

SESSION OF 2010

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2446

As Further Amended by House Committee on
Education Budget

Brief*

HB 2446 would clarify current law regarding gifts and donations to universities, and provides guidelines on the acceptance of gifts by a foundation. Gifts to the university, other than gifts of real property, would be considered property of the university foundation, upon written approval of the chief executive officer of the institution, unless prohibited in writing by the donor. As in current law, the property of a foundation would not be considered to be public or state property. Foundations would have the ability to charge a reasonable administrative fee and may be reimbursed for actual expenses. Property could be administered, invested, reinvested and expended solely for the benefit of the foundation's university.

The bill also would make technical corrections to existing law.

Background

Representatives from the Board of Regents, Kansas State University Foundation, University of Kansas and Emporia State University provided testimony in support of the bill. There were no opponents.

The House Education Budget Committee amended the bill to appropriately reference the Fort Hays State University Foundation. The House Education Budget Committee further amended the bill to exclude gifts of real property.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

The fiscal note for the bill anticipates a minimal fiscal impact as a result of the transfer of funds and property from the universities to the foundations.