

SESSION OF 2018

**CONFERENCE COMMITTEE REPORT BRIEF
HOUSE BILL NO. 2438**

As Agreed to May 3, 2018

Brief*

HB 2438 would create a one-time audit of the budget and expenditures of the 911 Coordinating Council (Council) to be conducted by the Legislative Division of Post Audit (LPA) on or before December 31, 2018.

[*Note:* Language identical to this conference committee agreement, except for the effective date, was already passed by both chambers in the Conference Committee report on SB 260.]

LPA would be required to examine the following:

- Annual expenses and financial needs, including personnel;
- Total annual operating expenses included in the 2.5 percent cap on expenditures;
- Current and projected contractual expenses;
- Expenditures and distribution of moneys from the 911 State Grant Fund; and
- Whether the moneys expended by the Council are being used pursuant to the Kansas 911 Act.

The Post Auditor conducting the audit would be required to compute the anticipated costs of the audit, subject to

*Conference committee report briefs are prepared by the Legislative Research Department and do not express legislative intent. No summary is prepared when the report is an agreement to disagree. Conference committee report briefs may be accessed on the Internet at <http://www.kslegislature.org/kldr>

review and approval by the Contract Audit Committee. Once approved, LPA would be reimbursed from the 911 State Grant Fund.

The bill would require the audit report to be submitted to the 911 Coordinating Council; the House Committee on Energy, Utilities and Telecommunications; and the Senate Committee on Utilities.

Repealer. The bill would also amend the repealer for 2018 HB 2435, also on the 911 Coordinating Council, by repealing KSA 12-5377 to reconcile the effective date of the two bills.

Effective date. The bill would be in effect upon publication in the *Kansas Register*.

Conference Committee Action

The Conference Committee agreed to amend the provisions of SB 260, as passed by both the House Committee of the Whole and the Senate Committee of the Whole, by removing the section of the bill concerning the 911 Coordinating Council audit and inserting the contents into HB 2438 on May 3, 2018, and amending the effective date to be in effect upon publication in the *Kansas Register*.

The Conference Committee also agreed to amend the repealer for 2018 HB 2435 by repealing KSA 12-5377 to reconcile the effective date of publication in the statute book.

[*Note:* The contents of HB 2438, as introduced, were placed into SB 260.]

Background

The provisions concerning the 911 Coordinating Council audit were introduced as an amendment for SB 260 by the

Conference Committee and were not included in any other bill.

HB 2438

The bill was prefiled for introduction on December 21, 2017, at the request of the Legislative Post Audit Committee. In the House Committee on Federal and State Affairs hearing, the Post Auditor provided neutral testimony on the bill. The Post Auditor stated his belief that the bill represents good project management practices. No other testimony was provided.

According to the fiscal note prepared by the Division of the Budget on HB 2438, the Department for Children and Families, the Kansas Department of Health and Environment, the Kansas Department of Agriculture, and the Kansas Department of Transportation all indicate the bill would have no fiscal effect, as these agencies have no plans to implement information technology projects with costs exceeding \$5.0 million in FY 2018 or FY 2019. The Office of Information Technology Services indicates the bill could have a fiscal effect on the agency, but any fiscal effect cannot be estimated.

911 Coordinating Council; Legislative Division of Post Audit; audit

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