

SENATE BILL No. 275

AN ACT concerning the secretary of state; relating to fees for certain publications provided by the secretary of state; amending K.S.A. 2005 Supp. 45-107, 75-436, 77-430 and 77-431 and repealing the existing sections.

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

Section 1. K.S.A. 2005 Supp. 45-107 is hereby amended to read as follows: 45-107. (a) The secretary of state shall sell copies of the session laws at the per volume price for such copies fixed by the secretary of state under this section. The secretary of state shall remit all moneys received under this section 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 ~~state general information and services fee~~ fund *of the secretary of state*.

(b) Whenever the inventory of copies of any volume of the session laws exceeds 100 and a later volume of the session laws has been published, the secretary of state may dispose of copies of such volume without making a charge therefor until the inventory of such volume is reduced to 100 copies. When the inventory of any volume of the session laws is 100 copies or less, the secretary of state, with the approval of the revisor of statutes, may dispose of copies from such inventory without making a charge therefor.

(c) The secretary of state shall fix by rules and regulations the per volume price for copies of the session laws sold under this section to recover the costs of printing, binding and storing such volumes. The secretary of state shall revise all such prices from time to time as necessary for the purposes of covering and recovering such costs.

Sec. 2. K.S.A. 2005 Supp. 75-436 is hereby amended to read as follows: 75-436. (a) The secretary of state shall fix, charge and collect fees to recover the costs of delivery, including postage and handling, which are incurred in connection with the sale of volumes of the session laws, volumes and sets of the Kansas Statutes Annotated, including the cumulative supplements thereto, volumes of the permanent journals of the senate and house of representatives and volumes and sets of the Kansas administrative regulations, including the annual supplements thereto. All such fees shall be fixed by rules and regulations adopted by the secretary of state.

(b) The secretary of state shall remit all moneys received from fees and charges under this section 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 ~~state general information and services fee~~ fund *of the secretary of state*.

Sec. 3. K.S.A. 2005 Supp. 77-430 is hereby amended to read as follows: 77-430. (a) The Kansas administrative regulations shall be printed by the director of printing and delivered to the secretary of state who shall dispose of them as follows:

First, the secretary of state shall deposit in the supreme court law library and the state library such number of copies as the state law librarian and the state librarian, respectively, shall request for use in the law library and the state library, for purposes of the publication collection and depository system established under K.S.A. 75-2566, and amendments thereto, and for the purpose of exchange. The secretary of state shall distribute to the university of Kansas school of law and to Washburn university school of law the number of copies as the librarians of the schools of law, respectively, certify to the secretary of state as necessary for the purpose of exchange. The secretary of state shall retain two copies for use in the secretary of state's office.

Second, the secretary of state shall distribute:

(1) One copy to each member of the legislature at the time of taking office, after election or appointment, for the member's first term of office as a member of either house of the legislature which commences on or after the second Monday of January in 1991, except that a term of office as a member of either house of the legislature, whether a complete or partial term of office, shall not be construed for purposes of this distribution to be the member's first term of office if such term of office is part of a continuous period of service as a member of either house of the

legislature or both houses of the legislature, in any combination of consecutive terms of office;

(2) one copy each to the governor, lieutenant governor, attorney general and state historical society library;

(3) to the several offices of the judicial branch of state government, the number of copies necessary to conduct the official business of such offices, as requested by the chief justice of the supreme court;

(4) two copies to the Washburn university school of law, for use in the law library, and two copies to the university of Kansas school of law, for use in the law library;

(5) one copy to each county law library, upon request by the librarian thereof;

(6) one copy to the city library in each city of the first and second classes, upon request by the librarian thereof; and

(7) one copy to each county library, upon request by the librarian thereof.

Third, the secretary of state shall distribute to the several offices of the legislative branch of government, the number of copies necessary to conduct the official business of such offices, as follows: (1) To the office of revisor of statutes as the revisor of statutes shall request; (2) to the legislative research department as the director of legislative research shall request; (3) to the division of post audit as the post auditor shall request; and (4) to the division of legislative administrative services as the director of legislative administrative services shall request.

Fourth, the balance of the Kansas administrative regulations after such distribution shall be kept by the secretary of state for sale as provided by this section.

(b) The Kansas administrative regulations may be purchased in complete sets or in single volumes. Single volumes of the Kansas administrative regulations shall be sold by the secretary of state at the per volume price fixed by the secretary of state under this section. Complete sets of the Kansas administrative regulations shall be sold by the secretary of state at the per set price fixed therefor by the secretary of state under this section. Copies may be delivered by postpaid mail by the secretary of state.

(c) All moneys received from such sales 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 ~~state general~~ *information and services fee fund of the secretary of state*.

(d) The secretary of state shall fix by rules and regulations the per volume and complete set prices of the Kansas administrative regulations sold under this section to recover the costs of printing and binding such volumes. The secretary of state shall revise such prices from time to time for the purposes of covering and recovering such costs.

Sec. 4. K.S.A. 2005 Supp. 77-431 is hereby amended to read as follows: 77-431. (a) Copies of the annual supplements to the Kansas administrative regulations shall be printed and delivered to the secretary of state who shall distribute them as follows:

First, the secretary of state shall transmit the same number of copies of each annual supplement in the same manner as provided in the first, second and third clauses of subsection (a) of K.S.A. 77-430, and amendments thereto, for distribution of Kansas administrative regulations, except that each member of the senate or house of representatives shall receive one copy of each annual supplement for the purpose of updating the set of the Kansas administrative regulations received at the time of taking office for the member's first term of office as a member of either house of the legislature as provided in K.S.A. 77-430, and amendments thereto.

Second, the balance of annual supplement volumes after such distribution shall be kept by the secretary of state for sale at the per supplement volume price, or the complete set price if more than one volume is published for any annual supplement, which is fixed by the secretary of state under this section.

(b) Moneys received from the sale of supplements 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 ~~state general~~ *information and services fee fund of the secretary of state.*

(c) The secretary of state shall fix by rules and regulations the per volume price, or the complete set price if more than one volume is published, for each annual supplement to the Kansas administrative regulations sold under this section to recover the costs of printing and binding. The secretary of state shall revise such prices from time to time for the purposes of covering and recovering such costs.

Sec. 5. K.S.A. 2005 Supp. 45-107, 75-436, 77-430 and 77-431 are hereby repealed.

Sec. 6. This act shall take effect and be in force from and after its publication in the statute book.

I hereby certify that the above BILL originated in the SENATE, and passed that body

SENATE concurred in
HOUSE amendments _____

President of the Senate.

Secretary of the Senate.

Passed the HOUSE
as amended _____

Speaker of the House.

Chief Clerk of the House.

APPROVED _____

Governor.