

SENATE BILL No. 552

By Committee on Ways and Means

3-14

Proposed amendment to SB 552
Senate Committee on Ways and Means
March 21, 2024
Prepared by Office of Revisor of Statutes

1 AN ACT concerning the state board of regents; enacting the Kansas
2 campus restoration act; relating to deferred maintenance and demolition
3 of facilities at postsecondary educational institutions; authorizing the
4 board to adopt rules and regulations; establishing the Kansas campus
5 restoration fund in the state treasury; authorizing certain transfers from
6 the state general fund to the Kansas campus restoration fund; requiring
7 annual reports be submitted to certain committees of the legislature.

; amending K.S.A. 74-3201b and repealing the existing section

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

10 **New** Section 1. (a) The provisions of sections 1 through 8, and
11 amendments thereto, shall be known and may be cited as the Kansas
12 campus restoration act.

13 (b) The purpose of the Kansas campus restoration act is to reduce
14 deferred maintenance of educational mission-critical facilities at
15 postsecondary educational institutions, to bring such facilities to a state of
16 good repair and to provide for the demolition or razing of facilities at state
17 educational institutions that are no longer mission-critical.

18 (c) As used in the Kansas campus restoration act:

19 (1) "Board of regents" means the same as defined in K.S.A. 76-711,
20 and amendments thereto.

21 (2) "Fund" means the Kansas campus restoration fund established in
22 section 2, and amendments thereto.

23 (3) "Postsecondary educational institution" means the same as
24 defined in K.S.A. 74-3201b, and amendments thereto.

25 (4) "State educational institution" means the same as defined in
26 K.S.A. 76-711, and amendments thereto.

27 **New** Sec. 2. (a) There is hereby established in the state treasury the Kansas
28 campus restoration fund. The Kansas campus restoration fund shall be
29 administered by the board of regents. All expenditures from the fund shall
30 be made in accordance with appropriation acts upon warrants of the
31 director of accounts and reports issued pursuant to vouchers approved by
32 the board of regents or by a person or persons designated by the board of
33 regents.

34 (b) A deferred maintenance account of the fund shall be established
35 for each postsecondary educational institution for the purpose of making
36 capital improvement expenditures from the fund.

1 (c) (1) Except as provided in paragraphs (2) and (3), all expenditures
2 from the fund shall require a match of nonstate moneys on a \$1-for-\$1
3 basis from either the postsecondary educational institution or private
4 moneys.

5 (2) Expenditures from the fund for a community college, technical
6 college or municipal university shall not require a match. , institute of technology

7 (3) Expenditures from the fund from a state educational institution's
8 deferred maintenance account for demolition or razing of buildings or
9 facilities on the campus of such state educational institution shall not
10 require a match.

11 (d) On or before the 10th day of each month, the director of accounts
12 and reports shall transfer from the state general fund to the Kansas campus
13 restoration fund interest earnings based on:

14 (1) The average daily balance of moneys in the Kansas campus
15 restoration fund for the preceding month; and

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

18 **New** Sec. 3. On July 1, 2025, July 1, 2026, July 1, 2027, July 1, 2028, July
19 1, 2029, July 1, 2030, July 1, 2031, July 1, 2032, July 1, 2033, July 1,
20 2034, and July 1, 2035, or as soon thereafter each such date as moneys are
21 available, the director of accounts and reports shall transfer \$32,700,000
22 from the state general fund to the Kansas campus restoration fund.

23 **New** Sec. 4. (a) Each postsecondary educational institution shall develop
24 and submit to the board of regents a plan for the purpose of rehabilitating,
25 remodeling or renovating existing facilities or building new facilities that
26 are mission-critical of such postsecondary educational institution and to
27 bring such facilities to a state of good repair. Such plan shall also include a
28 list of facilities for demolition or razing. Each postsecondary educational
29 institution's plan shall be subject to approval by the board of regents.

30 (b) The board of regents shall develop a comprehensive Kansas
31 campus restoration plan that includes facilities from each postsecondary
32 educational institution's plan as approved by the board of regents.

33 (c) The board of regents shall ensure that facilities located on the
34 Kansas state university polytechnic campus in Salina, Kansas, and the
35 university of Kansas Edwards campus in Overland Park, Kansas, are not
36 excluded from direct participation in the Kansas campus restoration plan.

37 (d) The Kansas campus restoration plan shall encourage, and the
38 board of regents may require, a reduction of total campus square footage in
39 a project associated with such plan.

40 **New** Sec. 5. (a) Commencing in fiscal year 2026 through fiscal year 2036,
41 the board of regents shall distribute in each fiscal year an aggregate
42 amount of \$30,000,000 from the Kansas campus restoration fund to each
43 state educational institution's deferred maintenance account established

1 pursuant to section 2, and amendments thereto, in accordance with the
2 Kansas campus restoration plan developed and approved pursuant to
3 section 4, and amendments thereto.

4 (b) Commencing in fiscal year 2026 through fiscal year 2036, the
5 board of regents shall credit \$100,000 in each fiscal year from the Kansas
6 campus restoration fund to each community college, technical college and
7 municipal university account established pursuant to section 2, and
8 amendments thereto.

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9 **New** Sec. 6. The board of regents is hereby authorized to adopt rules and
10 regulations necessary to implement and administer the provisions of the
11 Kansas campus restoration act and shall adopt rules and regulations to
12 define:

13 (a) "Educational mission-critical facilities." Such definition may
14 include, but not be limited to, any facility of a research or economic
15 generation capacity that the board of regents deems essential. Such
16 definition shall not include auxiliary or athletic-funded facilities; and

17 (b) "state of good repair." Such definition shall be of an industry
18 standard and shall be presented to the joint committee on state building
19 construction for review and comment.

20 **New** Sec. 7. The board of regents shall submit a report annually on or
21 before the first day of the regular session of the legislature on the progress
22 of the Kansas campus restoration plan to the senate committee on ways
23 and means, the house of representatives committee on appropriations, the
24 house of representatives higher education budget committee and the joint
25 committee on state building construction.

26 **New** Sec. 8. The provisions of sections 1 through 8, and amendments
27 thereto, shall expire on July 1, 2036.

28 Sec. 9. This act shall take effect and be in force from and after its
29 publication in the statute book.

K.S.A. 74-3201b is hereby amended to read as follows: 74-3201b. As used in the Kansas higher education coordination act:
(a) "Adult basic education program" and "adult supplementary education program" have the meanings respectively ascribed thereto in K.S.A. 74-32,253, and amendments thereto.
(b) "Community college" means any community college established under the laws of this state.
(c) "Institute of technology" or "Washburn institute of technology" means the institute of technology at Washburn university.
(d) "Municipal university" means Washburn university of Topeka or any other municipal university established under the laws of this state.
(e) "Postsecondary educational institution" means any public university, municipal university, community college and technical college and institute of technology, and includes any entity resulting from the consolidation or affiliation of any two or more of such postsecondary educational institutions.
(f) "Private postsecondary educational institution" and "out-of-state postsecondary educational institution" have the meanings ascribed thereto in K.S.A. 74-32,163, and amendments thereto.
(g) "Public university" means any state educational institution.
(h) "Representative of a postsecondary educational institution" means any person who is the holder of an associate degree, a bachelor's degree, or a certificate of completion awarded by a postsecondary educational institution.
(i) "State board of regents" or "state board" means the state board of regents provided for in the constitution of this state and established by K.S.A. 74-3202a, and amendments thereto, except as otherwise specifically provided in this act.
(j) "State educational institution" means any state educational institution, as defined in K.S.A. 76-711, and amendments thereto.
(k) "Technical college" means any technical college established under the laws of this state.
Sec. 10. K.S.A. 74-3201b is hereby repealed.

Renumbering remaining sections accordingly