

**House Substitute for SENATE BILL No. 154**

By Committee on Appropriations

5-10

1 AN ACT concerning the issuance of bonds; relating to the national bio and  
2 agro defense facility; providing certain powers, duties and functions for  
3 the Kansas development finance authority; state finance council and  
4 department of administration; amending K.S.A. 2010 Supp. 74-8963  
5 and repealing the existing section.  
6

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

8 Section 1. K.S.A. 2010 Supp. 74-8963 is hereby amended to read as  
9 follows: 74-8963. (a) For the purpose of financing a capital improvement  
10 project ~~of the Kansas bioscience authority relating to a national bio and~~  
11 ~~agro defense facility~~, the Kansas development finance authority is hereby  
12 authorized to issue one or more series of revenue bonds pursuant to the  
13 Kansas development finance authority act, K.S.A. 74-8901 et seq., and  
14 amendments thereto, in an amount necessary to provide a deposit or  
15 deposits to the bioscience development and investment fund, ~~established~~  
16 ~~by K.S.A. 74-99b34, and amendments thereto which is hereby created in~~  
17 ~~the state treasury and shall be administered by the department of~~  
18 ~~administration in accordance with the provisions of this section and K.S.A.~~  
19 ~~2010 Supp. 74-8964 through 74-8967, and amendments thereto~~, in a total  
20 amount not to exceed \$105,000,000, plus all amounts required for costs of  
21 bond issuance, costs of interest on the bonds issued for such capital  
22 improvement project during the construction of such project, cost of bond  
23 insurance or other credit enhancement for the bonds and any required  
24 reserves for the payment of principal and interest on the bonds, for a  
25 capital improvement project relating to a national bio and agro defense  
26 facility, including, but not limited to, land acquisition, site preparation,  
27 fencing, central utility plant facility construction and improvements,  
28 including electric, water and sewer utility infrastructure construction and  
29 equipment, lift stations, street grading, paving, graveling, macadamizing,  
30 curbing, guttering and surfacing, street light fixture connections and  
31 facilities, underground gas, water, heating and electrical services and  
32 connections, sidewalks and parking facilities, drives and driveway  
33 approaches, landscaping and plantings and related facilities and amenities  
34 to develop and finance the project.

35 (b) *On and after the effective date of this act*, prior to the issuance of  
36 any bonds pursuant to this section, the capital improvement project

1 described in subsection (a) shall be approved for the ~~Kansas bioscience~~  
2 ~~authority~~ *department of administration* for the purposes of subsection (e)  
3 (b) of K.S.A. 74-8905, and amendments thereto, ~~and for the purposes of~~  
4 ~~K.S.A. 74-99b10, and amendments thereto,~~ and the authorization of the  
5 issuance of bonds by the Kansas development finance authority shall be  
6 approved by the Kansas development finance authority in accordance with  
7 K.S.A. 74-8901 et seq., and amendments thereto, *and, for all bonds issued*  
8 *on or after the effective date of this act, shall be approved by the state*  
9 *finance council acting on this matter which is hereby characterized as a*  
10 *matter of legislative delegation and subject to the guidelines prescribed in*  
11 *subsection (c) of K.S.A. 75-3711c, and amendments thereto, except that*  
12 *such approval also may be given when the legislature is in session.*

13 (c) The ~~Kansas bioscience authority~~ *department of administration* may  
14 only make expenditures from the moneys received from the issuance of  
15 any bonds pursuant to this section for those purposes set forth in  
16 subsection (a) for the capital improvement project.

17 (d) The debt service for any such bonds issued pursuant to this section  
18 shall be financed by appropriations from the state general fund or any  
19 appropriate special revenue fund or funds.

20 (e) The date of maturity on bonds issued pursuant to this section shall  
21 not be fixed for a period of time which exceeds 20 years from the date of  
22 issuance.

23 (f) The proceeds from the sale of any bonds, other than refunding  
24 bonds, issued pursuant to this section, after payment of any costs related to  
25 the issuance of such bonds, shall be paid by the Kansas development  
26 finance authority to the ~~Kansas bioscience authority~~ *department of*  
27 *administration* to be applied to the payment of the costs of the capital  
28 improvement project authorized ~~by resolution of the Kansas bioscience~~  
29 ~~authority~~ *pursuant to this section as requested by the secretary of*  
30 *administration* and by resolution of the Kansas development finance  
31 authority.

32 Sec. 2. K.S.A. 2010 Supp. 74-8963 is hereby repealed.

33 Sec. 3. This act shall take effect and be in force from and after its  
34 publication in the Kansas register.

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