitol including the visitor center; and

(5) oversee the reconfiguration or redecoration of committee rooms within the statehouse.

Implementation of the recommendations of the committee shall be the responsibility of the division of legislative administrative services.

(d) Any permanent displays or monuments proposed to be located on the state capitol grounds must be approved by the committee and authorized by the passage of a bill of the state legislature.

(e) The capitol preservation committee shall annually submit to the governor and the legislature a report of its activities and recommendations.

(f) Members of the committee attending meetings of the committee, or attending a subcommittee meeting thereof authorized by the committee, shall be paid compensation, subsistence allowances, mileage and other
expenses as provided in K.S.A. 75-3223, and amendments thereto, however full-time state employees serving on the committee shall not receive such compensation.

(g) The staff of the legislative research department, the office of the revisor of statutes and the division of legislative administrative services shall provide such assistance as may be requested by the committee and to the extent authorized by the legislative coordinating council.

(h) Committee members may engage in or encourage fund raising activities for the limited purpose of funding committee responsibilities as described in subsection (e).

(i) No member of the committee shall hold a fiduciary interest, either directly or indirectly, in any contract relating to the committee responsibilities as described in subsection (c).

Sec. 10. K.S.A. 2018 Supp. 75-5072 is hereby amended to read as follows: 75-5072. (a) As used in this section:

(1) "Qualified hometown" means a city or unincorporated community that is a governor's hometown as defined by this section and which that has satisfied the requirements of this section; and

(2) "governor's hometown" means the city or unincorporated community listed in the election records of the secretary of state as the residence of a successful candidate for governor of the state of Kansas the first time such candidate was elected governor.

(b) For all qualified hometowns, the secretary of the Kansas department of transportation shall install governor's hometown signs at all appropriate locations near the city limits of a city or the edges of an unincorporated community.

The secretary of transportation shall install such governors' hometown signs only if:

(1) The governing body of the city or the board of county commissioners for the unincorporated community has adopted a resolution requesting the installation of such signs;

(2) the city or unincorporated community is located on a highway which that is part of the state highway system; and

(3) the secretary has received sufficient moneys from gifts and donations to reimburse the secretary for the initial cost of installing such signs and an additional 50% of the initial cost to defray future maintenance or replacement costs of such signs.

The secretary of transportation may accept and administer gifts and donations to aid in obtaining and installing governors' hometown signs.

(c) The secretary of transportation, or the secretary's designee, shall design the governors' hometown signs. The size, shape, color, design and content of such signs shall be distinctive and shall be determined by the secretary of transportation, except that such signs shall include: (1) The
name of the city or unincorporated community; (2) the governor's hometown logo; and (3) an indication that such city or unincorporated community is the hometown of one or more governors of Kansas, the name of each governor of Kansas whose hometown is such city or unincorporated community, the numerical designation of each such governor in the succession of governors of Kansas and the years each such governor served as governor of Kansas.

(d) The secretary of commerce, or the secretary's designee, shall conduct a competition for the design of the governor's hometown logo. The logo shall include a representation of the dome of the state capitol building. In organizing and conducting such competition, the secretary of commerce shall consult with and cooperate with the executive director of the state historical society, the executive director of the Kansas creative arts industries commission, Kansas humanities council and such other agencies, persons or organizations as the secretary finds appropriate.

(e) The governing body of any city or the board of county commissioners for any unincorporated community, not located on a highway which is part of the state highway system, may request a governor's hometown sign from the secretary of transportation which meets the design specifications of subsection (c). Such city or unincorporated community shall reimburse the secretary for the cost of such sign and shall be responsible for the installation, repair, maintenance or replacement of such sign.

(f) (1) The governing body of any city or the board of county commissioners for any unincorporated community which was a territorial capital of Kansas, may request a territorial governor's sign from the secretary of transportation, subject to the same procedure, conditions and limitations contained in subsections (b) and (e).

(2) The secretary of transportation, or the secretary's designee, shall design the territorial governor's signs. The size, shape, color, design and content of such signs shall be distinctive and shall be determined by the secretary of transportation, except that such signs shall include: (1) The name of the city or unincorporated community; and (2) an indication that such city or unincorporated community was a territorial capital of Kansas, the name of each territorial governor of Kansas who served in such territorial capital, the numerical designation of each such governor in the succession of governors of Kansas and the years each such governor served as territorial governor of Kansas.

Sec. 11. K.S.A. 2018 Supp. 79-3221m is hereby amended to read as follows:

79-3221m. (a) For the taxable years commencing—after on December 31, 2012, and ending on December 31, 2018, each Kansas state individual income tax return form shall contain a designation as follows:

Kansas Creative Arts Industries Commission Checkoff Fund. Check if
you wish to donate, in addition to your tax liability, or designate from your refund, _____$1, _____$5, _____$10 or $_____.

(b) The director of taxation of the department of revenue shall determine annually the total amount designated for contribution to the Kansas creative arts industries commission checkoff fund pursuant to subsection (a) and shall report such amount to the state treasurer who shall credit the entire amount thereof to the Kansas creative arts industries commission checkoff fund, which fund is hereby established in the state treasury. All moneys deposited in such fund shall be used solely for the purpose of funding the Kansas creative arts industries commission. In the case where donations are made pursuant to subsection (a), the director shall remit the entire amount thereof to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of such fund. All expenditures from such fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chairperson of the Kansas creative arts industries commission.

(c) For the taxable years commencing after December 31, 2018, each Kansas state individual income tax return form shall contain a designation as follows:

    Kansas Arts Commission Checkoff Fund. Check if you wish to donate, in addition to your tax liability, or designate from your refund, _____$1, _____$5, _____$10 or $_____.

(d) The director of taxation of the department of revenue shall determine annually the total amount designated for contribution to the Kansas arts commission checkoff fund pursuant to subsection (c) and shall report such amount to the state treasurer who shall credit the entire amount thereof to the Kansas arts commission checkoff fund, which fund is hereby established in the state treasury. All moneys deposited in such fund shall be used solely for the purpose of funding the Kansas arts commission. In the case where donations are made pursuant to subsection (c), the director shall remit the entire amount thereof to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of such fund. All expenditures from such fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chairperson of the Kansas arts commission.

(e) On July 1, 2019, the director of accounts and reports shall transfer all moneys in the Kansas creative arts industries commission
checkoff fund to the Kansas arts commission checkoff fund. On July 1, 2019, all liabilities of the Kansas creative arts industries commission checkoff fund are hereby transferred to and imposed on the Kansas arts commission checkoff fund and the Kansas creative arts industries commission checkoff fund is hereby abolished.

Sec. 12. K.S.A. 74-5207, 74-5208, 74-5209 and 74-7901 and K.S.A. 2018 Supp. 8-1,161, 75-2269, 75-5072 and 79-3221m are hereby repealed.

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