

SENATE BILL No. 439

AN ACT concerning the secretary of state; relating to the Kansas register; amending K.S.A. 75-431 and K.S.A. 2009 Supp. 75-430 and repealing the existing sections; also repealing K.S.A. 75-432.

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

Section 1. K.S.A. 2009 Supp. 75-430 is hereby amended to read as follows: 75-430. (a) The secretary of state shall compile, index and publish a publication to be known as the Kansas register. Such register shall contain:

(1) All acts of the legislature required to be published in the Kansas register;

(2) all executive orders and directives of the governor which are required to be filed in the office of the secretary of state;

(3) summaries of all opinions of the attorney general interpreting acts of the legislature as prepared by the office of the attorney general;

(4) notice of any public comment period on contemplated modification of an existing rule and regulation, ~~which notice shall contain the information required by K.S.A. 77-421, and amendments thereto~~ and, in accordance with the provisions of article 4 of chapter 77 of the Kansas Statutes Annotated, and amendments thereto, all notices of hearings on proposed administrative rules and regulations and the full text of all administrative rules and regulations that have been adopted and filed with the secretary of state;

~~(5) all notices of hearings on proposed administrative rules and regulations required to be filed in the office of the secretary of state under the provisions of article 4 of chapter 77 of the Kansas Statutes Annotated and a summary of all proposed administrative rules and regulations to be considered at such hearings together with the address of the state agency from which a copy of the full text of the proposed rules and regulations may be received;~~

~~(6) the full text of all administrative rules and regulations which have been adopted and filed in accordance with the provisions of article 4 of chapter 77 of the Kansas Statutes Annotated, and amendments thereto, except that the secretary of state may publish a summary of any rule and regulation together with the address of the state agency from which a copy of the full text of the proposed rules and regulations may be received, if such rule and regulation is lengthy and expensive to publish and otherwise available in published form and a summary will, in the opinion of the secretary, properly notify the public of the contents of such rule and regulation;~~

~~(7) (6) a cumulative index of all administrative rules and regulations which have been adopted and filed in accordance with the provisions of article 4 of chapter 77 of the Kansas Statutes Annotated, and amendments thereto;~~

~~(8) (7) all notices of hearings of special legislative interim study committees, descriptions of all prefiled bills and resolutions and descriptions of all bills and resolutions introduced in the legislature during any session of the legislature, and other legislative information which is approved for publication by the legislative coordinating council;~~

~~(9) (8) the hearings docket of the Kansas supreme court and the court of appeals;~~

~~(10) (9) summaries of all orders of the state court of tax appeals which have statewide application;~~

~~(11) (10) all advertisements for contracts for construction, repairs, improvements or purchases by the state of Kansas or any agency thereof for which competitive bids are required; and~~

~~(12) (11) any other information which the secretary of state deems to be of sufficient interest to the general public to merit its publication or which is required by law to be published in the Kansas register.~~

(b) The secretary of state shall publish such register at regular intervals, but not less than weekly.

(c) *Each issue of the register shall contain a table of contents.*

(d) *A cumulative index to all information required by K.S.A. 75-430 through 75-434, and amendments thereto, to be published during the previous year shall be published at least once each year.*

(e) (e) The secretary of state may omit from the register any information the publication of which the secretary deems cumbersome, expensive, or otherwise inexpedient, if the information is made available in printed or processed form by the adopting agency on application for it,

and if the register contains a notice stating the general subject matter of the information and the manner in which a copy of it may be obtained.

~~(d)~~ (f) One copy of each issue of the register shall be made available without charge on request to each officer, board, commission, and department of the state having statewide jurisdiction, to each member of the legislature, to each county clerk in the state, and to the supreme court, court of appeals and each district court.

~~(e)~~ (g) The secretary of state shall make *paper* copies of the register available ~~to other persons on~~ upon payment of a fee to be fixed by the secretary of state under K.S.A. 75-433, and amendments thereto.

Sec. 2. K.S.A. 75-431 is hereby amended to read as follows: 75-431.

(a) *Each agency shall designate at least one individual to act as a liaison through whom all required documents may be submitted to the secretary of state for publication in the register.*

(b) *Each agency or other entity shall file submit materials for publication in the Kansas register by delivering to the office of the secretary of state during normal working hours two certified copies of the document to be filed, except that rules and regulations required to be filed in the office of the secretary of state under the provisions of article 4 of chapter 77 of the Kansas Statutes Annotated shall be filed in triplicate. On receipt of a document required by this act to be published in the register, the secretary of state shall note the day and hour of filing on the certified copies. One certified copy of each filed document shall be maintained in original form by the secretary of state for six months after the publication of the document in the Kansas register in an electronic format. A copy of each document submitted for publication shall be maintained in original form by the secretary of state for six months after publication in the register. Upon otherwise complying with the provisions of this section, the secretary of state may destroy the original copies of all information submitted for publication.*

~~(b)~~ (c) *Administrative rules and regulations required to be filed in the office of the secretary of state and published in the Kansas register shall be filed under the provisions of article 4 of chapter 77 of the Kansas Statutes Annotated, and amendments thereto. If there is a conflict, the official text of a rule and regulation is the text on file with the secretary of state and not the text published in the register or on file with the issuing agency.*

~~(e)~~ (d) The secretary of state is hereby authorized to adopt rules and regulations necessary to the effective administration of this act. Such rules and regulations may include, but are not limited to, ~~rules prescribing paper size and~~ the format and method of delivery of documents required to be published by this act. The secretary of state may refuse to accept for filing and publication any document that does not substantially conform to the promulgated rules and regulations.

~~(d)~~ ~~Upon otherwise complying with the provisions of this section, the secretary of state may destroy the original copies of all information submitted for publication.~~

Sec. 3. K.S.A. 75-431 and 75-432 and K.S.A. 2009 Supp. 75-430 are hereby repealed.

Sec. 4. 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.