

HOUSE BILL No. 2046

By Committee on Aging and Long Term Care

1-20

1 AN ACT concerning the department on aging; relating to the senior
2 services fund; creating the health care for seniors fund; disposition of
3 certain additional lottery proceeds; prescribing certain powers, duties
4 and functions for the secretary of aging; amending K.S.A. 2010 Supp.
5 74-8768 and repealing the existing section.

6
7 *Be it enacted by the Legislature of the State of Kansas:*

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

11 (b) All moneys credited to the health care for seniors fund shall be
12 used for additional funding for health care programs, assistance and
13 services for seniors. Moneys allocated or appropriated from the health
14 care for seniors fund shall not be used to replace or substitute for moneys
15 appropriated from the state general fund in the immediately preceding
16 fiscal year. All expenditures from the health care for seniors fund shall be
17 made in accordance with appropriation acts upon warrants of the director
18 of accounts and reports issued pursuant to vouchers approved by the
19 secretary of aging or the secretary's designee.

20 (c) On or before the 10th day of each month, the director of accounts
21 and reports shall transfer from the state general fund to the health care for
22 seniors fund interest earnings based on (1) the average daily balance of
23 moneys in the health care for seniors fund and (2) the net earnings rate of
24 the pooled money investment portfolio for the preceding month.

25 (d) As used in this section, "senior" means an individual who
26 resides in Kansas, who is 60 years of age or older and who is in need of
27 health care.

28 New Sec. 2. During the 2012 regular session and during each regular
29 session thereafter, the legislature shall specify by appropriation act an
30 amount or amounts of moneys to be transferred by the director of
31 accounts and reports from the expanded lottery act revenues fund to the
32 health care for seniors fund established by section 1, and amendments
33 thereto, or to the senior services fund established by subsection (g) of
34 K.S.A. 75-4265, and amendments thereto, or to both such funds, in
35 accordance with this section. Notwithstanding the provisions of K.S.A.
36 2010 Supp. 74-8768, and amendments thereto, or any other statute, the

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

8 Sec. 3. K.S.A. 2010 Supp. 74-8768 is hereby amended to read as
9 follows: 74-8768. There is hereby created the expanded lottery act
10 revenues fund in the state treasury. All expenditures and transfers from
11 such fund shall be made in accordance with appropriation acts. All
12 moneys credited to such fund shall be expended or transferred only for
13 the purposes of reduction of state debt, state infrastructure improvements,
14 ~~and~~ reduction of local ad valorem tax in the same manner as provided for
15 allocation of amounts in the local ad valorem tax reduction fund, *health*
16 *care programs, assistance and services for seniors for which*
17 *expenditures may be made from the health care for seniors fund*
18 *established by section 1, and amendments thereto, and projects and*
19 *purposes for which expenditures may be made from the senior services*
20 *fund established by subsection (g) of K.S.A. 75-4265, and amendments*
21 *thereto.*

22 Sec. 4. K.S.A. 2010 Supp. 74-8768 is hereby repealed.

23 Sec. 5. This act shall take effect and be in force from and after its
24 publication in the statute book.