

**HOUSE BILL No. 2108**

By Committee on Aging and Long Term Care

1-26

1 AN ACT concerning state government; relating to the transfer of all  
2 powers, duties and functions of the adult protective services program  
3 of the department of social and rehabilitation services to the office of  
4 the attorney general of the state of Kansas.

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

7 Section 1. (a) All of the powers, duties and functions of the  
8 department of social and rehabilitation services concerning adult  
9 protective services are hereby transferred to and conferred and imposed  
10 upon the office of the attorney general of the state of Kansas.

11 (b) The office of the attorney general of the state of Kansas shall be  
12 the successor in every way to the powers, duties and functions of the  
13 department of social and rehabilitation services concerning adult  
14 protective services in which the same were vested prior to the effective  
15 date of this section. Every act performed in exercise of such powers,  
16 duties and functions by or under the authority of the office of the attorney  
17 general of the state of Kansas shall be deemed to have the same force and  
18 effect as if performed by the department of social and rehabilitation  
19 services, in which such powers, duties and functions were vested prior to  
20 the effective date of this section.

21 (c) All rules and regulations of the department of social and  
22 rehabilitation services concerning adult protective services in existence  
23 on the effective date of this section shall continue to be effective and shall  
24 be deemed to be duly adopted rules and regulations of the office of the  
25 attorney general of the state of Kansas until revised, amended, revoked or  
26 nullified pursuant to law.

27 (d) All orders and directives of the department of social and  
28 rehabilitation services concerning adult protective services in existence  
29 on the effective date of this section shall continue to be effective and shall  
30 be deemed to be orders and directives of the office of the attorney general  
31 of the state of Kansas until revised, amended or nullified pursuant to law.

32 (e) On the effective date of this section, the balances of all funds or  
33 accounts thereof appropriated or reappropriated for adult protective  
34 services of the department of social and rehabilitation services relating to  
35 the powers, duties and functions transferred by this section shall be  
36 transferred by the director of accounts and reports to the office of the

1 attorney general of the state of Kansas and shall be used only for the  
2 purpose for which the appropriation was originally made.

3 (f) On the effective date of this section, all officers and employees  
4 who, immediately prior to such date, were engaged in the performance of  
5 powers, duties and functions of the department of social and  
6 rehabilitation services concerning adult protective services which are  
7 transferred by this section, or who became part of the office of the  
8 attorney general of the state of Kansas, or the powers, duties and  
9 functions of which are transferred to the office of the attorney general of  
10 the state of Kansas, and who, in the opinion of the attorney general, are  
11 necessary to perform the powers, duties and functions of the office of the  
12 attorney general of the state of Kansas, shall be transferred to, and shall  
13 become officers and employees of the office of the attorney general of the  
14 state of Kansas.

15 (g) Officers and employees of the department of social and  
16 rehabilitation services transferred by this section shall retain all  
17 retirement benefits and leave balances and rights which had accrued or  
18 vested prior to the date of transfer. The service of each such officer and  
19 employee so transferred shall be deemed to have been continuous. All  
20 transfers, layoffs or abolition of classified service positions under the  
21 Kansas civil service act shall be made in accordance with the civil service  
22 laws and any rules and regulations adopted thereunder. Nothing in this  
23 section shall affect the classified status of any person employed by the  
24 department of social and rehabilitation services prior to the date of  
25 transfer.

26 Sec. 2. This act shall take effect and be in force from and after  
27 January 1, 2012, and its publication in the statute book.