SENATE BILL No. 275

By Committee on Ways and Means

AN ACT concerning the state gaming revenues fund; changing the total amount credited to such fund; increasing the transfer of moneys from such fund to the correctional institutions building fund; decreasing the transfer of moneys from such fund to the state economic development initiatives fund; amending K.S.A. 79-4801 and 79-4803 and K.S.A. 2022 Supp. 79-4804 and repealing the existing sections.

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

Section 1. K.S.A. 79-4801 is hereby amended to read as follows: 79-4801. There is hereby created the state gaming revenues fund in the state treasury. All moneys credited to such fund shall be expended or transferred only for the purposes and in the manner provided by this act and all expenditures from the state gaming revenues fund shall be made in accordance with appropriation acts. All moneys credited to such fund shall be allocated and credited monthly to the funds and in the amounts specified by this act except that the total of the amounts credited to such funds in any one fiscal year pursuant to this act shall not exceed $50,000,000, except that the total of the amounts credited to such funds for fiscal years 2009 and 2010, pursuant to this act shall not exceed $48,059,846 $60,000,000. All amounts credited to such fund in any one fiscal year which are in excess of $50,000,000 $60,000,000 shall be transferred and credited to the state general fund on July 15, 1996, and June 25, 1997, and each year thereafter on June 25, except that: (a) All amounts credited to the state gaming revenues fund in fiscal year 2009 which are in excess of $48,059,846 shall be transferred and credited to the state general fund on July 15, 2009, and shall be recorded and accounted for as receipts to the state general fund for fiscal year 2009; (b) all amounts credited to the state gaming revenues fund in fiscal year 2010 which are in excess of $48,059,846 shall be transferred and credited to the state general fund on June 15, 2010, and shall be recorded and accounted for as receipts to the state general fund for fiscal year 2010; and (c) all amounts credited to the state gaming revenues fund in fiscal year 2011 which are in excess of $50,000,000 shall be transferred and credited to the state general fund on June 15, 2011, and shall be recorded and accounted for as receipts to the state general fund for fiscal year 2011 of each fiscal year.
Sec. 2. K.S.A. 79-4803 is hereby amended to read as follows: 79-
4803. (a) After the transfer of moneys pursuant to K.S.A. 79-4806, and
amendments thereto:

(1) An amount equal to 10% of the balance of all moneys credited to the state gaming revenues fund shall be transferred and credited to the correctional institutions building fund created pursuant to K.S.A. 76-6b09, and amendments thereto, to be appropriated by the legislature for the use and benefit of state correctional institutions as provided in K.S.A. 76-6b09, and amendments thereto; and

(2) an amount equal to 5% of the balance of all moneys credited to the state gaming revenues fund shall be transferred and credited to the juvenile alternatives to detention fund.

(b) There is hereby created in the state treasury the juvenile alternatives to detention fund which shall be administered by the commissioner of juvenile justice. The Kansas advisory group on juvenile justice and delinquency prevention shall review and make recommendations concerning the administration of the fund. All expenditures from the juvenile alternatives to detention fund shall be for the development and operation of community-based alternatives to detention in accordance with a grant program which shall be established with grant criteria designed by the secretary of corrections to facilitate the expeditious award and payment of grants for the purposes for which the moneys are intended. The secretary shall make grants of the moneys credited to the juvenile alternatives to detention fund for such purposes to counties in accordance with such grant program. All expenditures from the juvenile alternatives to detention 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 secretary or the secretary's designee.

(c) On or before the 10th day of each month, the director of accounts and reports shall transfer from the state general fund to the juvenile alternatives to detention fund interest earnings based on:

(1) The average daily balance of moneys in the juvenile alternatives to detention fund for the preceding month; and

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

Sec. 3. K.S.A. 2022 Supp. 79-4804 is hereby amended to read as follows: 79-4804. (a) After the transfer of moneys pursuant to K.S.A. 79-4806, and amendments thereto, an amount equal to 75% of the balance of all moneys credited to the state gaming revenues fund shall be transferred and credited to the state economic development initiatives fund. Expenditures from the state economic development initiatives fund shall be made in accordance with appropriations acts for the financing of
such programs supporting and enhancing the existing economic foundation
of the state and fostering growth through the expansion of current, and the
establishment and attraction of new, commercial and industrial enterprises
as provided by this section and as may be authorized by law and not less
than \( \frac{1}{2} \) of such money shall be distributed equally among the
congressional districts of the state. Except as provided by subsection (g),
all moneys credited to the state economic development initiatives fund
shall be credited within the fund, as provided by law, to an account or
accounts of the fund, which that are created by this section or for state-
fiscal years 2022, 2023 and 2024, to an account or accounts of the fund
created by appropriation acts.

(b) There is hereby created the Kansas capital formation account in
the state economic development initiatives fund. All moneys credited to
the Kansas capital formation account shall be used to provide, encourage
and implement capital development and formation in Kansas.

(c) There is hereby created the Kansas economic development
research and development account in the state economic development
initiatives fund. All moneys credited to the Kansas economic development
research and development account shall be used to promote, encourage
and implement research and development programs and activities in
Kansas and technical assistance funded through state educational
institutions under the supervision and control of the state board of regents
or other Kansas colleges and universities.

(d) There is hereby created the Kansas economic development
endowment account in the state economic development initiatives fund.
All moneys credited to the Kansas economic development endowment
account shall be accumulated and invested as provided in this section to
provide an ongoing source of funds, which shall be used for economic
development activities in Kansas, including, but not limited to, continuing
appropriations or demand transfers for programs and projects, which shall
include, but are not limited to, specific community infrastructure projects
in Kansas that stimulate economic growth.

(e) Except as provided in subsection (f), the director of investments
may invest and reinvest moneys credited to the state economic
development initiatives fund in accordance with investment policies
established by the pooled money investment board under K.S.A. 75-4232,
and amendments thereto, in the pooled money investment portfolio. All
moneys received as interest earned by the investment of the moneys
credited to the state economic development initiatives fund shall be
deposited in the state treasury and credited to the Kansas economic
development endowment account of such fund.

(f) Moneys credited to the Kansas economic development
endowment account of the state economic development initiatives fund
may be invested in government guaranteed loans and debentures as
provided by law in addition to the investments authorized by subsection
(e) or in lieu of such investments. All moneys received as interest earned
by the investment under this subsection of the moneys credited to the
Kansas economic development endowment account shall be deposited in
the state treasury and credited to the Kansas economic development
endowment account of the state economic development initiatives fund.

(g) Except as provided further, in each fiscal year, the director of
accounts and reports shall make transfers in equal amounts on July 15 and
January 15 that in the aggregate equal $2,000,000 from the state economic
development initiatives fund to the state water plan fund created by K.S.A.
82a-951, and amendments thereto. In state fiscal year 2022, the director of
accounts and reports shall make transfers in equal amounts on July 15 and
January 15 that in the aggregate equal $1,719,264 from the state economic
development initiatives fund to the state water plan fund. No other moneys
credited to the state economic development initiatives fund shall be used
for: (1) Water-related projects or programs, or related technical assistance;
or (2) any other projects or programs, or related technical assistance that
meet one or more of the long-range goals, objectives and considerations
set forth in the state water resource planning act.

Sec. 4. K.S.A. 79-4801 and 79-4803 and K.S.A. 2022 Supp. 79-4804
are hereby repealed.

Sec. 5. This act shall take effect and be in force from and after its
publication in the statute book.