HOUSE BILL No. 2046

By Committee on Aging and Long Term Care

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AN ACT concerning the department on aging; relating to the senior services fund; creating the health care for seniors fund; disposition of certain additional lottery proceeds; prescribing certain powers, duties and functions for the secretary of aging; amending K.S.A. 2010 Supp. 74-8768 and repealing the existing section.

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

New Section 1. (a) There is hereby established in the state treasury the health care for seniors fund which shall be administered by the secretary of aging as provided by law.

- (b) All moneys credited to the health care for seniors fund shall be used for additional funding for health care programs, assistance and services for seniors. Moneys allocated or appropriated from the health care for seniors fund shall not be used to replace or substitute for moneys appropriated from the state general fund in the immediately preceding fiscal year. All expenditures from the health care for seniors 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 of aging 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 health care for seniors fund interest earnings based on (1) the average daily balance of moneys in the health care for seniors fund and (2) the net earnings rate of the pooled money investment portfolio for the preceding month.
- (d) As used in this section, "senior" means an individual who resides in Kansas, who is 60 years of age or older and who is in need of health care

New Sec. 2. During the 2012 regular session and during each regular session thereafter, the legislature shall specify by appropriation act an amount or amounts of moneys to be transferred by the director of accounts and reports from the expanded lottery act revenues fund to the health care for seniors fund established by section 1, and amendments thereto, or to the senior services fund established by subsection (g) of K.S.A. 75-4265, and amendments thereto, or to both such funds, in accordance with this section. Notwithstanding the provisions of K.S.A. 2010 Supp. 74-8768, and amendments thereto, or any other statute, the

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 director of accounts and reports shall transfer the amount or amounts as specified or otherwise prescribed by appropriation act of the legislature, on the date or dates specified therefor, from the expanded lottery act revenues fund to the health care for seniors fund established by section 1, and amendments thereto, or to the senior services fund established by subsection (g) of K.S.A. 75-4265, and amendments thereto, or to both such funds, all in accordance with the provisions of appropriation acts.

- Sec. 3. K.S.A. 2010 Supp. 74-8768 is hereby amended to read as follows: 74-8768. There is hereby created the expanded lottery act revenues fund in the state treasury. All expenditures and transfers from such fund shall be made in accordance with appropriation acts. All moneys credited to such fund shall be expended or transferred only for the purposes of reduction of state debt, state infrastructure improvements, and reduction of local ad valorem tax in the same manner as provided for allocation of amounts in the local ad valorem tax reduction fund, health care programs, assistance and services for seniors for which expenditures may be made from the health care for seniors fund established by section 1, and amendments thereto, and projects and purposes for which expenditures may be made from the senior services fund established by subsection (g) of K.S.A. 75-4265, and amendments thereto.
- 22 Sec. 4. K.S.A. 2010 Supp. 74-8768 is hereby repealed.
- Sec. 5. This act shall take effect and be in force from and after its publication in the statute book.