

HOUSE BILL No. 2660

By Committee on Judiciary

2-10

1 AN ACT concerning certain state agencies; relating to the transfer of fees;
2 notification of such transfer; amending K.S.A. 75-3036 and repealing
3 the existing section.
4

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

6 Section 1. K.S.A. 75-3036 is hereby amended to read as follows: 75-
7 3036. The state general fund is exclusively defined as the fund into which
8 shall be placed all public moneys and revenue coming into the state
9 treasury not specifically authorized by the constitution or by statute to be
10 placed in a separate fund, and not given or paid over to the state treasurer
11 in trust for a particular purpose, which unallocated public moneys and
12 revenue shall constitute the general fund of the state; ~~but~~. Moneys received
13 or to be used under constitutional or statutory provisions or under the
14 terms of a gift or payment for a particular and specific purpose are to be
15 kept as separate funds and shall not be placed in the general fund or ever
16 become a part of it, ~~except by proper statutory enactment, and~~. *If moneys*
17 *received pursuant to statutory provisions for a specific purpose by a fee*
18 *agency are transferred to the state general fund or a special revenue fund*
19 *to be expended for general government services and purposes, the person*
20 *or business entity who paid such moneys shall be notified, in writing,*
21 *within 60 days of such transfer. The department of administration shall be*
22 *responsible for such notification. Any such moneys which are wrongfully*
23 *or by mistake placed in the general fund shall constitute a proper charge*
24 *against such general fund; ~~Provided, That~~. All legislative appropriations*
25 *which do not designate a specific fund from which they are to be paid shall*
26 *be considered to be proper charges against the general fund of the*
27 *state; ~~Provided further, That~~. All revenues received by the state of Kansas*
28 *or any department, board, commission, or institution of the state of*
29 *Kansas, and required to be paid into the state treasury shall be placed in*
30 *and become a part of the state general fund, except as otherwise provided*
31 *in this act by law. As used in this section, "fee agency" shall include the*
32 *state agencies specified in K.S.A. 75-3717(f), and amendments thereto,*
33 *and any other state agency that collects fees for licensing, regulating or*
34 *certifying a person, profession, commodity or product.*

35 Sec. 2. K.S.A. 75-3036 is hereby repealed.

36 Sec. 3. This act shall take effect and be in force from and after its

- 1 publication in the statute book.