



# Kansas Register

Kris W. Kobach, Secretary of State

Vol. 36, No. 20

May 18, 2017

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**Senate Bill 112**, concerning crimes, punishment and criminal procedure; relating to evidence; videotaping of certain felony, custodial interrogations; domestic battery; creating the crime of aggravated domestic battery; controlled substances; unlawful possession of drug paraphernalia; burglary; cruelty to animals; unlawful conduct of dog fighting; sentencing for crimes committed against a law enforcement officer; expungement; arrest records; post-trial motions, correction of sentence; postrelease supervision; persons convicted of a sexually violent crime ..... 498

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**State of Kansas**

**Pooled Money Investment Board**

**Notice of Investment Rates**

The following rates are published in accordance with K.S.A. 75-4210. These rates and their uses are defined in K.S.A. 12-1675(b)(c)(d) and K.S.A. 12-1675a(g).

**Effective 5-15-17 through 5-21-17**

Term	Rate
1-89 days	0.91%
3 months	0.93%
6 months	1.05%
12 months	1.19%
18 months	1.26%
2 years	1.34%

Scott Miller  
Director of Investments

Doc. No. 045413

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**Kansas WorkforceONE****Request for Comments**

The Local Area I Workforce Development Board d/b/a Kansas WorkforceONE is publishing the two Local Workforce Innovation and Opportunity Act (WIOA) Regional Plans for public comment on May 16, 2017, at [www.kansasworkforceone.org](http://www.kansasworkforceone.org). Comments should be directed to [info@kansasworkforceone.org](mailto:info@kansasworkforceone.org) and are due by **noon June 15, 2017**. Any questions should be directed to [Allison@kansasworkforceone.org](mailto:Allison@kansasworkforceone.org) or 620-200-2994.

Deb Scheibler  
Executive Director

Doc. No. 045430

**State of Kansas****Department for Children and Families****Request for Proposal**

The Kansas Department for Children and Families (DCF), Kansas Council on Developmental Disabilities (KCDD), announces the release of a Self-Advocacy: Leadership Training and Community Engagement request for proposal (RFP). Sealed bids will be accepted no later than 2:00 p.m. (CDT) June 21, 2017. A complete copy of the RFP with details of important dates and timelines may be found at [www.dcf.ks.gov/Agency/Operations/Pages/OGC/Grant-RFP.aspx](http://www.dcf.ks.gov/Agency/Operations/Pages/OGC/Grant-RFP.aspx) under "Grant Requests for Proposals (RFPs)". Additional files may be located at this website throughout the process, so please monitor on a regular basis for changes.

Phyllis Gilmore  
Secretary

Doc. No. 045415

**State of Kansas****Kansas Housing Resources Corporation****Request for Proposals and Notice of Hearing**

Kansas Housing Resources Corporation (KHRC) is requesting proposals from interested parties to serve as a Service Provider for KHRC's Kansas Weatherization Assistance Program. This request is under the auspices of the U.S. Department of Energy Weatherization Assistance Program (10 CFR 440) with the intent to enter into weatherization contracts for the 2017 program year starting July 1, 2017. The geographic area to be served under this proposal covers Barton, Clark, Comanche, Edwards, Finney, Ford, Grant, Gray, Greeley, Hamilton, Haskell, Hodgeman, Kearny, Kiowa, Lane, Meade, Morton, Ness, Pawnee, Rush, Scott, Seward, Stanton, Stevens, and Wichita counties. The Request for Proposal (RFP) and associated documents can be found on KHRC's website at <http://www.kshousingcorp.org/more-program-information.aspx>. Completed proposals must be received by KHRC by 1:30 p.m. (CDT) June 26, 2017.

KHRC will conduct a public meeting to provide an opportunity for interested parties to comment on, and ask questions about, the RFP. This meeting will be held at

10:00 a.m. May 25, 2017, at the Kansas Housing Resource Corporation, 611 S. Kansas Ave., Suite 300, Topeka, Kansas. A teleconference option will be available on that date by calling 877-278-8686, PIN# 733312.

Completed proposals will be evaluated based upon the proposal submitted and public comments received during the public hearing. KHRC will conduct a public hearing to provide an opportunity for citizens and interested parties to comment on prospective service providers. **The public hearing will be held at 1:30 p.m. June 26, 2017, at the Kansas Housing Resources Corporation.** KHRC is located at 611 S. Kansas Ave., Suite 300, Topeka, Kansas. Written public comments may be submitted prior to the public hearing date. All written comments must be received by 5:00 p.m. June 25, 2017.

Questions concerning this RFP may be directed to Scott Kuhn, KHRC Weatherization Program Manager, at 785-217-2048. More information about the Kansas Weatherization Assistance Program can be found at <http://www.kshousingcorp.org/weatherization.aspx>.

Al Dorsey  
Division Director

Doc. No. 045420

**State of Kansas****Kansas Development Finance Authority****Notice of Hearing**

A public hearing will be conducted at 9:00 a.m. Thursday, June 1, in the offices of the Kansas Development Finance Authority (KDFA), 534 S. Kansas Ave., Suite 800, Topeka, on the proposal for the KDFA to issue its Agricultural Development Revenue Bond for the project numbered below in the respective maximum principal amount. The bond will be issued to assist the borrower named below (who will be the owner and operator of the project) to finance the cost in the amount of the bond, which is then typically purchased by a lender bank who then, through the KDFA, loans the bond proceeds to the borrower for the purposes of acquiring the project. The project shall be located as shown:

**Project No. 000978—Maximum Principal Amount: \$90,000.** Owner/Operator: Benjamin L Hasenkamp; Description: Acquisition of 60 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes (the project). The project is being financed by the lender for Benjamin L Hasenkamp (the beginning farmer) and is located in Section 25, Illinois Township, Nemaha County, Kansas, approximately 1 mile north of Corning, Kansas, on 64th Road.

The bond, when issued, will be a limited obligation of the KDFA and will not constitute a general obligation or indebtedness of the state of Kansas or any political subdivision thereof, including the KDFA, nor will it be an indebtedness for which the faith and credit and taxing powers of the state of Kansas are pledged. The bond will be payable solely from amounts received from the respective borrower, the obligation of which will be sufficient to pay the principal of, interest and redemption premium, if any, on the bond when it becomes due.

(continued)

All individuals who appear at the hearing will be given an opportunity to express their views concerning the proposal to issue the bond to finance the project, and all written comments previously filed with the K DFA at its offices at 534 S. Kansas Ave., Suite 800, Topeka, 66603, will be considered. Additional information regarding the project may be obtained by contacting the K DFA.

Tim Shallenburger  
President

Doc. No. 045429

## State of Kansas

### Board of Emergency Medical Services

#### Notice of Meetings

The Board of Emergency Medical Services will meet at 9:00 a.m. Friday, June 2, 2017, in Room 509 of the Landon State Office Building, 900 SW Jackson, Topeka. Meetings for the Planning and Operations Committee, the Medical Advisory Council, the Education, Examination, Certification and Training Committee, the Investigation Committee and the Executive Committee will be held Thursday, June 1, 2017, starting at 8:30 a.m. at the same location. Items on the agenda for the board meeting can be found on our website, <http://www.ksbems.org>.

All meetings of the board are open to the public. For more information, contact the executive director, Room 1031, Landon State Office Building, 900 SW Jackson, Topeka, KS 66612-1228 or 785 296-7296.

Joseph House  
Executive Director

Doc. No. 045414

(Published in the Kansas Register May 18, 2017.)

## City of Lenexa

### Notice to Bidders

Sealed bids for Amenity Zone – 89th St./Penrose Lane – 46 TE-0429-01 will be accepted by the City of Lenexa, Kansas at the Community Development Department, Lenexa City Hall, 12350 W. 87th St. Parkway, Lenexa, KS 66215, until 1:00 p.m. (local time) on May 26, 2017, at which time bids will be publicly opened and read aloud at the Lenexa City Hall. Any bid received after the designated closing time will not be considered and will be returned unopened.

All bids shall be submitted to the Community Development Department Customer Service Staff (Main Level) in sealed envelopes addressed to the City of Lenexa, Kansas, Attention: City Clerk, and marked "Bid for: Amenity Zone – 89th St./Penrose Lane – 46 TE-0429-01. Copies of plans, specifications, bidding documents, and other Contract Documents are on file at:

Drexel Technologies, Inc.  
10840 W. 86th St.  
Lenexa, KS 66214

Bidders desiring Contract Documents for use in preparing bids may obtain a set of such documents at the address above.

Plans and specifications may be downloaded from the Drexel Technologies, Inc. website set forth below:

<http://planroom.drexeltech.com/>

Note: davis bacon wage rates apply to this project

Each bidder will be responsible for ensuring that it has received any and all addenda issued by city in accordance with ib-10 of the instructions to bidders.

Contractors should read and be fully familiar with all contract documents including addenda before submitting a bid. In submitting a bid, the bidder warrants that it has read the contract documents and is fully familiar therewith and that it has visited the site of the work to fully inform itself as to all existing conditions and limitations and shall include in its bid a sum to cover the cost of all items of the work as specified in the contract documents.

No oral telegraphic, telephonic proposals or alterations will be considered. Facsimile transmissions will not be accepted.

The following items must be included in the sealed envelope with the bid:

- a. Bid Form;
- b. 5% Bid Security—Bid Bond, Cashier's Check or Certified Check (see below); and
- c. Acknowledgment of Addenda issued by City.

Each bidder shall file with its bid a bid bond, a cashier's check, or a certified check drawn on an acceptable bank, made payable to City of Lenexa, Kansas, in an amount equal to five percent (5%) of the total bid, which shall be retained by City of Lenexa, Kansas until a Contract for the project has been executed. Bid Bonds will be returned to the bidders, with the exception of the best and lowest and second best and second lowest responsible bidders, within twenty-one (21) days after their bids are rejected. The bid deposit of the lowest and the second lowest responsible bidders will be returned when the Performance Bond, Maintenance Bond, and Statutory Bond, each in an amount equal to 100% of the Contract amount; required insurance certificates and other required documents shall have been furnished and the Contract Documents have been executed by the successful bidder.

In the event the low bidder is unable to execute the Contract, for whatever reason, within the time provided in the Notice of Award, City may annul the Notice of Award and the bid deposit may be forfeited and City shall exercise its legal prerogatives, including, but not limited to, enforcement of its rights as to the bid security or specific performance.

City reserves the right to accept or reject any and all bids and to waive any technicalities or irregularities therein. Bids may be modified or withdrawn by written request of the bidder received in the office of City Clerk, prior to the time and date for bid opening.

From and after the release of this Notice, any party intending to bid on the above referenced Project, including their officers, employees, agents, or contractors are specifically prohibited from communicating with any elected or appointed official of the City, directly or indirectly, with regard to the award of the contract for the Project listed above, except as specifically authorized by the Instructions

to Bidders. Any such unauthorized communication may result in the automatic disqualification of such bidder.

All bidders agree that rejection shall create no liability on the part of City because of such rejection, and the filing of any bid in response to this notice shall constitute an agreement of the bidder to these conditions.

If this section is completed, a Mandatory Pre-Bid Conference will be held at:

Lenexa City Hall, Executive Conference Room (UL)  
May 17, 2017, at 1:00 p.m.

Katy Crow, City Clerk  
City of Lenexa, Kansas

Doc. No. 045378

**State of Kansas**

**Department of Administration  
Procurement and Contracts**

**Notice to Bidders**

Sealed bids for items listed will be received by the director of Procurement and Contracts until 2:00 p.m. on the date indicated. For more information, call 785-296-2376.

05/31/2017	EVT0005080	Armored Car Security Services
05/31/2017	EVT0005103	Data Loggers, Temperature Monitoring Devices

The above referenced bid documents can be downloaded at the following website:

<http://admin.ks.gov/offices/procurement-and-contracts/bid-solicitations>

Additional files may be located at the following website (please monitor this website on a regular basis for any changes/addenda):

<http://admin.ks.gov/offices/procurement-and-contracts/additional-files-for-bid-solicitations>

06/01/2017	A-013264	Kansas State University Parking Lot D5 Rehabilitation
06/01/2017	A-013265	Kansas State University Parking Lot B4 Reconstruction
06/15/2017	A-013301	Ellsworth Correctional Building 14 TPO Reroof

Information regarding prequalification, projects, and bid documents can be obtained by calling 785-296-8899 or online at <http://admin.ks.gov/offices/ofpm/dcc>.

Tracy T. Diel, Director  
Procurement and Contracts

Doc. No. 045427

**State of Kansas**

**Board of Regents Universities**

**Notice to Bidders**

The universities of the Kansas Board of Regents encourage interested vendors to visit the various universities' purchasing offices' websites for a listing of all transactions, including construction projects, for which the universities' purchasing offices, or one of the consortia commonly utilized by the universities, are seeking information, competitive bids, or proposals. The referenced

construction projects may include project delivery construction procurement act projects pursuant to K.S.A. 76-7,125 et seq.

**Emporia State University** – Bid postings: <http://www.emporia.edu/busaff/purchasing>. Additional contact info: phone 620-341-5145, fax: 620-341-5073, email: [purchaseorders@emporia.edu](mailto:purchaseorders@emporia.edu). Mailing address: Emporia State University Purchasing, Campus Box 4021, 1 Kellogg Circle, Emporia, KS 66801-5415.

**Fort Hays State University** – Bid postings: <http://www.fhsu.edu/purchasing/bids>. Additional contact info: phone: 785-628-4251, fax: 785-628-4046, email: [purchasing@fhsu.edu](mailto:purchasing@fhsu.edu). Mailing address: Fort Hays State Purchasing Office, 601 Park St., 318 Sheridan Hall, Hays, KS 67601.

**Kansas State University** – Bid postings: <https://dfs.k-state.edu/rfq>. Additional contact info: phone: 785-532-6214, fax: 785-532-5577, email: [kspurch@k-state.edu](mailto:kspurch@k-state.edu). Mailing address: Division of Financial Services/Purchasing, 21 Anderson Hall, Kansas State University, Manhattan, KS 66506.

**Pittsburg State University** – Bid postings: <http://www.pittstate.edu/office/purchasing>. Additional contact info: phone: 620-235-4169, fax: 620-235-4166, email: [purch@pittstate.edu](mailto:purch@pittstate.edu). Mailing address: Pittsburg State University, Purchasing Office, 1701 S. Broadway, Pittsburg, KS 66762-7549.

**University of Kansas** – Electronic bid postings: <http://www.procurement.ku.edu/>. Paper bid postings and mailing address: KU Purchasing Services, 1246 W. Campus Road, Room 30, Lawrence, KS 66045. Additional contact info: phone: 785-864-5800, fax: 785-864-3454, email: [purchasing@ku.edu](mailto:purchasing@ku.edu).

**University of Kansas Medical Center** – Bid postings: <http://www.kumc.edu/finance/purchasing/bid-opportunities.html>. Additional contact info: phone: 913-588-1115. Mailing address: University of Kansas Medical Center, Purchasing Department, Mail Stop 2034, 3901 Rainbow Blvd., Kansas City, KS 66160.

**Wichita State University** – Bid postings: <http://www.wichita.edu/purchasing>. Additional contact info: phone: 316-978-3080, fax: 316-978-3528. Mailing address: Wichita State University, Office of Purchasing, 1845 Fairmount Ave., Campus Box 12, Wichita, KS 67260-0012.

Ephrom Marks  
Associate Director of Procurement  
Operations & Strategic Sourcing  
The University of Kansas Procurement Services

Doc. No. 044666

**State of Kansas**

**Secretary of State**

**Notice of Forfeiture**

In accordance with Kansas statutes, the following business entities organized under the laws of Kansas and the foreign business entities authorized to do business in Kansas were forfeited during the month of April 2017 for failure to timely file an annual report and pay the annual report fee.

**Please Note:** The following list represents business entities forfeited in April. Any business entity listed may have filed for reinstatement and be considered in good standing. To check the status of a business entity go to the Kansas Business Center's Business Entity Search Station at <https://www.kansas.gov/bess/flow/main?execution=e2s4>

(continued)

(select Business Entity Database) or contact the Business Services Division at 785-296-4564.

### Domestic Business Entities

Aitkens Family Chiropractic Center, P.A., Kansas City, KS  
 American Resource Technologies, Inc., Trophy Club, TX  
 American Restorations, Inc., Olathe, KS  
 Asian Express Sushi Hibachi Inc., Flushing, NY  
 ATD International Corporation, Shawnee Mission, KS  
 Blackley Enterprises, Inc., Overland Park, KS  
 Bruce Smith Drugs, Inc., Prairie Village, KS  
 Central Roll-Off, L.L.C., Larned, KS  
 Construction Masters, Inc., Olathe, KS  
 D.J. Trenching & Excavating, Inc., Olathe, KS  
 David C. De Jong, M.D., P.A., Wichita, KS  
 Enviro Tech Services, Inc., Glasco, KS  
 F & D Insurance, Inc., Augusta, KS  
 Ferrell Enterprises, Inc., Linwood, KS  
 Findmyadventures.com Corp., Overland Park, KS  
 Freedom Block, Inc., Wichita, KS  
 Girls Room Only, Inc., Andover, KS  
 Gizmo, Inc., Manhattan, KS  
 Global Trading Solutions, Inc., Lenexa, KS  
 Gourdin By Products, L.L.C., Moscow, KS  
 Graystone Investments, Inc., Wichita, KS  
 Guilfoyle Roofing Inc., Topeka, KS  
 Harper Pharmacy, LLC, Harper, KS  
 Hess Salvage, Inc., Clay Center, KS  
 Horizon Appliance and Electronics, Inc., Hays, KS  
 J and N Cattle Co., Inc., Goodland, KS  
 justSUP Corporation, Shawnee, KS  
 Kansas Artist Craftsmen Association, Lindsborg, KS  
 Klima Oil, Inc., Great Bend, KS  
 Klima Well Service, Inc., Great Bend, KS  
 Lamb Construction, Inc., Lenexa, KS  
 Larry Allen Motor Car Company, Inc., Parsons, KS  
 LCM Trucking, Inc., Frankfort, KS  
 Liberal Gasket Mfg. Co., Inc., Liberal, KS  
 Lindsay Auction Service, Inc., Shawnee, KS  
 Lunchizonus Corp., Kansas City, KS  
 M & B Remodeling, Inc., Kansas City, KS  
 M & G Farms, Inc., Scott City, KS  
 McKnight Family Foundation, Maize, KS  
 Medford Farms, Inc., Colby, KS  
 Medrecords LLC, Valley Center, KS  
 Meier & Co., Inc., Topeka, KS  
 Mid-States Welding LLC, New Cambria, KS  
 Midwestern Masonry, Inc., Olathe, KS  
 Minute Shop Management, Inc., Olathe, KS  
 MJ CMC Investment Inc., Wichita, KS  
 Pack Oil Company, Inc., Wichita, KS  
 PAMICO, Inc., Burrton, KS  
 Pass It Forward Foundation, Olathe, KS  
 Polymath Media, Inc., Overland Park, KS  
 Power Control Devices, Inc., Olathe, KS  
 Production Products, Inc., Overland Park, KS  
 Professional Financial Services, Inc., Overland Park, KS  
 Ruthven, Inc., Wichita, KS  
 Scott Enterprises, LLC, Garnett, KS  
 Small Change Project, Inc., Andover, KS  
 St. John Welding and Manufacturing, Inc., St. John, KS  
 St. Paul Furniture Mfg. Co., Inc., St. Paul, KS  
 Stafford Countytrash Service, Inc., St John, KS  
 Sunflower-Cottonwood Parent-Teacher Organization Inc., Paola, KS  
 Synergy Energy Consultants, LLC, Pratt, KS  
 Tabler Furniture, Inc., Larned, KS  
 The Cannon Group, Ltd., Prairie Village, KS  
 The Ellis High School Alumni Association, Ellis, KS  
 Top Form Fitness Systems, Inc., Olathe, KS  
 Westwood View Educational Enhancement Fund, Inc., Westwood, KS  
 Wheels, Inc., Frankfort, KS  
 Willer Foundation, Newton, KS  
 William H. Sears, C.P.A., Chartered, Abilene, KS  
 WWM Incorporated, Shawnee Mission, KS  
 3D Energy, Inc., Garden City, KS

### Foreign Business Entities

A & S Construction Co., Canon City, CO  
 American Credit Exchange, Inc., Las Vegas, NY  
 Aramark Senior Living Services, LLC, Philadelphia, PA  
 Avaya Federal Solutions, Inc., Basking Ridge, NJ  
 Avaya Inc., Basking Ridge, NJ  
 BDC, Inc., Kansas City, MO  
 Beltline Road Insurance Agency, Inc., Atlanta, GA  
 Gemini, Incorporated, Cannon Falls, MN  
 Grain States Soya of Kansas, Inc., West Point, NE  
 Industrial Piping Systems, Inc., Troy, MI  
 International Buddhist Progress Society, Leawood, KS  
 Jayhawk Energy, Inc., Spokane, WA  
 Joel M. Leibsohn, M.D., Inc., P.C., Shawnee Mission, KS  
 Liberty Opportunities, Inc., Conway, AR  
 Musselman and Hall Contractors, L.L.C., Kansas City, MO  
 Nicholas, Hicks & Farmer, Inc., Tacoma, WA  
 Overland Richards Road, LLC, Stockbridge, GA  
 Pulaski Financial Corp., St. Louis, MO  
 Rail Product Solutions, Inc., Chicago, IL  
 Schenkel & Shultz, Inc., Fort Wayne, IN  
 SGE Holdings, Inc., Louisville, KY  
 Specialties Company, LLC, Indianapolis, IN  
 Staco Electric Construction Company, Grandview, MO  
 The Bratton Corporation, Kansas City, MO  
 Wyoming Tire, Inc., Casper, WY

Kris W. Kobach  
 Secretary of State

Doc. No. 045416

### State of Kansas

## Department of Health and Environment Division of Health Care Finance

### Public Notice

The Kansas Department of Health and Environment (KDHE), Division of Health Care Finance (DHCF), will submit a State Plan Amendment (SPA) effective with dates of service on and after July 1, 2017. This SPA is for the Medicaid Program to be in compliance with CMS 2348 Final Rule, 42 CFR 440.70, regarding Medicaid Home Health Services.

To obtain a copy of the proposed amendment or to provide written comments, contact Bobbie Graff-Hendrixson at KDHE, DHCF, Room 900-N, Landon State Office Building, 900 SW Jackson St., Topeka, KS 66612-1220 or email [Bobbie.Graff-Hendrixson@ks.gov](mailto:Bobbie.Graff-Hendrixson@ks.gov)

The deadline for requests or comments is June 15, 2017.

Michael Randol, Director  
 Division of Health Care Finance

Doc. No. 045419

### State of Kansas

## Department of Health and Environment

### Notice of Pending Kansas/NPDES 2017 Construction Stormwater Runoff General Permit

The Kansas Department of Health and Environment (KDHE) has prepared a combined Kansas/NPDES Water Pollution Control General Permit for stormwater runoff from construction activities. This permit, when finalized, will replace the existing general permit.

A general wastewater permit is provided for those entities engaged in similar activities and discharging the

same types of wastewater. The wastewater from these types of activities has a low public health and environmental risk. A general permit is placed on public notice once during the life of the permit and then is made available, without further public notice, to all persons for construction activities which meet the requirements of the permit. The permittees are also required to meet all other federal, state, and local requirements including local zoning ordinances.

Stormwater runoff from construction activities means the discharge from any conveyance which is used for collecting and conveying stormwater and which is directly related to discharges of stormwater from construction activities (e.g. clearing, grubbing, excavating, grading, etc.) which disturb a cumulative total of one acre or more or that are part of a larger common plan of development or sale which will disturb a cumulative total of one acre or more. The term does not include discharges from facilities or activities excluded or exempted from the Kansas/Federal Water Pollution Control program requirements.

The construction project owner or operator is required to complete and submit the Notice of Intent along with certain project documentation and the first year's permit fee of \$60.00, and receive a signed and dated authorization from KDHE, prior to the start of construction activities. To maintain the permit, the permittee is required to achieve and maintain compliance with the permit requirements and pay the annual permit fee.

Supporting documents include an Executive Summary, Notice of Intent form and instructions, Individual Lot Certification form, a Notice of Termination form, a Notice of Transfer of Ownership form, and Definitions and Acronyms. Copies of these documents may be viewed on the KDHE website at [www.kdheks.gov/stormwater](http://www.kdheks.gov/stormwater) or requested in hard copy by writing: Kansas Department of Health and Environment, Bureau of Water-Technical Services Section, 1000 SW Jackson St., Suite 420, Topeka, KS 66612-1367.

Persons wishing to comment on the draft permit must submit written comments to the above address by June 17, 2017.

Susan Mosier, MD, MBA, FACS  
Secretary and State Health Officer

Doc. No. 045424

**State of Kansas**

**Department of Health and Environment**

**Notice Concerning Kansas/Federal Water Pollution Control Permits and Applications**

In accordance with Kansas Administrative Regulations 28-16-57 through 63, 28-18-1 through 17, 28-18a-1 through 33, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, various draft water pollution control documents (permits, notices to revoke and reissue, notices to terminate) have been prepared and/or permit applications have been received for discharges to waters of the United States and the state of Kansas for the class of discharges described below.

The proposed actions concerning the draft documents are based on staff review, applying the appropriate standards, regulations, and effluent limitations of the state of Kansas and the Environmental Protection Agency. The final action will result in a Federal National Pollutant Discharge Elimination System Authorization and/or a Kansas Water Pollution Control permit being issued, subject to certain conditions, revocation, and reissuance of the designated permit or termination of the designated permit.

**Public Notice No. KS-AG-17-071**

**Pending Permits for Confined Feeding Facilities**

Name and Address of Applicant	Legal Description	Receiving Water
Hal J. Palenske Palenske Ranch, Inc. 2274A Old Highway 50 Strong City, KS 66869	E/2 of Section 17, T19S, R09E, Chase County	Neosho River Basin
Kanas Permit No. A-NECS-C002		Federal Permit No. KS0096920

This permit is being modified to add a new drainage diversion on the southeast side of the facility and remove the northwest pens for use. There are no other changes to the permit. Only the portions of the permit being modified are subject to comment. This facility has an approved Nutrient Management Plan on file with KDHE.

**Public Notice No. KS-AG-R-17-008**

Per Kansas Statutes Annotated 65-171d, the following registration has been received for a proposed confined feeding facility:

Name And Address of Registrant	Legal Description	County
Claude Durler 11282 117 Road Dodge City, KS 67801	SW/4 of Section 01, T27S, R24W	Ford

Persons wishing to comment on the draft documents and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment if they wish to have the comments considered in the decision-making process. Comments should be submitted to the attention of the Livestock Waste Management Section for agricultural-related draft documents or applications, or to the Technical Services Section for all other permits, at the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, KS 66612-1367.

All comments regarding the draft documents or application notices received on or before **June 17, 2017**, will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-17-071, KS-AG-R-17-008) and name of the applicant/permittee when preparing comments.

After review of any comments received during the public notice period, the secretary of Health and Environment will issue a determination regarding final agency action on each draft document/application. If response to any draft document/application indicates significant public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC).

*(continued)*

All draft documents/applications and the supporting information including any comments received are on file and may be inspected at the offices of the Kansas Department of Health and Environment, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, Kansas. These documents are available upon request at the copying cost assessed by KDHE. Application information and components of plans and specifications for all new and expanding swine facilities are available on the Internet at <http://www.kdheks.gov/feedlots>. Division of Environment offices are open from 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding holidays.

Susan Mosier, MD, MBA, FACS  
Secretary and State Health Officer

Doc. No. 045425

## State of Kansas

### Department of Health and Environment

#### Notice Concerning Proposed Air Quality Class I Operating Permit Renewal

Notice is hereby given that the Kansas Department of Health and Environment (KDHE) is soliciting comments regarding a proposed air quality operating permit. Ade-Wifco Steel Products, Inc. has applied for a Class I operating permit renewal in accordance with the provisions of K.A.R. 28-19-510 et al. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards, and requirements applicable to each source; and the monitoring, record keeping, and reporting requirements applicable to each source as of the effective date of permit issuance.

Ade-Wifco Steel Products, Inc., 14117 Pinnacle Drive, Wichita, KS 67230, owns and operates a manufacturing facility of steel components for storage tanks and vessels used in the energy production industry and other markets located at 8003 Medora Road, Hutchinson, KS 67502.

A copy of the proposed permit, permit application, all supporting documentation, and all information relied upon during the permit application review process are available for public review during normal business hours, 8:00 a.m. to 5:00 p.m., at the KDHE, Bureau of Air (BOA), 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366 and at the South Central District Office (SCDO), 300 W. Douglas, Suite 700, Wichita, KS 67202. To obtain or review the proposed permit and supporting documentation, contact Ashley Eichman, 785-296-1693, at the KDHE central office or David Butler, 316-337-6042, at the SCDO. The standard departmental cost will be assessed for any copies requested.

Written comments or questions regarding the proposed permit may be directed to Ashley Eichman, KDHE, BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received no later than noon Monday, June 19, 2017.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Ashley Eichman,

KDHE, BOA, no later than noon Monday, June 19, 2017, in order for the secretary of Health and Environment to consider the request.

The U.S. Environmental Protection Agency has a 45-day review period, which will start concurrently with the public comment period, within which to object to the proposed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the EPA to review the permit. The 60-day public petition period will directly follow the EPA's 45-day review period. Interested parties may contact KDHE to determine if the EPA's 45-day review period has been waived.

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Ward Burns, U.S. EPA, Region 7, Air Permitting and Compliance Branch, 11201 Renner Blvd., Lenexa, KS 66219, 913-551-7960, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Susan Mosier, MD, MBA, FACS  
Secretary and State Health Officer

Doc. No. 045418

## State of Kansas

### Department of Health and Environment

#### Notice for Kansas Public Water Supply Loan Fund 2018 Intended Use Plan

A public hearing will be conducted at 1:00 p.m. Wednesday June 21, 2017, in the Azure Conference Room of the Curtis State office Building, 1000 SW Jackson St., 4th floor, Topeka, to discuss the Kansas Public Water Supply Loan Fund (KPWSLF) 2018 Intended Use Plan (IUP). The Intended Use Plan will make additions to the Project Priority List and include estimates and uses of anticipated Capitalization Grants from the EPA. Copies of the draft IUP can be obtained online at [www.kdheks.gov/pws/loansgrants/loanfunddocumentsadministration.html](http://www.kdheks.gov/pws/loansgrants/loanfunddocumentsadministration.html).

Any individual with a disability may request accommodation to participate in the public hearing. Requests for accommodation should be made at least five working days before the hearing by contacting Linda White at 785-296-5514.

Comments can be presented at the hearing or in writing prior to the hearing. Written comments should be addressed to Linda White, Bureau of Water, Kansas Department of Health and Environment, 1000 SW Jackson St., Suite 420, Topeka, KS 66612.

Susan Mosier, MD, MBA, FACS  
Secretary and State Health Officer

Doc. No. 045423



(Published in the Kansas Register May 18, 2017.)

**Summary Notice of Bond Sale  
Unified School District No. 265,  
Sedgwick County, Kansas (Goddard)  
\$45,000,000\*  
General Obligation School Building Bonds,  
Series 2017-A**

**(General obligation bonds payable  
from unlimited ad valorem taxes)**

**Bids**

Subject to the Notice of Bond Sale dated May 8, 2017 (the Notice), facsimile and electronic bids will be received on behalf of the director of finance of Unified School District No. 265, Sedgwick County, Kansas (Goddard) (the Issuer) in the case of facsimile bids, at the address set forth below, and in the case of electronic bids, through PARITY® until 11:00 a.m. (CDT) June 6, 2017, for the purchase of the above-referenced bonds (the Bonds). No bid of less than 100 percent of the principal amount of the Bonds and accrued interest thereon to the date of delivery will be considered.

**Bond Details**

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The Bonds will be dated June 29, 2017, and will become due on October 1 in the years as follows:

<b>Year</b>	<b>Principal Amount*</b>	<b>Year</b>	<b>Principal Amount*</b>
2020	\$ 570,000	2028	\$1,360,000
2021	665,000	2029	1,355,000
2022	775,000	2030	7,080,000
2023	740,000	2031	7,405,000
2024	840,000	2032	7,750,000
2025	935,000	2033	8,100,000
2026	1,100,000	2034	5,100,000
2027	1,225,000		

The Bonds will bear interest from the date thereof at rates to be determined when the Bonds are sold as hereinafter provided, which interest will be payable semiannually on April 1 and October 1 in each year, beginning on April 1, 2018.

**Book-Entry-Only System**

The Bonds shall be registered under a book-entry-only system administered through DTC.

**Paying Agent and Bond Registrar**

Treasurer of the State of Kansas, Topeka, Kansas.

**Good Faith Deposit**

Each bid shall be accompanied (in the manner set forth in the Notice) by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States of America or a wire transfer in Federal Reserve funds immediately available for use by the Issuer in the amount of \$900,000.

**Delivery**

The Issuer will pay for preparation of the Bonds and will deliver the same properly prepared, executed, and registered without cost to the successful bidder on or

about **June 29, 2017**, to DTC for the account of the successful bidder.

**Assessed Valuation and Indebtedness**

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2016 is \$295,213,294. The total general obligation indebtedness of the Issuer as of the dated date, including the Bonds being sold, is \$174,760,000.

**Approval of Bonds.**

The Bonds will be sold subject to the legal opinion of Gilmore & Bell, P.C., Wichita, Kansas, bond counsel to the Issuer, whose approving legal opinion as to the validity of the Bonds will be furnished and paid for by the Issuer, printed on the Bonds and delivered to the successful bidder as and when the Bonds are delivered.

**Additional Information**

Additional information regarding the Bonds may be obtained from the undersigned, or from the financial advisor at the addresses set forth below:

**Issuer –Good Faith Deposit Delivery Address:**

Office of the Board of Education  
Attn: Director of Finance  
201 S. Main, PO Box 249  
Goddard, KS 67052-0249  
316-794-4000  
Fax: 316-794-2222  
dmaxwell@goddardusd.com

**Financial Advisor – Facsimile Bid and Good Faith Deposit Delivery Address:**

George K. Baum & Company  
Attn: Stephen E. Shogren  
100 N. Main, Suite 810  
Wichita, KS 67202  
316-263-9351  
Fax: 316-264-9370  
shogren@gkbaum.com

Dated May 8, 2017.

Unified School District No. 265  
Sedgwick County, Kansas

\* Subject to change, see the Notice  
Doc. No. 045428

(Published in the Kansas Register May 18, 2017.)

**Summary Notice of Bond Sale  
City of Derby, Kansas  
\$5,105,000\*  
General Obligation Bonds, Series 2017-A**

**(General obligation bonds payable  
from unlimited ad valorem taxes)**

**Bids**

Subject to the Notice of Bond Sale dated May 9, 2017 (the Notice), facsimile and electronic bids will be received on behalf of the director of finance of the city of Derby, Kansas (the Issuer) in the case of facsimile bids, at the address set forth below, and in the case of electronic bids, through PARITY® until 11:00 a.m. (CDT) June 8, 2017, for the purchase of the above-referenced bonds (the *continued*)

Bonds). No bid of less than 100 percent of the principal amount of the Bonds and accrued interest thereon to the date of delivery will be considered.

**Bond Details**

The Bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The Bonds will be dated June 29, 2017, and will become due on December 1 in the years as follows:

Year	Principal Amount*	Year	Principal Amount*
2018	\$135,000	2028	\$270,000
2019	210,000	2029	275,000
2020	215,000	2030	290,000
2021	220,000	2031	295,000
2022	230,000	2032	305,000
2023	235,000	2033	265,000
2024	240,000	2034	270,000
2025	250,000	2035	280,000
2026	260,000	2036	290,000
2027	265,000	2037	305,000

The Bonds will bear interest from the date thereof at rates to be determined when the Bonds are sold as hereinafter provided, which interest will be payable semiannually on June 1 and December 1 in each year, beginning on June 1, 2018.

**Book-Entry-Only System**

The Bonds shall be registered under a book-entry-only system administered through DTC.

**Paying Agent and Bond Registrar**

Treasurer of the State of Kansas, Topeka, Kansas.

**Good Faith Deposit**

Each bid shall be accompanied (in the manner set forth in the Notice) by a good faith deposit in the form of a cashier’s or certified check drawn on a bank located in the United States of America or a wire transfer in Federal Reserve funds immediately available for use by the Issuer in the amount of \$102,100.

**Delivery**

The Issuer will pay for preparation of the Bonds and will deliver the same properly prepared, executed, and registered without cost to the successful bidder on or about **June 29, 2017**, to DTC for the account of the successful bidder.

**Assessed Valuation and Indebtedness**

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2016 is \$233,211,912. The total general obligation indebtedness of the Issuer as of the dated date, including the Bonds being sold, is \$68,435,000.

**Approval of Bonds**

The Bonds will be sold subject to the legal opinion of Gilmore & Bell, P.C., Wichita, Kansas, bond counsel to the Issuer, whose approving legal opinion as to the validity of the Bonds will be furnished and paid for by the Issuer, printed on the Bonds and delivered to the successful bidder as and when the Bonds are delivered.

**Additional Information**

Additional information regarding the Bonds may be obtained from the undersigned, or from the financial advisor at the addresses set forth below:

**Issuer – Facsimile Bid and Good Faith Deposit**

**Delivery Address:**

Attn: Jean Epperson, Director of Finance  
 City Hall  
 611 N. Mulberry  
 Derby, KS 67037  
 316-788-1519  
 Fax: 316-788-6067  
 jeaneperson@derbyweb.com

**Financial Advisor:**

Piper Jaffray & Co.  
 Attn: Greg Vahrenberg  
 11635 Rosewood St.  
 Leawood, KS 66211  
 913-345-3374  
 Fax: 913-345-3393  
 gregory.m.vahrenberg@pjc.com

Dated May 9, 2017.

City of Derby, Kansas

\* Subject to change, see the Notice  
 Doc. No. 045426

**State of Kansas**

**Behavioral Sciences Regulatory Board**

**Notice of Hearing on Proposed Administrative Regulations**

The Behavioral Sciences Regulatory Board will conduct a public hearing from 10:00 to 11:00 a.m. on Thursday, July 27, 2017, in the board conference room at 700 SW Harrison St., Suite 420, Topeka, Kansas to consider adopting permanent rules and regulations for clinical supervisor training standards for professional counselors and marriage and family therapists.

This 60-day notice of the public hearing constitutes a public comment period for purposes of receiving written public comments on the proposed regulations. All interested parties may submit written comments prior to the hearing to Max L. Foster, Jr., Executive Director, Behavioral Sciences Regulatory Board, 700 SW Harrison St., Suite 420, Topeka, KS 66603-3929. Email comments may be directed to max.foster@ks.gov. All interested parties will be given a reasonable opportunity to present their views orally at the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statement in an accessible format. Requests for accommodation to participate in the hearing should be made at least five working days in advance of the hearing by contacting Leslie Allen, Assistant Director, at 785-296-3240 or the Kansas Relay Center at 1-800-766-3777. There is metered parking all around the Eisenhower

State Office Building. The public entrance is on the north side of the building.

A copy of the full text of the regulations and the economic impact statement may be reviewed or obtained at the board office. They are also available on the board website at [www.ksbsrb.ks.gov](http://www.ksbsrb.ks.gov) under proposed regulations. The following is a summary of the proposed regulations and economic statement. The board does not have a less costly or less intrusive method for achieving the stated purpose of these regulations.

**K.A.R. 102-3-7b** Implements the approved 2016 statute (K.S.A. 65-5818) that identifies the training requirements that must be met for an individual to receive the designation of board approved clinical supervisor associated with the licensure of Professional Counselors.

**K.A.R. 102-5-7b** Implements the approved 2016 statute (K.S.A. 65-6414) that identifies the training requirements that must be met for an individual to receive the designation of board approved clinical supervisor associated with the licensure of Marriage and Family Therapists.

**Economic impact:** There would be an economic impact to Professional Counselor and Marriage and Family Therapy Supervisors as a result of the requirement for their licensure under these regulations. There would be no economic impact to other BSRB licensees, any other governmental agencies, or the public.

Max L. Foster, Jr.  
Executive Director

Doc. No. 045422

## State of Kansas

### Department of Health and Environment

#### Notice of Hearing on Proposed Administrative Regulations

The Kansas Department of Health and Environment (KDHE), Division of Environment, Bureau of Environmental Remediation, will conduct a public hearing at 10:00 a.m. Thursday, July 27, 2017, in the Flint Hills Conference Room, third floor, Curtis State Office Building, 1000 SW Jackson, Topeka, to consider the adoption of proposed amended voluntary cleanup and property redevelopment program (VCPRP) regulations K.A.R. 28-71-1 through 28-71-12.

A summary of the proposed regulations and the estimated economic impact follows:

#### Summary of Regulations:

**K.A.R. 28-71-1. Definitions.** Amendments add or revise the terms “class one contamination,” “class two contamination,” “environmental use control,” “environmental site assessment,” “maximum contaminant level,” and “risk management plan” and remove the terms “adjacent property,” “class three contamination,” “class four contamination,” and “qualified environmental professional.”

**K.A.R. 28-71-2. Applicant.** Amendments clarify the applicant’s relationship to the property.

**K.A.R. 28-71-3. Eligibility determination.** Amendments clarify that properties described in the application are required to meet the criteria defined in K.S.A. 65-34, 161, et seq.

**K.A.R. 28-71-4. Application process.** Amendments clarify the application and reapplication process.

**K.A.R. 28-71-5. Classification determination.** Amendments clarify supporting information needed to justify contaminant class and revise and consolidate contamination classes resulting in two classes instead of four.

**K.A.R. 28-71-6. Voluntary agreement.** Amendments revise the initial deposit amount for contaminant Class I from \$1,000 to \$2,000. The initial deposit for contaminant Class II will not exceed \$5,000. Previous classification deposit amounts for Class II, III and IV sites did not exceed \$5,000.

**K.A.R. 28-71-7. Initial deposit and reimbursement.** Amendments require applicant to maintain a balance of \$1,000 for Class I properties and \$2,000 for Class II properties in the voluntary party’s account until project completion. Amendments also revise oversight requirements.

**K.A.R. 28-71-8. Environmental site assessments.** Amendments revise qualifications necessary for persons conducting the assessment and the information required in the assessment. A “qualified environmental professional” is removed and replaced with “an individual who possesses the education, experience, or licensure sufficient to prepare a competent environmental site assessment.”

**K.A.R. 28-71-9. Voluntary cleanup work plans and reports.** Amendments require work to be performed in accordance with standard industry practices and add flexibility for voluntary parties in developing the scope of work. Amendments revise the objectives for remediation proposals and allow verification sampling to be conducted by the voluntary party, KDHE, or both.

**K.A.R. 28-71-10. No further action determination.** Amendments establish new pathways and classifications for no further action (NFA) determinations for a property.

**K.A.R. 28-71-11. Remedial standards and remedial actions.** Amendments clarify the approaches to determine the appropriate soil and groundwater cleanup levels based on actual and most probable use of groundwater.

**K.A.R. 28-71-12. Public notification and participation.** Amendments remove duplicative language addressed in statute for public notification and participation.

#### Economic Impact

All of the regulation amendments are expected to be at a neutral or reduced cost to all parties as the changes provide flexibility in site assessment and remediation.

**Cost to the agency:** No additional costs will be incurred by KDHE. KDHE will utilize existing positions and major office equipment to implement and administer the changes to the voluntary cleanup program.

**Cost to the public:** No additional costs will be incurred by the public.

**Cost to a voluntary cleanup party (industry, business, private citizens):** There will be an initial deposit increase from \$1,000 to \$2,000 for each Class I site enrolled in the VCPRP.

KDHE has evaluated the fiscal impact to voluntary parties that enrolled Class I sites in the VCPRP from 2010 to 2016. The average cost per Class I site was \$2,030.00, more than double the initial deposit. The increase in the deposit to \$2,000 will allow for a smoother transition to

(continued)

completion without delay due to lack of funds to cover KDHE's costs associated with the project. Any remaining funds in the account are returned to the voluntary party if they are mutually terminated from the program.

KDHE anticipates a decrease in capital and annual costs of compliance to the voluntary party because the proposed amendments will offer flexibility on the path to closure, eliminating the need for many low risk sites to languish in the program.

The proposed amendments to the regulations will provide a clear and concise path to closure for voluntary cleanup sites that is less onerous to businesses, municipalities, and industry but that allow protection of human health and the resources of the state.

The time period between the publication of this notice and the scheduled hearing constitutes a 60-day public comment period for the purpose of receiving written public comments on the proposed regulations. All interested parties may submit written comments prior to 5 p.m. on the day of the hearing to Deanna Ross, Kansas Department of Health and Environment, Bureau of Environmental Remediation, 1000 SW Jackson, Suite 410, Topeka, 66612, by email to [Deanna.ross@ks.gov](mailto:Deanna.ross@ks.gov), or by fax to 785-559-4261. During the hearing, all interested parties will be given a reasonable opportunity to present their views orally on the proposed amended regulations as well as an opportunity to submit their written comments. In order to give each individual an opportunity to present their views, it may be necessary for the hearing officer to request that each presenter limit an oral presentation to an appropriate time frame.

Complete copies of the proposed amended regulations and the corresponding regulatory impact statement may be obtained from the KDHE Bureau of Environmental Remediation website at <http://www.kdheks.gov/ars/vcp/index.html> or by contacting Deanna Ross at [Deanna.ross@ks.gov](mailto:Deanna.ross@ks.gov), 785-296-8064, or fax 785-559-4261. Questions pertaining to the proposed amended regulations should be directed to Deanna Ross at the contact information above.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and the regulatory impact statement in an accessible format. Requests for accommodation to participate in the hearing should be made at least five working days in advance of the hearing by contacting Deanna Ross.

Susan Mosier, MD, MBA, FACS  
Secretary and State Health Officer

Doc. No. 045417

## State of Kansas

### Kansas Lottery

#### Temporary Administrative Regulations

##### Article 2.—LOTTERY RETAILERS

**111-2-30. Retailer bonus.** (a) On all Powerball, Mega Millions, Hot Lotto, and Super Kansas Cash drawings in which the prize claimed and awarded is the "jackpot prize" offered in the game it represents, the Kansas lottery retailer(s) selling the ticket(s) shall receive \$10,000

for Powerball, \$10,000 for Mega Millions, \$2,500 for Hot Lotto, and \$1,000 for Super Kansas Cash, or share equally in a bonus if there are multiple winners and the prize is paid on a parimutuel basis. The bonus shall be in addition to compensation specified in K.A.R. 111-2-4.

(b) A "jackpot prize" is the highest prize awarded in the prize structure of the Powerball, Mega Millions, Hot Lotto, or Super Kansas Cash game it represents.

(c) On all Powerball drawings where the prize claimed and awarded is less than the jackpot prize and is not less than \$200,000, the Kansas lottery retailer selling the ticket shall receive \$1,000.

(d) On all Keno drawings where the prize claimed and awarded is not less than \$100,000, the Kansas lottery retailer selling the ticket shall receive \$1,000.

(e) On all raffle game drawings where the prize claimed and awarded is not less than \$1,000,000, the Kansas lottery retailer selling the ticket shall receive \$1,000.

(f) On all Mega Millions drawings where the prize claimed and awarded is less than the jackpot prize and is not less than \$250,000, the Kansas lottery retailer selling the ticket shall receive \$1,000.

(g) On all Lucky for Life drawings where the top prize claimed and awarded is not less than \$1,000 a day for life or the cash option equivalent, the Kansas lottery retailer selling the ticket shall receive \$2,500.

(h) In addition to other commissions and bonuses received, each retailer shall receive a sales bonus of one percent (1%) of each instant and online tickets sold by the retailer where the prize claimed and awarded is over \$599, with a minimum bonus of \$10 and a maximum bonus of \$100. A retailer receiving a bonus pursuant to subsections (a), (b), (c), (d), (e) or (f) above shall not be entitled to this bonus.

(i) A bonus as provided in subsections (a), (b), (c), (d), (e), (f), or (g) above shall only be paid to a Kansas lottery retailer that, at the time the qualifying prize is claimed and awarded, is not delinquent in any payments due the lottery, is a certified lottery retailer, is not suspended or on "hold" status, and is otherwise in compliance with retailer's contract with the lottery. In the event a bonus is earned but the retailer is not at that time eligible to receive the bonus, the lottery will withhold payment or credit for up to 90 days to allow the retailer to cure any such delinquency or other deficiency. If after 90 days the retailer fails to cure said delinquency or deficiency, the retailer shall forfeit said bonus. Under extenuating circumstances, as determined by the executive director, the time for curing said delinquency or deficiency may be extended. (Authorized by and implementing K.S.A. 2016 Supp. 74-8710; effective, T-111-8-5-94, July 15, 1994; amended, T-111-3-22-95, March 16, 1995; amended, T-111-5-22-96, May 15, 1996; amended, T-111-6-27-96, June 21, 1996; amended, T-111-7-22-96, July 19, 1996; amended, T-111-3-13-98, Feb. 20, 1998; amended, T-111-5-28-98, May 15, 1998; amended, T-111-7-19-99, June 17, 1999; amended, T-111-6-8-00, May 12, 2000; amended, T-111-7-31-00, July 21, 2000; amended, T-111-11-14-00, Oct. 20, 2000; amended, T-111-3-30-06, March 15, 2006; amended, T-111-12-24-2009, Dec. 16, 2009; amended, T-111-1-29-10, Jan. 20, 2010; amended, T-111-4-21-17, March 8, 2017.)

**Article 4.—INSTANT GAMES AND DRAWINGS**

**111-4-3476. “Kansas Loteria” instant ticket lottery game number 717.** (a) The Kansas lottery may conduct an instant winner lottery game entitled “Kansas Loteria.” The rules for this game are contained in K.A.R. 111-3-1 et seq. and 111-4-3476.

(b) The “play and prize symbols” and “captions” for this game are as follows:

<b>Play Symbols</b>	<b>Captions</b>
Symbol of the horseshoe	THE HORSESHOE
Symbol of the horse	THE HORSE
Symbol of the emblem	THE EMBLEM
Symbol of the seeds	THE SEEDS
Symbol of the moonrise	THE MOONRISE
Symbol of the banana	THE BANANA
Symbol of the piñata	THE PINATA
Symbol of the sunset	THE SUNSET
Symbol of the guitar	THE GUITAR
Symbol of the cherries	THE CHERRIES
Symbol of the parasol	THE PARASOL
Symbol of the fire	THE FIRE
Symbol of the ladybug	THE LADYBUG
Symbol of the maracas	THE MARACAS
Symbol of the spear	THE SPEAR
Symbol of the bowl	THE BOWL
Symbol of the shoes	THE SHOES
Symbol of the partridge	THE PARTRIDGE
Symbol of the log	THE LOG
Symbol of the tulip	THE TULIP
Symbol of the forest	THE FOREST
Symbol of the corn	THE CORN
Symbol of the newspaper	THE NEWSPAPER
Symbol of the meadowlark	THE MEADOWLARK
Symbol of the windmill	THE WINDMILL
Symbol of the bison	THE BISON
Symbol of the wheat	THE WHEAT
Symbol of the box turtle	THE BOXTURTLE
Symbol of the sunflower	THE SUNFLOWER
Symbol of the cattle	THE CATTLE
Symbol of the chicken	THE CHICKEN

<b>Prize Symbols</b>	<b>Captions</b>
\$5. <sup>00</sup>	FIVE\$
\$10. <sup>00</sup>	TEN\$
\$15. <sup>00</sup>	FIFTN\$
\$20. <sup>00</sup>	TWENTY
\$50. <sup>00</sup>	FIFTY
\$100	HUNDRED
\$200	TWO-HUN
\$500	FIV-HUN
\$1,000	ONE-THO
\$25,000	TWNFVTHO

(c) For this game, a play/prize symbol shall appear in 49 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 059.

(e) The price of instant tickets sold by a retailer for this game shall be \$5.00 each.

(f) “Kansas Loteria” consists of three play areas. There is a “PLAY BOARD” in the top portion of the ticket that consists of 16 play symbols covered with translucent material. The middle portion of the ticket consists of four “BONUS” games. The lower portion of the ticket consists of 21 “CALLER’S CARD” symbols. The player will remove the scratch-off material from the area on the ticket indicated by the words “CALLER’S CARD” to reveal 21 play symbols. A player will match the “CALLER’S CARD” play symbols to any identical play symbol(s) on the “PLAY BOARD” and will scratch the translucent material over the matched symbol on the “PLAY BOARD.” If the matched play symbols on the “PLAY BOARD” reveal a complete row, column, or diagonal line, the player wins the prize amount shown for that line.

The “BONUS” play area consists of four separate “BONUS” games, “GAME 1,” “GAME 2,” “GAME 3,” and “GAME 4.” Each game consists of two play symbols covered in translucent material and a prize amount. The player will match the play symbols in the “CALLER’S CARD” to any identical play symbol(s) in the “BONUS” games by scratching the translucent material over the matching play symbols in the “BONUS” games. If a player matches both play symbols in any single “BONUS” game to any play symbols in the “CALLER’S CARD,” the player wins the prize amount shown for that game.

(g) Each ticket in this game may win up to six times.

(h) Approximately 600,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 120,000 tickets, and the same odds as were contained in the initial ticket order.

(i) The expected number and value of instant prizes in this game shall be as follows:

<b>Prize</b>	<b>Expected Number of Prizes in Game</b>	<b>Expected Value in Game</b>
\$5 or \$10	72,500	\$362,500
\$5	20,000	200,000
\$5	40,000	400,000
\$15 or \$15	2,500	37,500
\$5 + \$10	2,500	37,500
\$5	5,000	75,000
\$20 or \$20	2,500	50,000
\$10	2,500	50,000
\$15	2,500	50,000
\$5	2,500	50,000
\$50 or \$50	250	12,500
\$10 + \$20	2,500	125,000
\$5 + \$10 + \$15	2,500	125,000
\$5 + \$20	2,250	112,500
\$100 or \$100	50	5,000
\$50	500	50,000
\$10 + \$20 + \$50	700	70,000
\$200 or \$200	25	5,000
\$100	75	15,000
\$20 + \$50 + \$100	100	20,000
(\$50 x 2) + \$100	50	10,000
\$500 or \$500	5	2,500

(continued)

\$50 + \$100 + \$200 (\$50 x 3)	\$500	20	10,000
(\$50 x 2) + \$100	\$500	15	7,500
\$200 (\$100 x 3)	\$500	10	5,000
\$1,000 or \$1,000	\$1,000	20	20,000
\$25,000 or \$25,000	\$25,000	3	75,000
Player Loyalty Program	\$20,000		20,000
TOTAL		<u>161,573</u>	<u>\$2,002,500</u>

(j) The odds of winning a prize in this game are approximately one in 3.71. (Authorized by K.S.A. 2016 Supp. 74-8710; implementing K.S.A. 2016 Supp. 74-8710, and 74-8720; effective, T-111-4-21-17, March 8, 2017.)

**111-4-3477. "Tic-Tac-Bingo" instant ticket lottery game number 723.** (a) The Kansas lottery may conduct an instant winner lottery game entitled "Tic-Tac-Bingo." The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-3477.

(b) The "play symbols" and "captions" for this game are as follows:

Play Symbols	Captions
01	ONE
02	TWO
03	THREE
04	FOUR
05	FIVE
06	SIX
07	SEVEN
08	EIGHT
09	NINE
10	TEN
11	ELEVN
12	TWELV
13	THRTN
14	FORTN
15	FIFTN
16	SIXTN
17	SEVTN
18	EGHTN
19	NINTN
20	TWENTY
21	TWONE
22	TWTWO
23	TWTHR
24	TWFOR
25	TWFIV
26	TWSIX
27	TWSEV
28	TWEGT
29	TWNIN
30	THRTY
31	THONE
32	THTWO
33	THTHR
34	THFOR
35	THFIV
36	THSIX
37	THSEV

38	THEGT
39	THNIN
40	FORTY

There are no prize symbols for this game.

(c) For this game, a play symbol shall appear in 36 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 149.

(e) The price of instant tickets sold by a retailer for this game shall be \$2.00 each.

(f) "Tic-Tac-Bingo" consists of three play areas. There is a "CALLER'S CARD" play area that consists of 18 numbers. There are two "TIC-TAC-BINGO" board play areas which each consist of nine numbers covered in translucent material. A player will remove the scratch-off material covering the "CALLER'S CARD" numbers to reveal the 18 "CALLER'S CARD" numbers. A player will match the "CALLER'S CARD" numbers to any identical number(s) on each "TIC-TAC-BINGO" board and will scratch the translucent material over the matched number(s) on the bingo boards. If either bingo board reveals a row, column, or diagonal line with three matching numbers, the player wins the prize amount shown for that line in the corresponding arrow.

(g) Each ticket in this game may win up to five times.

(h) Approximately 1,800,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(i) The expected number and value of instant prizes in this game shall be as follows:

Prize	Expected Number of Prizes in Game	Expected Value in Game
\$2	204,000	\$408,000
\$2 + \$2	96,000	384,000
\$5	24,000	120,000
\$2 + \$5	12,000	84,000
\$2 + \$2 + \$5	12,000	108,000
\$10	12,000	120,000
\$5 + \$5	12,000	120,000
\$2	6,000	72,000
\$10	6,000	90,000
\$5	6,000	90,000
\$15	6,000	90,000
\$5 + \$5	6,000	120,000
\$10	6,000	120,000
\$10 + \$10	6,000	120,000
\$5	2,004	50,100
\$10 + \$10	1,500	37,500
\$15	498	12,450
\$25	25	498
\$25	498	12,450
\$5 + \$15	900	27,000
\$30	900	27,000
\$5 + \$5	2,496	74,880
\$10 + \$10	30	600
\$30	600	18,000
\$5	25	600
\$10 + \$25	450	18,000
\$40	450	18,000
\$15 + \$15	600	24,000
\$10 + \$10	600	24,000
\$50	24	1,200
\$15	60	3,000
\$10 + \$25	60	3,000
\$25 + \$25	36	1,800
\$50	36	1,800
\$15 + \$15	90	4,500
\$10 + \$10	90	4,500
\$50	90	4,500
\$10 + \$10 + \$25	90	4,500
\$50	90	4,500
\$15	30	2,250
\$10 + \$50	30	2,250
\$75	30	2,250

\$5	\$10 + \$10 + \$25 + \$25	\$75	120	9,000
	\$25 + \$25 + \$50	\$100	30	3,000
	\$50 + \$50	\$100	30	3,000
\$15 + \$15	\$10 + \$10 + \$50	\$100	30	3,000
\$250		\$250	24	6,000
	\$500	\$500	18	9,000
\$250	\$500	\$750	12	9,000
\$1,000		\$1,000	6	6,000
	\$10,000	\$10,000	3	30,000
Player Loyalty Program		\$22,300		22,300
TOTAL			<u>412,101</u>	<u>\$2,233,480</u>

(j) The odds of winning a prize in this game are approximately one in 4.37. (Authorized by K.S.A. 2016 Supp. 74-8710; implementing K.S.A. 2016 Supp. 74-8710, and 74-8720; effective, T-111-4-21-17, March 8, 2017.)

**111-4-3478. "Kitty Cash & Doggy Dough" instant ticket lottery game number 724.** (a) The Kansas lottery may conduct an instant winner lottery game entitled "Kitty Cash & Doggy Dough." The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-3478.

(b) The "play and prize symbols" and "captions" for this game are as follows:

Play Symbols	Captions
Symbol of a tree	TREE
Symbol of a feather	FEATHER
Symbol of a dish	DISH
Symbol of a fence	FENCE
Symbol of a pet collar	COLLAR
Symbol of a couch	COUCH
Symbol of a bottle of milk	MILK
Symbol of a heart	HEART
Symbol of a paw print	WIN
Symbol of a mouse	WIN2X
Symbol of a fish	FISH
Symbol of a cat scratching tower	TOWER
Symbol of a pet kennel	KENNEL
Symbol of a ball of yarn	YARN
Symbol of a brush	BRUSH
Symbol of a treat	TREAT
Symbol of a cat	CAT
Symbol of a shoe	SHOE
Symbol of a ball	BALL
Symbol of a Frisbee	FRISBEE
Symbol of a dog house	DOG HOUSE
Symbol of a dog bone	BONE
Symbol of a dog	DOG
Symbol of a fire hydrant	WIN2X

  

Prize Symbols	Captions
FREE	\$5TICKET
\$5. <sup>00</sup>	FIVE\$
\$10. <sup>00</sup>	TEN\$
\$15. <sup>00</sup>	FIFTN\$
\$20. <sup>00</sup>	TWENTY
\$25. <sup>00</sup>	TWEN-FIV
\$50. <sup>00</sup>	FIFTY

\$100	HUNDRED
\$500	FIV-HUN
\$1,000	ONE-THO
\$25,000	TWNFVTHO

(c) For this game, a play/prize symbol shall appear in 24 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 059.

(e) The price of instant tickets sold by a retailer for this game shall be \$5.00 each.

(f) "Kitty Cash & Doggie Dough" is an instant reveal game with either a cat theme or a dog theme. The player will remove the scratch-off material to reveal 12 play symbols with a prize amount shown under each play symbol. If the player reveals a symbol of a "PAW PRINT" in either a cat or a dog themed ticket, the player wins the prize shown for that symbol. If the player reveals a symbol of a "MOUSE" in a cat themed ticket, player wins double the prize shown for that symbol. If the player reveals a symbol of a "FIRE HYDRANT" in a dog themed ticket, the player wins double the prize shown for that symbol.

(g) Each ticket in this game may win up to 12 times.

(h) Approximately 600,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(i) The expected number and value of instant prizes in this game shall be as follows:

Prize	Expected Number of Prizes in Game	Expected Value in Game
Free Ticket	Free Ticket	\$0
\$5	\$5	250,000
\$10	\$10	100,000
\$5 (DBL)	\$10	300,000
\$15	\$15	30,000
\$5 (DBL) + \$5	\$15	135,000
\$5 + \$10	\$15	135,000
\$20	\$20	20,000
\$15 + \$5	\$20	40,000
\$5 (DBL) + (\$5 x 2)	\$20	60,000
\$10 (DBL)	\$20	40,000
\$5 (DBL) + \$10	\$20	40,000
\$25	\$25	5,000
(\$5 x 5)	\$25	30,000
\$15 + (\$5 x 2)	\$25	20,000
\$10 (DBL) + \$5	\$25	30,000
\$5 (DBL) + \$5 + \$10	\$25	40,000
\$50	\$50	10,000
(\$5 x 10)	\$50	120,000
\$10 (DBL) + \$5 (DBL) + (\$5 x 4)	\$50	120,000
\$100	\$100	4,000
(\$5 x 4) + (\$10 x 8)	\$100	10,000
\$10 (DBL) + (\$5 (DBL) x 5) + \$5 + \$25	\$100	16,000
(\$5 (DBL) x 8) + (\$10 x 2)	\$100	20,000
\$500	\$500	4,000
(\$50 x 8) + (\$25 x 4)	\$500	22,000

(continued)

\$50 (DBL) + \$100 + (\$20 (DBL) x 5) + \$100	\$500	56	28,000
(\$20 x 5) + (\$25 x 4) + \$100 (DBL) + (\$25 (DBL) x 2)	\$500	100	50,000
\$1,000	\$1,000	4	4,000
(\$25 (DBL) x 2) + (\$25 x 8) + \$100 (DBL) + \$500	\$1,000	12	12,000
(\$25 (DBL) x 4) + (\$100 (DBL) x 3) + (\$50 (DBL) x 2)	\$1,000	12	12,000
\$25,000	\$25,000	6	150,000
Player Loyalty Program	\$18,800		18,800
<b>TOTAL</b>		<u>170,742</u>	<u>\$1,875,800</u>

(j) The odds of winning a prize in this game are approximately one in 3.51. (Authorized by K.S.A. 2016 Supp. 74-8710; implementing K.S.A. 2016 Supp. 74-8710, and 74-8720; effective, T-111-4-21-17, March 8, 2017.)

**111-4-3479. "\$500 Fully Loaded" instant ticket lottery game number 732.** (a) The Kansas lottery may conduct an instant winner lottery game entitled "\$500 Fully Loaded." The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-3479.

(b) The "play and prize symbols" and "captions" for this game are as follows:

Play Symbols	Captions
1	ONE
2	TWO
3	THR
4	FOR
5	FIV
6	SIX
7	SVN
8	EGT
9	NIN
10	TEN
11	ELEVN
12	TWELV
13	THRTN
14	FORTN
15	FIFTN
16	SIXTN
17	SVNTN
18	EGHTN
19	NINTN
20	TWNTY
21	TWYON
22	TWYTW
23	TWYTH
24	TWYFR
25	TWYFV
26	TWYSX
27	TWYSV
28	TWYET
29	TWYNI
30	THRTY
31	THYON
32	THYTW

33	THYTR
34	THYFR
35	THYFV
36	THYSX
37	THYSV
38	THYET
39	THYNI
40	FORTY

**Prize Symbols**

FREE
\$5 <sup>00</sup>
\$10 <sup>00</sup>
\$15 <sup>00</sup>
\$20 <sup>00</sup>
\$30 <sup>00</sup>
\$75 <sup>00</sup>
\$100
\$150
\$500

**Captions**

TICKET
FIVE\$
TEN\$
FIFTN\$
TWENTY
THIRTY
STYFIV
ONEHUN
ONHFTY
FIVHUN

(c) For this game, a play/prize symbol shall appear in 37 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 059.

(e) The price of instant tickets sold by a retailer for this game shall be \$5.00 each.

(f) The "\$500 Fully Loaded" ticket is a key number match game. The player will remove the scratch-off material to reveal one "FRENZY NUMBER," six "WINNING NUMBERS," and 15 "YOUR NUMBERS" with a prize amount shown below each "YOUR NUMBER." If a player matches any "WINNING NUMBER" to any of the "YOUR NUMBERS," the player wins the prize amount below the "YOUR NUMBER." If the player matches the "FRENZY NUMBER" to any of the "YOUR NUMBERS," the player wins all 15 prize amounts shown on the ticket below each "YOUR NUMBER."

(g) Each ticket in this game may win up to 15 times.

(h) Approximately 600,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 240,000 tickets, and the same odds as were contained in the initial ticket order.

(i) The expected number and value of instant prizes in this game shall be as follows:

Prize	Expected Number of Prizes in Game	Expected Value in Game	
Free \$5 Ticket	Free Ticket	80,000	\$0
(\$5 x 2)	\$10	20,000	200,000
\$10	\$10	20,000	200,000
(\$5 x 3)	\$15	10,000	150,000
\$10 + \$5	\$15	5,000	75,000
\$15	\$15	5,000	75,000
(\$5 x 4)	\$20	10,000	200,000
(\$10 x 2)	\$20	2,500	50,000
\$20	\$20	2,500	50,000
(\$5 x 6)	\$30	1,250	37,500
(\$10 x 3)	\$30	1,250	37,500



(\$15 x 2)	\$30	1,250	37,500	\$5 <sup>.00</sup>	FIVE\$
\$30	\$30	1,250	37,500	\$10 <sup>.00</sup>	TEN\$
(\$5 x 15)	\$75	500	37,500	\$15 <sup>.00</sup>	FIFTN\$
(\$10 x 7) + \$5	\$75	250	18,750	\$20 <sup>.00</sup>	TWENTY
(\$20 x 3) + (\$5 x 3)	\$75	250	18,750	\$30 <sup>.00</sup>	THIRTY
(\$15 x 5)	\$75	250	18,750	\$50 <sup>.00</sup>	FIFTY
(\$5 x 15) WIN ALL	\$75	500	37,500	\$75 <sup>.00</sup>	SVTFIV
\$75	\$75	250	18,750	\$150	ONFY
(\$10 x 15)	\$150	250	37,500	\$300	THRHUN
(\$30 x 5)	\$150	125	18,750	\$1,000	ONETHO
(\$10 x 15) WIN ALL	\$150	500	75,000	\$27,777	27-THSS
\$150	\$150	125	18,750		
(\$100 x 5)	\$500	250	125,000		
\$500	\$500	290	145,000		
Player Loyalty Program	\$21,844	<u>1</u>	<u>21,844</u>		
TOTAL		<u>163,541</u>	<u>\$1,741,844</u>		

(j) The odds of winning a prize in this game are approximately one in 3.67. (Authorized by K.S.A. 2016 Supp. 74-8710; implementing K.S.A. 2016 Supp. 74-8710, and 74-8720; effective, T-111-4-21-17, March 8, 2017.)

**111-4-3480. "7 Series" instant ticket lottery game number 733.** (a) The Kansas lottery may conduct an instant winner lottery game entitled "7 Series." The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-3480.

(b) The "play and prize symbols" and "captions" for this game are as follows:

Play Symbols	Captions
1	ONE
2	TWO
3	THREE
4	FOUR
5	FIVE
6	SIX
8	EGT
9	NIN
10	TEN
11	ELEVN
12	TWELV
13	THRTN
14	FORTN
15	FIFTN
16	SIXTN
18	EGHTN
19	NINTN
20	TWNTY
21	TWYON
22	TWYTW
23	TWTHR
24	TWFOR
25	TWFIV
26	TWYSX
28	TWEGT
29	TWNIN
30	THRTY
Symbol of a 7 (outlined)	WIN
Prize Symbols	Captions
FREE	TICKET

(c) For this game, a play/prize symbol shall appear in 30 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 059.

(e) The price of instant tickets sold by a retailer for this game shall be \$5.00 each.

(f) The "7 Series" ticket is an instant reveal game. The player will remove the scratch-off material to reveal 15 number play symbols with a prize amount shown below each number play symbol. If a player reveals a "7" play symbol, the player wins the prize amount shown for that symbol.

(g) Each ticket in this game may win up to 15 times.

(h) Approximately 600,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 240,000 tickets, and the same odds as were contained in the initial ticket order.

(i) The expected number and value of instant prizes in this game shall be as follows:

Prize	Expected Number of Prizes in Game	Expected Value in Game
Free \$5 Ticket	Free Ticket	80,000 \$0
(\$5 x 2)	\$10	20,000 200,000
\$10	\$10	20,000 200,000
(\$5 x 3)	\$15	10,000 150,000
\$10 + \$5	\$15	5,000 75,000
\$15	\$15	5,000 75,000
(\$5 x 4)	\$20	10,000 200,000
(\$10 x 2)	\$20	5,000 100,000
\$20	\$20	5,000 100,000
(\$5 x 6)	\$30	1,250 37,500
(\$10 x 3)	\$30	1,250 37,500
(\$15 x 2)	\$30	1,250 37,500
\$30	\$30	1,250 37,500
(\$5 x 10)	\$50	750 37,500
(\$10 x 5)	\$50	500 25,000
\$30 + \$20	\$50	375 18,750
\$50	\$50	375 18,750
(\$5 x 15)	\$75	300 22,500
(\$15 x 5)	\$75	300 22,500
\$50 + \$20 + \$5	\$75	300 22,500
\$75	\$75	235 17,625
(\$10 x 15)	\$150	200 30,000
(\$15 x 10)	\$150	125 18,750
(\$75 x 2)	\$150	125 18,750
\$150	\$150	125 18,750
(\$20 x 15)	\$300	65 19,500

(continued)

(\$30 x 10)	\$300	65	19,500
(\$50 x 6)	\$300	60	18,000
\$300	\$300	60	18,000
(\$300 x 2) + (\$150 x 2) + (\$50 x 2)	\$1,000	6	6,000
\$1,000	\$1,000	6	6,000
\$27,777	\$27,777	4	111,108
Player Loyalty Program	\$21,837	1	21,837
TOTAL		<u>168,977</u>	<u>\$1,741,320</u>

(j) The odds of winning a prize in this game are approximately one in 3.55. (Authorized by K.S.A. 2016 Supp. 74-8710; implementing K.S.A. 2016 Supp. 74-8710, and 74-8720; effective, T-111-4-21-17, March 8, 2017.)

**111-4-3481. "Trucks & Bucks" instant ticket lottery game number 734.** (a) The Kansas lottery may conduct an instant winner lottery game entitled "Trucks & Bucks." The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-3481.

(b) The "play and prize symbols" and "captions" for this game are as follows:

Play Symbols	Captions
1	ONE
2	TWO
3	THR
4	FOR
5	FIV
6	SIX
7	SVN
8	EGT
9	NIN
10	TEN
11	ELEVN
12	TWELV
13	THRTN
14	FORTN
15	FIFTN
16	SIXTN
17	SVNTN
18	EGHTN
19	NINTN
20	TWNTY
21	TWYON
22	TWYTW
23	TWYTR
24	TWYFR
25	TWYFV
26	TWYSX
27	TWYSV
28	TWYET
29	TWYNI
30	THRTY
31	THYON
32	THYTW
33	THYTR
34	THYFR
35	THYFV
36	THYSX

37	THYSV
38	THYET
39	THYNI
40	FORTY
41	FRYON
42	FRYTW
43	FRYTR
44	FRYFR
45	FRYFV
46	FRYSX
47	FRYSV
48	FRYET
49	FRYNI
50	FIFTY
Symbol of a bank roll	WIN\$
WIN ALL	WINALL

**Prize Symbols**

FREE
\$2 <sup>00</sup>
\$4 <sup>00</sup>
\$5 <sup>00</sup>
\$10 <sup>00</sup>
\$20 <sup>00</sup>
\$25 <sup>00</sup>
\$40 <sup>00</sup>
\$50 <sup>00</sup>
\$100
\$200
\$500
\$1,000
\$5,000

**Captions**

TICKET
TWO\$
FOUR\$
FIVE\$
TEN\$
TWENTY
TWENFIV
FORTY
FIFTY
ONEHUN
TWOHUN
FIVHUN
ONETHO
FIVTHO
WIN

**Symbol of a truck**

(c) For this game, a play/prize symbol shall appear in 56 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 029.

(e) The price of instant tickets sold by a retailer for this game shall be \$10.00 each.

(f) The "Trucks & Bucks" ticket is a key number match game. The player will remove the scratch-off material to reveal six "WINNING NUMBERS" and 25 "YOUR NUMBERS" with a prize symbol shown below each "YOUR NUMBER." If the player matches any of the "YOUR NUMBERS" to any of the "WINNING NUMBERS," the player wins the prize shown for that number. If the player reveals a "BANKROLL" symbol, the player wins that prize automatically. If the player reveals a "WIN ALL" symbol, the player wins all 25 prizes shown. If the player reveals a "TRUCK" symbol, the player wins either a truck of the player's choice of one of the following: a 2017 Ford F-150 Raptor; a 2017 Dodge Ram 2500 Power Wagon; or a 2017 Chevrolet Silverado LTZ Z7; or the player can choose a \$50,000 cash prize in lieu of the truck prize. Each truck prize includes federal and state income withholding taxes and all initial taxes and fees for the vehicle. The \$50,000 cash prize in lieu of the truck prize includes federal and state income withholding taxes.

- (g) Each ticket in this game may win up to 25 times.
- (h) Approximately 300,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 240,000 tickets, and the same odds as were contained in the initial ticket order.
- (i) The expected number and value of instant prizes in this game shall be as follows:

	Prize	Expected Number of Prizes in Game	Expected Value in Game
Free \$10 Ticket	Free Ticket	40,000	\$0
(\$5 x 2)	\$10	20,000	200,000
\$10	\$10	20,000	200,000
(\$10 x 2)	\$20	20,000	400,000
\$20	\$20	10,000	200,000
(\$10 x 2) + \$5	\$25	2,500	62,500
(\$5 x 5)	\$25	5,000	125,000
\$25	\$25	2,500	62,500
\$2 w/WIN ALL	\$50	750	37,500
(\$10 x 5)	\$50	500	25,000
(\$5 x 10)	\$50	500	25,000
\$50	\$50	375	18,750
\$4 w/WIN ALL	\$100	250	25,000
(\$25 x 4)	\$100	250	25,000
(\$5 x 3) + (\$10 x 2) + (\$20 x 2) + \$25	\$100	250	25,000
\$100	\$100	150	15,000
\$20 w/WIN ALL	\$500	30	15,000
(\$10 x 5) + (\$20 x 5) + (\$25 x 4) + (\$100 x 2) \$50	\$500	25	12,500
(\$20 x 25)	\$500	10	5,000
\$500	\$500	10	5,000
\$40 w/WIN ALL	\$1,000	20	20,000
(\$500 x 2)	\$1,000	10	10,000
(\$40 x 25)	\$1,000	5	5,000
\$1,000	\$1,000	5	5,000
\$200 w/WIN ALL	\$5,000	1	5,000
(\$500 x 10)	\$5,000	1	5,000
\$1,000 x 5)	\$5,000	1	5,000
\$5,000	\$5,000	1	5,000
Truck*	\$85,000	2	170,000
Second-Chance			
Drawing Truck	\$85,000	1	85,000
Player Loyalty Program	\$22,793	1	22,793
TOTAL		<u>123,148</u>	<u>\$1,821,543</u>

\*The Player may choose a truck prize or a cash prize as described in subsection (f).

(j) The odds of winning a prize in this game are approximately one in 2.44. (Authorized by K.S.A. 2016 Supp. 74-8710; implementing K.S.A. 2016 Supp. 74-8710, and 74-8720; effective, T-111-4-21-17, March 8, 2017.)

**111-4-3482. "Fast Cash" instant ticket lottery game number 642.** (a) The Kansas lottery may conduct an instant winner lottery game entitled "Fast Cash." The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-3482.

(b) The "play and prize symbols" and "captions" for this game are as follows:

Play Symbols	Captions
01	ONE
03	THR

04	FOR
05	FIV
06	SIX
07	SEV
08	EGT
09	NIN
10	TEN
11	ELVN
12	TWLV
13	THRN
14	FRTN
15	FIFTN
16	SIXTN
17	SEVTN
18	EGTN
19	NINTN
20	TWNTY
21	TWYONE
22	TWY TWO
23	TWYTHR
24	TWYFOR
25	TWYFIV
26	TWYSIX
27	TWYSEV
28	TWYEGT
2X	DBL

Prize Symbols	Captions
FREE	TICKET
\$2. <sup>00</sup>	TWO\$
\$5. <sup>00</sup>	FIVE\$
10. <sup>00</sup>	TEN\$
25. <sup>00</sup>	TWEN-FIV
50. <sup>00</sup>	FIFTY
\$100	ONE-HUN
\$500	FIVE-HUN

(c) For this game, a play/prize symbol shall appear in 21 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 149.

(e) The price of instant tickets sold by a retailer for this game shall be \$2.00 each.

(f) "Fast Cash" is a key number match game with a doubler feature. The player will remove the scratch-off material to reveal three "WINNING NUMBERS" and nine "YOUR NUMBERS" with a prize symbol shown below each "YOUR NUMBER." If the player matches any of the "YOUR NUMBERS" to any of the "WINNING NUMBERS," the player wins the prize shown for that number. If the player reveals a "2X" symbol, the player wins double the prize shown for that symbol.

(g) Each ticket in this game may win up to nine times.

(h) Approximately 1,500,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 375,000 tickets, and the same odds as were contained in the initial ticket order.

(continued)

(i) The expected number and value of instant prizes in this game shall be as follows:

Prize	Expected Number of Prizes in Game	Expected Value in Game
Free	Free Ticket	200,000
\$2	\$2	140,000
\$5	\$5	52,000
\$10	\$10	8,800
\$5 DBL	\$10	8,800
(\$2 x 5)	\$10	8,800
\$25	\$25	2,000
(\$5 x 5)	\$25	2,000
\$10 DBL + \$5	\$25	2,000
\$50	\$50	320
(\$5 x 8) + \$10	\$50	320
(\$10 x 5)	\$50	320
\$25 DBL	\$50	320
\$100	\$100	80
\$50 DBL	\$100	80
(\$10 x 5) + (\$25 x 2)	\$100	80
(\$10 x 7) + \$25 + \$5	\$100	80
\$500	\$500	400
(\$100 x 5)	\$500	336
\$100 DBL + (\$50 x 6)	\$500	336
Player Loyalty Program	\$26,000	0
TOTAL		<u>427,072</u>

(j) The odds of winning a prize in this game are approximately one in 3.51. (Authorized by K.S.A. 2016 Supp. 74-8710; implementing K.S.A. 2016 Supp. 74-8710, and 74-8720; effective, T-111-4-21-17, March 8, 2017.)

**111-4-3483. "Day of the Luck" instant ticket lottery game number 643.** (a) The Kansas lottery may conduct an instant winner lottery game entitled "Day of the Luck." The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-3483.

(b) The "play and prize symbols" and "captions" for this game are as follows:

Play Symbols	Captions
01	ONE
02	TWO
03	THR
04	FOR
05	FIV
06	SIX
07	SEV
08	EGT
09	NIN
10	TEN
11	ELVN
12	TWLV
13	THRN
14	FRTN
15	FIFTN
16	SIXTN
17	SEVTN
18	EGTN
19	NINTN
20	TWNTY

21	TWYONE
22	TWYTWO
23	TWYTHR
24	TWYFOR
25	TWYFIV
26	TWYSIX
27	TWYSEV
28	TWYEGT
Symbol of a rose	WIN\$25
Symbol of a flower	WINALL

Prize Symbols	Captions
FREE	TICKET
\$2. <sup>00</sup>	TWO\$
\$4. <sup>00</sup>	FOUR\$
\$5. <sup>00</sup>	FIVE\$
10. <sup>00</sup>	TEN\$
25. <sup>00</sup>	TWEN-FIV
50. <sup>00</sup>	FIFTY
\$100	ONE-HUN
\$1000	ONETHOU
\$10000	10-THOU

(c) For this game, a play/prize symbol shall appear in 22 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 149.

(e) The price of instant tickets sold by a retailer for this game shall be \$2.00 each.

(f) "Day of the Luck" is a key number match game with an instant win feature and a win all feature. The player will remove the scratch-off material to reveal two "WINNING NUMBERS" and 10 "YOUR NUMBERS" with a prize symbol shown below each "YOUR NUMBER." If the player matches any of the "YOUR NUMBERS" to either of the "WINNING NUMBERS," the player wins the prize shown for that number. If the player reveals a "ROSE" symbol, the player wins \$25 instantly. If the player reveals a "FLOWER" symbol, the player wins all 10 prizes.

(g) Each ticket in this game may win up to 10 times.

(h) Approximately 900,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(i) The expected number and value of instant prizes in this game shall be as follows:

Prize	Expected Number of Prizes in Game	Expected Value in Game
Free	Free Ticket	120,000
\$2	\$2	60,000
\$4	\$4	12,000
(\$2 x 2)	\$4	12,000
\$5	\$5	13,500
\$10	\$10	4,500
(\$5 x 2)	\$10	5,100
(\$2 x 5)	\$10	5,100
(\$4 x 2) + \$2	\$10	5,310

\$25	\$25	7,560	189,000
(\$2 x 8) + \$5 + \$4 WIN ALL	\$25	2,400	60,000
(\$5 x 5)	\$25	1,200	30,000
\$50	\$50	300	15,000
(\$5 x 10) WIN ALL	\$50	1,200	60,000
(\$2 x 5) + (\$5 x 2) + (\$10 x 3)	\$50	900	45,000
\$100	\$100	45	4,500
(\$50 x 2)	\$100	60	6,000
(\$10 x 10) WIN ALL	\$100	105	10,500
\$1,000	\$1,000	12	12,000
(\$100 x 10)	\$1,000	12	12,000
\$10,000	\$10,000	3	30,000
Player Loyalty Program	\$9,671	0	9,671
TOTAL		<u>251,307</u>	<u>\$967,271</u>

(j) The odds of winning a prize in this game are approximately one in 3.58. (Authorized by K.S.A. 2016 Supp. 74-8710; implementing K.S.A. 2016 Supp. 74-8710, and 74-8720; effective, T-111-4-21-17, March 8, 2017.)

**111-4-3484. "Get Your Fair On" instant ticket lottery game number 644.** (a) The Kansas lottery may conduct an instant winner lottery game entitled "Get Your Fair On." The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-3484.

(b) The "play symbols" and "captions" for this game are as follows:

Play Symbols	Captions
A1	
A2	
A3	
A4	
B1	
B2	
B3	
B4	
C1	
C2	
C3	
C4	
D1	
D2	
D3	
D4	
E1	
E2	
E3	
E4	
F1	
F2	
F3	
F4	
G1	
G2	
G3	
G4	
H1	
H2	

H3	
H4	
Symbol of a sunflower	SUNFLWR
Symbol of a tent	TENT
Symbol of a cup	CUP
Symbol of an ice cream cone	ICECRM
Symbol of a rooster	ROOSTER
Symbol of a hot dog	HOTDOG
Symbol of a carousel horse	HORSE
Symbol of a tilt-a-whirl	TILTWRL
Symbol of a duck	DUCK
Symbol of a hat	HAT

There are no prize symbols for this game.

(c) For this game, a play symbol shall appear in 48 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 149.

(e) The price of instant tickets sold by a retailer for this game shall be \$2.00 each.

(f) "Get Your Fair On" is a two-part symbol match game. The first part consists of 16 "YOUR COORDINATES" letter/number symbols and the second part consists of a "FAIR GRID" with 32 play symbols covered with latex. The player will remove the scratch-off material to reveal 16 "YOUR COORDINATES" letter/number symbols. For each "YOUR COORDINATES" symbol, the player will find the corresponding grid location on the "FAIR GRID" and scratch only that square. If the player completely uncovers the number of identical symbols required in the prize legend on the ticket and the symbols appear consecutively in a straight horizontal, or a straight vertical line in the FAIR GRID, the player wins the corresponding prize for that symbol as shown in the prize legend on the front of the ticket. The prize legend to win a prize is as follows:

Get Symbols	Prize
4 tent symbols	\$1,000
3 cup symbols	\$100
3 ice cream cone symbols	\$75
3 rooster symbols	\$50
3 hot dog symbols	\$25
3 carousel horse symbols	\$15
3 tilt-a-whirl symbols	\$10
3 duck symbols	\$5
3 hat symbols	\$2

(g) Each ticket in this game may win up to three times.

(h) Approximately 450,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 225,000 tickets, and the same odds as were contained in the initial ticket order.

(i) The expected number and value of instant prizes in this game shall be as follows:

Prize	Expected Number of Prizes in Game	Expected Value in Game
\$2	70,000	140,000

*(continued)*

\$5	\$5	30,000	150,000
\$10	\$10	8,000	80,000
\$15	\$15	1,600	24,000
\$5 + \$10	\$15	1,600	24,000
\$25	\$25	700	17,500
\$10 + \$15	\$25	700	17,500
\$50	\$50	350	17,500
\$10 + \$15 + \$25	\$50	350	17,500
\$75	\$75	100	7,500
\$10 + \$15 + \$50	\$75	100	7,500
\$25 + \$50	\$75	100	7,500
\$100	\$100	60	6,000
\$25 + \$75	\$100	60	6,000
\$1,000	\$1,000	10	10,000
\$10,000	\$10,000	2	20,000
Player Loyalty Program	\$5,580	0	5,580
<b>TOTAL</b>		<u>113,732</u>	<u>\$558,080</u>

(j) The odds of winning a prize in this game are approximately one in 3.96. (Authorized by K.S.A. 2016 Supp. 74-8710; implementing K.S.A. 2016 Supp. 74-8710, and 74-8720; effective, T-111-4-21-17, March 8, 2017.)

**111-4-3485. "KSLOTTERY" instant ticket lottery game number 645.** (a) The Kansas lottery may conduct an instant winner lottery game entitled "KSLOTTERY." The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-3485.

(b) The "play and prize symbols" and "captions" for this game are as follows:

Play Symbols	Captions
01	ONE
02	TWO
03	THR
04	FOR
05	FIV
06	SIX
07	SEV
08	EGT
09	NIN
10	TEN
11	ELVN
12	TWLV
13	THRN
14	FRTN
15	FIFTN
16	SIXTN
17	SEVTN
18	EGTN
19	NINTN
20	TWNTY
21	TWYONE
22	TWYTWO
23	TWYTHR
24	TWYFOR
25	TWYFIV
26	TWYSIX
27	TWYSEV
28	TWYEGT
Symbol of a thumbs up	WINALL

**Prize Symbols**

FREE
\$2. <sup>00</sup>
\$4. <sup>00</sup>
\$5. <sup>00</sup>
10. <sup>00</sup>
25. <sup>00</sup>
50. <sup>00</sup>
\$100
\$1000
\$10000

**Captions**

TICKET
TWO\$
FOUR\$
FIVE\$
TEN\$
TWEN-FIV
FIFTY
ONE-HUN
ONETHOU
10-THOU

(c) For this game, a play/prize symbol shall appear in 22 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 149.

(e) The price of instant tickets sold by a retailer for this game shall be \$2.00 each.

(f) "KSLOTTERY" is a key number match game with a win all feature. The player will remove the scratch-off material to reveal two "WINNING NUMBERS" and 10 "YOUR NUMBERS" with a prize symbol shown below each "YOUR NUMBER." If the player matches any of the "YOUR NUMBERS" to either of the "WINNING NUMBERS," the player wins the prize shown for that number. If the player reveals a "THUMBS UP" symbol, the player wins all 10 prizes.

(g) Each ticket in this game may win up to 10 times.

(h) Approximately 600,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(i) The expected number and value of instant prizes in this game shall be as follows:

Prize	Expected Number of Prizes in Game	Expected Value in Game	
Free	Free Ticket	80,000	\$0
\$2	\$2	40,000	80,000
\$4	\$4	8,000	32,000
(\$2 x 2)	\$4	8,000	32,000
\$5	\$5	9,000	45,000
\$10	\$10	3,000	30,000
(\$5 x 2)	\$10	3,400	34,000
(\$2 x 5)	\$10	3,400	34,000
(\$4 x 2) + \$2	\$10	3,540	35,400
\$25	\$25	2,600	65,000
(\$2 x 8) + \$5 + \$4			
WIN ALL	\$25	2,640	66,000
(\$5 x 5)	\$25	2,200	55,000
\$50	\$50	200	10,000
(\$5 x 10) WIN ALL	\$50	800	40,000
(\$2 x 5) + (\$5 x 2) + (\$10 x 3)	\$50	600	30,000
\$100	\$100	30	3,000
(\$50 x 2)	\$100	30	3,000
(\$10 x 10) WIN ALL	\$100	80	8,000
\$1,000	\$1,000	8	8,000
(\$100 x 10)	\$1,000	8	8,000
\$10,000	\$10,000	2	20,000
Player Loyalty Program	\$6,448	0	6,448
<b>TOTAL</b>		<u>167,538</u>	<u>\$644,848</u>

(j) The odds of winning a prize in this game are approximately one in 3.58. (Authorized by K.S.A. 2016 Supp. 74-8710; implementing K.S.A. 2016 Supp. 74-8710, and 74-8720; effective, T-111-4-21-17, March 8, 2017.)

#### Article 5.—MULTI-STATE ONLINE GAMES AND DRAWINGS

**111-5-219. 2by2 More for You Promotion.** (a) The Kansas lottery shall conduct a promotion entitled “2by2 More for You” beginning at 5:00 a.m. on May 1, 2017. The promotion will run through whichever occurs first: May 31, 2017, at 2:00 a.m. or immediately after 19,835 free \$1 2by2 quick pick tickets and 248 \$50 coupons for cash are given away.

(b) To participate in the promotion, a player shall purchase any single 2by2 ticket which may include a single play, multiple plays, or multi-draws at any Kansas lottery retailer selling location throughout Kansas. After every fifth transaction amongst all Kansas lottery retailer selling locations throughout Kansas, the retailer terminal will automatically play music and generate a free \$1 single play 2by2 quick pick ticket which the store clerk shall give to the player. After every 400<sup>th</sup> transaction amongst all Kansas lottery retailer selling locations throughout Kansas, the retailer terminal will automatically play music and generate a coupon, with the words “DRAW COUPON,” and “You have won \$50 Cash for purchasing a 2by2! Redeem with Store Clerk or at any Kansas Lottery Retailer.” The store clerk selling the ticket shall give the coupon to the player which can be redeemed for \$50 cash at any Kansas lottery retailer selling location.

(c) Only one prize will be awarded per winning transaction. In the event a free \$1 single play 2by2 quick pick ticket and a coupon for \$50 cash are both winning transactions, only the \$50 cash coupon will be printed by the terminal and awarded to the player by the store clerk.

(d) The Kansas lottery reserves the right to discontinue this promotion at any time.

(e) The Kansas lottery shall not be responsible for any player error.

(f) Any liability incurred by the Kansas lottery as a result of any malfunction shall be limited to the purchase price of any eligible entering ticket.

(g) Kansas lottery employees and commission members and their immediate families living in the same household, and any other person or entity otherwise prohibited from participation by the statutes, rules and/or regulations are not eligible to win a prize in any online event.

(h) Rules applicable to this online event drawing are contained in K.A.R. 111-5-219 and K.A.R. 111-6-1 *et seq.* (Authorized by and implementing K.S.A. 2016 Supp. 74-8710; effective, T-111-4-21-17, March 8, 2017.)

#### Article 19.—SPECIFIC PLAYER LOYALTY CLUB RULES

**111-19-9. 30th Birthday Bash Slot Tournament.** (a) The Kansas lottery may conduct a “30th Birthday Bash Slot Tournament” in which 30 Kansas lottery players will participate at the Kansas Star Casino in Mulvane, Kansas, on November 18, 2017. To become a participant

in the “30th Birthday Bash Slot Tournament,” a player must enter a drawing through PlayOn and be selected as a winner in the drawing. The 30 winners selected in the drawing will participate in the slot tournament for a chance to win a first-place prize of \$2,500, a second-place prize of \$1,500, and a third-place prize of \$1,000.

(b) A player shall enter the drawing through the Kansas lottery PlayOn program at [www.kslottery.com](http://www.kslottery.com). The player shall follow the hyperlink specifically developed for the purpose of accessing the “30th Birthday Bash Slot Tournament” and shall redeem 240 PlayOn points to enter the drawing.

(c) The Kansas lottery will begin accepting entries into the drawing at 12:01 a.m. on April 6, 2017, through noon on June 28, 2017. The 30 winners will be announced on July 7, 2017.

(d) All entrants into the drawing must be at least 21 years of age. If any person less than 21 years of age enters the drawing, the person shall be disqualified from winning any prize and shall forfeit the 240 points required for entry. In the event any person less than 21 years of age is selected as a winner of a prize package during the drawing process, in addition to the foregoing, the next available alternate winner shall become the winner of the prize package.

(e) Thirty entrants shall win prize packages in the drawing. Sixty entrants shall be selected in the drawing, with the first 30 entrants drawn, numbers 1 through 30, being the prize package winners. The next 30 entrants selected, numbers 31 through 60, shall be used as alternate winners in the order drawn, if needed.

(f) Each winner shall receive the opportunity to play in the “30th Birthday Bash Slot Tournament,” a VIP concert package for two on November 18, 2017, hotel accommodations for two persons for the night of November 18, 2017, at the Hampton Inn & Suites located at the Kansas Star Casino, \$300 cash, and mandatory state and federal income withholding taxes. Each prize package is valued at approximately \$1,400.

(g) A player may enter the drawing an unlimited number of times, but may win only one prize package in this promotion.

(h) A player who is selected as a prize winner in the drawing must return his or her completed claim form, which must be received by the Kansas lottery within 14 days following the date of the online event drawing. In the event an alternate winner is awarded a prize, the winner must return his or her completed claim form within 14 days following the date the alternate winner was sent a claim form via U. S. mail.

(i) In the event any prize awarded for this drawing is postponed, changed, or canceled in whole or in part, no cash prize substitutions or other compensation shall be provided.

(j) Only registered PlayOn members may enter the “Birthday Bash Slot Tournament” drawing. PlayOn members must enter themselves into the drawing according to the terms and conditions of PlayOn. Entries shall not be accepted which are submitted by any method other than through PlayOn.

(k) By entering the drawing, entrant agrees to PlayOn terms and conditions.

(continued)

(k) Rules applicable to this online event drawing are contained in K.A.R. 111-19-9 and K.A.R. 111-18-1 *et seq.* (Authorized by K.S.A. 2016 Supp. 74-8710 and 74-8748; implementing K.S.A. 2016 Supp. 74-8710; effective, T-111-4-21-17, March 8, 2017.)

**111-19-10. Sporting KC.** (a) The Kansas lottery may conduct a second-chance drawing entitled "Sporting KC Drawing" in which 15 Kansas lottery players will each win a Sporting KC soccer prize package.

(b) A player shall enter the drawing through the Kansas lottery PlayOn program at [www.kslottery.com](http://www.kslottery.com). The player shall follow the hyperlink specifically developed for the purpose of accessing the "Sporting KC Drawing" and shall redeem 265 PlayOn points to enter the drawing.

(c) The Kansas lottery will begin accepting entries into the drawing at 12:01 a.m. on May 7, 2017, through noon on July 5, 2017. The 15 winners will be announced on July 10, 2017.

(d) Fifteen entrants shall win prize packages in the drawing, with the first 15 entrants drawn, numbers 1 through 15, being the prize package winners.

(e) Each winner shall receive two tickets for the Sporting Kansas City soccer match on July 29, 2017; a parking pass; access for two persons to the party suite to watch the Sporting KC soccer team at Children's Mercy Park; food and beverage in the signature level lounge; hotel accommodations at Country Inn & Suites, Village West for the night of July 29, 2017; \$400 cash; and mandatory state and federal income withholding taxes. Each prize package is valued at approximately \$1,645.

(f) A player may enter the drawing an unlimited number of times, but may win only one prize package in this promotion.

(g) A player who is selected as a prize winner in the drawing must return his or her completed claim form, which must be received by the Kansas lottery within 14 days following the date of the online event drawing. In the event an alternate winner is awarded a prize, the winner must return his or her completed claim form within 14 days following the date the alternate winner was sent a claim form via U. S. mail.

(h) In the event any prize awarded for this drawing is postponed, changed, or canceled in whole or in part, no cash prize substitutions or other compensation shall be provided.

(i) Only registered PlayOn members may enter the "Sporting KC Drawing." PlayOn members must enter themselves into the drawings according to the terms and conditions of PlayOn. Entries shall not be accepted which are submitted by any method other than through PlayOn.

(j) By entering the drawing, entrant agrees to PlayOn terms and conditions.

(k) Rules applicable to this online event drawing are contained in K.A.R. 111-19-10 and K.A.R. 111-18-1 *et seq.* (Authorized by K.S.A. 2016 Supp. 74-8710 and 74-8748; implementing K.S.A. 2016 Supp. 74-8710; effective, T-111-4-21-17, March 8, 2017.)

**111-19-11. KC Royals drawings.** (a) The Kansas lottery may conduct two second-chance drawings entitled "KC Royals Drawings." Entries will be accepted beginning at 5:00 a.m. on April 6, 2017. Entries into the first

drawing will end at noon on June 27, 2017, with winner announcement on June 30, 2017. Entries into the second drawing will end at noon on July 11, 2017, with winner announcement on July 14, 2017.

(b) The specific ticket eligible for entry into the drawings shall be any non-winning Kansas lottery "KC Royals" \$5 instant ticket number 735.

(c) A player shall enter qualifying tickets through the Kansas lottery PlayOn program at [www.kslottery.com](http://www.kslottery.com). The player shall follow the hyperlink specifically developed for the purpose of accessing the "KC Royals Drawings." The player may enter the required data from the instant ticket manually for entry into the drawing. If the player does not enter the ticket data manually, the player may scan, if available, the ticket to enter data to be used for entry into the drawing using a mobile device and a downloaded Kansas lottery PlayOn app. After the ticket data is successfully entered either manually or scanned using an app, the player will receive one entry into one of the second-chance drawing(s).

(d) For each drawing, eight entrants shall win prize packages, with the first eight entrants drawn, numbers 1 through 8, being the prize package winners.

(e) Each winner in the first drawing shall receive a prize package consisting of tickets for two persons to the Kansas City Royals vs. Chicago White Sox baseball game on July 21, 2017; access for two persons to the Kansas City Royals dugout suite for the game on July 21, 2017; food; non-alcoholic beverages; parking; access to on-field pre-game batting practice; two \$75 gift cards valid at the Kansas City Royals team store and concession stands at Kauffman Stadium; \$200 cash; hotel accommodations for the night of July 21, 2017, at a hotel selected by the Kansas lottery; and mandatory state and federal income withholding taxes.

Each winner in the second drawing shall receive a prize package consisting of tickets for two persons to the Kansas City Royals vs. Seattle Mariners baseball game on August 4, 2017; access for two persons to the Kansas City Royals dugout suite for the game on August 4, 2017; food; non-alcoholic beverages; parking; access to on-field pre-game batting practice; two \$75 gift cards valid at the Kansas City Royals team store and concession stands at Kauffman Stadium; \$200 cash; hotel accommodations for the night of August 4, 2017, at a hotel selected by the Kansas lottery; and mandatory state and federal income withholding taxes.

(f) A player may enter the drawing(s) an unlimited number of times, but may win only one prize package in this promotion. Entries into the first drawing will be eligible to win a prize in the second drawing provided the entry was not selected as the winner of a prize package in a previous drawing for this promotion. Entries that are selected as alternate winners in the first drawing, but are not used as winners, are eligible to win a prize package in the second drawing.

(g) A player who is selected as a prize winner in any drawing must return his or her completed claim form, and must be received by the Kansas lottery within 14 days following the date of the online event drawing. In the event an alternate winner is awarded a prize, the winner must return his or her completed claim form within



14 days following the date the alternate winner was sent a claim form via U. S. mail.

(h) In the event any prize awarded for this drawing is postponed, changed, or canceled in whole or in part, no cash prize substitutions or other compensation shall be provided.

(i) Only registered PlayOn members may enter the "KC Royals Drawings." PlayOn members must enter themselves into the drawings according to the terms and conditions of PlayOn. Entries shall not be accepted which are submitted by any method other than through PlayOn.

(j) By entering the drawing(s), entrant agrees to PlayOn terms and conditions.

(k) Rules applicable to this online event drawing are contained in K.A.R. 111-19-11 and K.A.R. 111-18-1 *et seq.* (Authorized by K.S.A. 2016 Supp. 74-8710 and 74-8748; implementing K.S.A. 2016 Supp. 74-8710; effective, T-111-4-21-17, March 8, 2017.)

**111-19-12. Name and description of event.** The Kansas lottery may conduct a promotional event entitled "Trucks & Bucks Drawings and Giveaway" which shall consist of a series of three drawings and a final grand prize giveaway event. The winners selected during each of the drawings shall become prize winners and finalists in the grand prize giveaway event. At the conclusion of the promotion and during the grand prize giveaway event, the winner of the grand prize shall be determined, at which time the remaining drawing winners who did not win the grand prize will automatically become the winners of secondary prizes. The Kansas lottery will accept entries into the "Trucks & Bucks Drawings" at 5:00 a.m. on and after the day Kansas lottery "Trucks & Bucks" instant tickets are first offered for sale to the general public and ending on August 21, 2017, as specified in these rules. The grand prize giveaway event will be conducted at the state fair in Hutchinson, Kansas, on September 16, 2017, at approximately 5:00 p.m., or at a time and location as may otherwise be designated by the executive director of the Kansas lottery. Rules applicable to this promotional event are contained in K.A.R. 111-19-12 through 111-19-18, K.A.R. 111-3-1, *et seq.*, and K.A.R. 111-18-1, *et seq.* (Authorized by and implementing K.S.A. 2016 Supp. 74-8710; effective, T-111-4-21-17, March 8, 2017.)

**111-19-13. Definitions.** (a) All definitions contained in the Kansas lottery act (K.S.A. 74-8701 *et seq.*) and lottery regulations are hereby incorporated by reference and govern unless otherwise indicated.

(b) "Approximately," when in reference to a specific time, shall mean not before said time listed, but may include a short period thereafter, as determined by the executive director or his designee, to deal with any unforeseen circumstance which might delay said event.

(c) "Trucks & Bucks Drawing" means the act of drawing to be conducted by the Kansas lottery, or designee, at the times and dates described in these rules in which participants are selected as finalists to win prizes as described in these rules.

(d) "Drawing winner" or "finalist" means the person whose entry ticket was drawn in one of the three draw-

ings and declared a winner of the drawing who shall become a finalist in the grand prize giveaway event.

(e) "Grand prize" means the prize to be given away identified in K.A.R. 111-19-14(a).

(f) "Grand prize giveaway event" means the event held during which the determination of the grand prize and secondary prizes will be made.

(g) "Non-winning ticket" means any valid Kansas lottery "Trucks & Bucks" instant game ticket not eligible to win an instant prize under the rules of the "Trucks & Bucks" instant game.

(h) "Secondary prize" means the prize to be given away identified in K.A.R. 111-19-14(b). (Authorized by and implementing K.S.A. 2016 Supp. 74-8710; effective, T-111-4-21-17, March 8, 2017.)

**111-19-14. Prize.** (a) The grand prize winner in the "Trucks & Bucks Drawings and Giveaway" shall receive his or her choice of a 2017 Ford F-150 Raptor; a 2017 Dodge Ram 2500 Power Wagon; or a 2017 Chevrolet Silverado LTZ Z7; or the player can choose a \$50,000 cash prize in lieu of the truck prize. Each truck prize includes federal and state income withholding taxes and all initial taxes and fees for the vehicle. The \$50,000 cash prize in lieu of the truck prize includes federal and state income withholding taxes.

(b) The finalists in the promotional event, and who are not awarded the grand prize, shall each receive a secondary prize consisting of \$1,000 cash, along with mandatory federal and state income withholding taxes.

(c) All prizes are subject to lottery validation, set-offs, and deductions authorized by law. (Authorized by and implementing K.S.A. 2016 Supp. 74-8710; effective, T-111-4-21-17, March 8, 2017.)

**111-19-15. Method of entry.** Entry into the three "Trucks & Bucks Drawings" shall be accomplished as follows:

(a) Obtain a valid "Trucks & Bucks" Kansas instant lottery ticket, game number 734;

(b) Determine if the ticket is a winning ticket in accordance with "Trucks & Bucks" game rules. If the ticket is a winning ticket, it is not eligible for the "Trucks & Bucks Drawings" and shall be redeemed in accordance with the instant game rules.

(c) If the ticket is a valid non-winning ticket, the ticket is eligible for the drawings and the holder of the ticket may use it to enter the "Trucks & Bucks Drawings."

(d) The holder of the non-winning ticket must enter qualifying tickets through the Kansas lottery PlayOn program at [www.kslottery.com](http://www.kslottery.com). The player shall follow the hyperlink specifically developed for the purpose of accessing the "Trucks & Bucks Drawings." The player may enter the required data from the instant ticket manually for entry into the drawing. If the player does not enter the ticket data manually, the player may scan, if available, the ticket to enter data to be used for entry into the drawing using a mobile device and a downloaded Kansas lottery PlayOn app. After the ticket data is successfully entered either manually or scanned using an app, the player will receive one entry into the second-chance drawing. (Authorized by and implementing K.S.A. 2016 Supp. 74-8710; effective, T-111-4-21-17, March 8, 2017.)

(continued)

**111-19-16. Selection of drawing winners.** (a) All drawings shall be conducted in accordance with the drawing procedures established in K.A.R. 111-18-1, *et seq.*

(b) Three drawings will be conducted to select winners who will be finalists in the grand prize giveaway on September 16, 2017, at the Kansas state fair. The first drawing will be conducted on June 21, 2017, selecting four winners; the second drawing will be conducted on July 26, 2017, selecting four winners; and the third and final drawing will be conducted on August 23, 2017, selecting two winners. The entry deadline for the first drawing will be at noon on June 19, 2017; the entry deadline for the second drawing will be at noon on July 24, 2017; and the entry deadline for the third drawing will be at noon on August 21, 2017. The winner announcement for the first drawing will be June 23, 2017; the winner announcement for the second drawing will be July 28, 2017; and the winner announcement for the third drawing will be August 25, 2017.

(c) Any entries not selected as winners in a drawing, shall remain eligible to be selected as a winner in any subsequent drawing. Entries that are selected as alternate winners in any drawing, but are not used as winners, shall remain eligible to be selected as a winner in any subsequent drawing.

(d) There is no limit on the number of entries a person may make, but a person may only win one time in any of the drawings. If a person is selected as a winner in any drawing, the winner shall not be eligible to win in any sequential drawing(s) and an alternate winner will be drawn at that time.

(e) If the executive director of the Kansas lottery reasonably determines that changes need to be made to the dates of the drawing(s) or the drawing procedure, any changes will be posted on the Kansas lottery's website, [www.kslottery.com](http://www.kslottery.com), prior to said changes becoming effective. (Authorized by and implementing K.S.A. 2016 Supp. 74-8710; effective, T-111-4-21-17, March 8, 2017.)

**111-19-17. Determination of grand prize winner and secondary prize winners.** On September 16, 2017, at approximately 5:00 p.m. at the Kansas state fair in Hutchinson, Kansas, the Kansas lottery will determine the winner of the grand prize and winners of the secondary prizes in the "Trucks & Bucks Drawings and Giveaway" event as follows:

(a) The 10 finalists of the "Trucks & Bucks Drawings" described in these rules, or their proxies, will present themselves at a location designated by the executive director of the Kansas lottery at the state fair.

(b) The Kansas lottery will present 10 locked coolers on a table or tables. Signage will be displayed inside each locked cooler's lid. The signage inside nine of the coolers will indicate \$1,000 winner. The signage inside one of the coolers will indicate a car.

(c) In the consecutive draw date and order drawn, numbers one through 10, and according to these rules, the drawing winners of the "Trucks & Bucks Drawings" or their designated proxy shall come forward, one-by-one, as finalists and stand behind a cooler of his or her choice. After all 10 finalists have come forward and selected a cooler behind which he or she is standing, the finalists will be given a signal to unlock and open their

designated cooler. All finalists shall unlock and open their coolers simultaneously. The finalist who opens a cooler and reveals signage of a truck in the lid of the cooler shall be the winner of the grand prize described in these rules. Each of the remaining finalists shall receive the secondary prize of \$1,000 described in these rules.

(d) Following the determination of the grand prize winner and secondary prize winners, a claim form will be mailed or given to each winner of the respective prize won. Each winner shall then have until 5:00 p.m. on the fourteenth day following the presentation or mailing of a claim form to the winner, whichever is applicable, to present the fully-executed claim form to lottery headquarters. If the fourteenth day following the mailing of a claim form to the winner falls on a weekend or holiday, the fourteenth day shall be extended to the next business day. If the grand prize winner cannot be located or is declared ineligible, or fails to timely present a fully-executed claim form to lottery headquarters, the Kansas lottery will conduct a random drawing at lottery headquarters on a date and time determined by the executive director of the Kansas lottery for the purpose of determining an alternate winner. The remaining finalists who participated in the grand prize giveaway event at the state fair shall be the participants in the drawing to determine an alternate winner. The drawing shall select all participants in a random order to be used as alternates in the order drawn for the grand prize. An alternate winner shall have until 5:00 p.m. on the fourteenth day following mailing of a claim form to an alternate winner to present the fully-executed claim form to lottery headquarters. If the fourteenth day following the mailing of a claim form to an alternate winner falls on a weekend or holiday, the fourteenth day shall be extended to the next business day. If an alternate prize winner cannot be located or is declared ineligible, or fails to timely present a fully-executed claim form to lottery headquarters, the prize will be awarded to the next winner selected in the drawing for alternate winners. The alternate winner process shall be repeated until the prize is properly claimed or until such time as no alternate winners remain, whichever occurs first.

(e) A finalist in the grand prize giveaway event shall be the winner of whatever prize is determined by his or her proxy during the grand prize giveaway event.

(f) Any person representing a drawing winner by proxy shall not be entitled to any prize. (Authorized by and implementing K.S.A. 2016 Supp. 74-8710; effective, T-111-4-21-17, March 8, 2017.)

**111-19-18. Certification of drawing and grand prize winner determination.** (a) Prior to the grand prize giveaway event on September 16, 2017, Kansas lottery security personnel shall record and certify, in writing, the name of any individual serving as proxy on a drawing winner's behalf at the grand prize giveaway event. Such record shall be verified by the event manager, also prior to the grand prize giveaway event, to confirm that the drawing winner's name correctly matches the designated proxy individual's name.

(b) Upon completion of the drawings and grand prize giveaway event, the security official and the event manager shall issue a report to the executive director, certifying that the names of the prize winners are correct, and

that to the best of their knowledge the procedures required by these rules were followed in selecting the prize winner. (Authorized by and implementing K.S.A. 2016 Supp. 74-8710; effective, T-111-4-21-17, March 8, 2017.)

#### Article 401.—NORTHEAST GAMING ZONE

**111-401-35. Method of play.** The Hollywood Casino at Kansas Speedway may designate certain poker games to participate in the Bad Beat Jackpot. The jackpot will be funded from each pot reaching a minimum of \$20. When the pot for a game reaches \$20, \$1 is placed in the Bad Beat drop box (a box located at each game table designated for the receipt of chips or cash). The contents of each Bad Beat drop box will be taken to the count room during the regular table games drop (the removal of chips and money from the gaming tables). The contents of each Bad Beat drop box will be counted daily and the amount will be added to the existing Bad Beat jackpot amount by a poker supervisor. The following additional rules shall apply to the Bad Beat jackpot:

(a) A minimum of \$20 (including pot money and rake) must be in the pot for that hand in order for the hand to qualify for the Bad Beat jackpot.

(b) Based upon the amount of the Bad Beat jackpot at the time, all Bad Beat funds collected will be credited to the “primary fund,” “secondary fund,” “tertiary fund,” and “promotional fund” according to the following percentages:

(1) When the Bad Beat jackpot is \$9,999 or less, seventy percent (70%) shall be credited to the primary fund, fifteen percent (15%) to the secondary fund, ten percent (10%) to the tertiary fund, and five percent (5%) to the promotional fund.

(2) When the Bad Beat jackpot is over \$9,999 and up to and including \$19,999, twenty percent (20%) shall be credited to the primary fund, twenty percent (20%) to the secondary fund, ten percent (10%) to the tertiary fund, and fifty percent (50%) to the promotional fund.

(3) When the Bad Beat jackpot is over \$19,999, five percent (5%) shall be credited to the primary fund, three percent (3%) to the secondary fund, two percent (2%) to the tertiary fund, and ninety percent (90%) to the promotional fund.

(c) The primary fund shall be used to pay winners of the Bad Beat jackpot as set forth in these rules.

(d) The secondary fund shall be transferred to the primary fund after a Bad Beat jackpot has been paid.

(e) The tertiary fund shall be transferred to the secondary fund after the secondary fund has been transferred to the primary fund.

(f) The promotional fund will be used to pay for promotional and marketing activities related to the game of poker, including but not necessarily limited to free giveaways, no entry fee tournaments, food and beverages, and other poker player related activities offered from time to time by the Hollywood Casino at Kansas Speedway.

(g) Distribution of the Bad Beat Jackpot shall be as follows:

(1) Fifty percent (or equal portions of fifty percent if more than one player is holding a qualifying Bad Beat hand) of the Bad Beat jackpot total for the game in which

the Bad Beat occurred will be given to the holder(s) of the Bad Beat (losing) hand.

(2) Twenty-five percent (or equal portions of twenty-five percent if more than one player is holding the winning hand) of the Bad Beat jackpot total in which the Bad Beat occurred will be given to the holder(s) of the winning hand.

(3) The remaining twenty-five percent of the Bad Beat jackpot for the game in which the Bad Beat occurred will be split among the remaining players at the table who were dealt a hand in that game.

(4) All payouts will be rounded up to the nearest dollar, adjusting the remaining jackpot balance accordingly.

(h) A minimum of four players must be dealt in a hand in order for the hand to qualify for the Bad Beat jackpot.

(i) Bad Beat money will not be taken from a game in which fewer than four players are dealt cards.

(j) Should there be a deviation (for example a misdeal, a missing card, two cards of the same rank and suit, extra cards, cheating) the jackpot may be declared null and void by the poker supervisor or higher ranking casino official. (Authorized by K.S.A. 2016 Supp. 74-8710 and 74-8748; implementing K.S.A. 2016 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011; amended, T-111-2-11-16, Jan. 13, 2016; amended, T-111-4-21-17, March 8, 2017.)

#### Article 601.—SOUTHEAST GAMING ZONE

**111-601-28. Definitions.** The following definitions shall apply to the “Roulette” game:

(a) “Basket” means a bet of “0, 00, and 2”, which bet pays odds of 11 to 1.

(b) “Black bet” means a wager that one of the 18 black numbers will win, which bet pays even money.

(c) “Columns” means a bet on 12 numbers in a straight column, designated as “first,” “second,” or “third” columns, which bets pay odds of 2 to 1.

(d) “Corner” means a bet on four connected numbers as shown on the roulette layout, all of which bets pay odds of 8 to 1.

(e) “Courtesy bet” means a split bet made on the “0” and “00”, when the player’s chips are physically stacked on the line on the table game layout between the “third twelve” (also known as “third dozen”) and “second 12” (also known as “second dozen”) betting areas. The courtesy bet line is provided for players wishing to make the “0” and “00” split bet but may not be able to physically reach the line between the “0” and “00” at the top of the table game layout where that bet is normally made. The line used for a courtesy bet may not be used for any other type of bet.

(f) “Dozens” means a bet on three sets of twelve numbers, as follows: 1 to 12, 13 to 24, or 25 to 36, all of which bets pay odds of 2 to 1.

(g) “Even” means a bet that any even number on the roulette wheel will win, which bet pays odds of one-to-one.

(h) “Even Money Bets” means any one of the following bets: numbers 1 to 18; even; red; black; odd; or, numbers 19 to 36, all of which bets pay odds of one-to-one.

(i) “Inside bet” means a wager made on the numbered portion of the layout (straight up, split, street, corner, first five and line bets).

(continued)

(j) "Line" or "Double Street" means a bet on six numbers connected on the roulette layout, which bet pays odds of 5 to 1.

(k) "Non-value chips" means the chips whose unique specific color is assigned to a player currently playing at that table. The player will determine the representative cash value of their non-value chip when they exchange actual cash for the non-value chips. The casino shall track the value of each player's chips.

(l) "Odd" means a bet that an odd number will win, which bet pays even money.

(m) "Outside bet" means a wager made on the outside of the numbered area of the roulette layout.

(n) "Payoff" means to pay a winning bet.

(o) "Red bet" means a wager that one of the eighteen red numbers will win, which bet pays even money.

(p) "Split" means a bet that any one of two horizontally or vertically adjacent numbers on the roulette layout will win, which bet pays at odds of 17 to 1.

(q) "Straight Up" means a bet on any one number alone, which bet pays at odds of 35 to 1.

(r) "Street" means a bet on three numbers connected in a straight row on the roulette layout; which pays at odds of 11 to 1.

(s) "Top line" and "first five" means the only 5 number bet where the player bets that "0, 00, 1, 2, or 3" will win, which bet pays at odds of 6 to 1.

(t) "Track" means the area of the wheel in which the ball spins.

(u) "Wheel" means the roulette wheel. (Authorized by K.S.A. 2016 Supp. 74-8710 and 74-8748; implementing K.S.A. 2016 Supp. 74-8710; effective, T-111-2-2-17, Nov. 9, 2016; amended, T-111-4-21-17, March 8, 2017.)

Terry P. Presta  
Executive Director

Doc. No. 045432

## State of Kansas

### Secretary of State

#### Certification of New State Law

I, Kris W. Kobach, Secretary of State of the State of Kansas, do hereby certify that the following bill is a correct copy of the original enrolled bill now on file in my office.

Kris W. Kobach  
Secretary of State

(Published in the Kansas Register May 18, 2017.)

### SENATE BILL No. 112

AN ACT concerning crimes, punishment and criminal procedure; relating to evidence; videotaping of certain felony, custodial interrogations; domestic battery; creating the crime of aggravated domestic battery; controlled substances; unlawful possession of drug paraphernalia; burglary; cruelty to animals; unlawful conduct of dog fighting; sentencing for crimes committed against a law enforcement officer; expungement; arrest records; post-trial motions, correction of sentence; postrelease supervision; persons convicted of a sexually vi-

olent crime; amending K.S.A. 22-3504 and K.S.A. 2016 Supp. 21-5414, 21-5709, 21-5807, 21-6412, 21-6414, 21-6804, 22-2410 and 22-3717 and repealing the existing sections.

WHEREAS, The provisions of K.S.A. 2016 Supp. 21-6804(y), as amended by this act, shall be known and may be cited as the law enforcement protection act.

Now, therefore:

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

New Section 1. (a) All law enforcement agencies in this state shall adopt a detailed, written policy requiring electronic recording of any custodial interrogation conducted at a place of detention.

(b) All local law enforcement agencies in this state shall collaborate with the county or district attorney in the appropriate jurisdiction regarding the contents of written policies required by this section.

(c) Policies adopted pursuant to this section shall be made available to all officers of such agency and shall be available for public inspection during normal business hours.

(d) Policies adopted pursuant to this section shall be implemented by all Kansas law enforcement agencies on or before July 1, 2018.

(e) Policies adopted pursuant to this section shall include the following:

(1) A requirement that an electronic recording shall be made of an entire custodial interrogation at a place of detention when the interrogation concerns a homicide or a felony sex offense;

(2) a requirement that if the defendant elects to make or sign a written statement during the course of a custodial interrogation concerning a homicide or a felony sex offense, the making and signing of the statement shall be electronically recorded;

(3) a statement of exceptions to the requirement to electronically record custodial interrogations, including, but not limited to:

(A) An equipment malfunction preventing electronic recording of the interrogation in its entirety, and replacement equipment is not immediately available;

(B) the officer, in good faith, fails to record the interrogation because the officer inadvertently fails to operate the recording equipment properly, or without the officer's knowledge the recording equipment malfunctions or stops recording;

(C) the suspect affirmatively asserts the desire to speak with officers without being recorded;

(D) multiple interrogations are taking place, exceeding the available electronic recording capacity;

(E) the statement is made spontaneously and not in response to an interrogation question;

(F) the statement is made during questioning that is routinely asked during the processing of an arrest of a suspect;

(G) the statement is made at a time when the officer is unaware of the suspect's involvement in an offense covered by the policy;

(H) exigent circumstances make recording impractical;

(I) at the time of the interrogation, the officer, in good faith, is unaware of the type of offense involved; and

(J) the recording is damaged or destroyed, without bad faith on the part of any person or entity in control of the recording; and

(4) requirements pertaining to the retention and storage requirements of the electronic recording.

(f) (1) During trial, the officer may be questioned pursuant to the rules of evidence regarding any violation of the policies adopted pursuant to this section.

(2) Lack of an electronic recording shall not be the sole basis for suppression of the interrogation or confession.

(g) Every electronic recording of any statement as required by this section shall be confidential and exempt from the Kansas open records act in accordance with K.S.A. 45-229, and amendments thereto. The provisions of this subsection shall expire on July 1, 2022, unless the legislature reviews and reenacts this provision pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2022.

(h) The following words and phrases, as used in this section, are defined as follows:

(1) "Custodial interrogation" means questioning of a person to whom warnings given pursuant to *Miranda v. Arizona*, 384 U.S. 436 (1966), are required to be given;

(2) "place of detention" means a fixed location under the control of a Kansas law enforcement agency where individuals are questioned about alleged crimes; and

(3) “electronic recording” means audio or audiovisual recording. An audiovisual recording is preferred.

(i) This section shall take effect on and after July 1, 2017.

Sec. 2. On and after July 1, 2017, K.S.A. 2016 Supp. 21-5414 is hereby amended to read as follows: 21-5414. (a) Domestic battery is:

(1) Knowingly or recklessly causing bodily harm ~~by to a person with whom the offender is involved or has been involved in a dating relationship or a family or household member against a family or household member;~~ or

(2) knowingly causing physical contact with a person with whom the offender is involved or has been involved in a dating relationship or a family or household member ~~by a family or household member,~~ when done in a rude, insulting or angry manner.

(b) *Aggravated domestic battery is:*

(1) Knowingly impeding the normal breathing or circulation of the blood by applying pressure on the throat, neck or chest of a person with whom the offender is involved or has been involved in a dating relationship or a family or household member, when done in a rude, insulting or angry manner; or

(2) knowingly impeding the normal breathing or circulation of the blood by blocking the nose or mouth of a person with whom the offender is involved or has been involved in a dating relationship or a family or household member, when done in a rude, insulting or angry manner.

~~(b)(c)~~ (1) Domestic battery is:

~~(1)(A)~~ Except as provided in subsection ~~(b)(2)~~ (c)(1)(B) or ~~(b)(3)~~ (c)(1)(C), a class B person misdemeanor and the offender shall be sentenced to not less than 48 consecutive hours nor more than six months’ imprisonment and fined not less than \$200, nor more than \$500 or in the court’s discretion the court may enter an order which requires the offender to undergo a domestic violence offender assessment conducted by a certified batterer intervention program and follow all recommendations made by such program;

~~(2)(B)~~ except as provided in subsection ~~(b)(3)~~ (c)(1)(C), a class A person misdemeanor, if, within five years immediately preceding commission of the crime, an offender is convicted of domestic battery a second time and the offender shall be sentenced to not less than 90 days nor more than one year’s imprisonment and fined not less than \$500 nor more than \$1,000. The five days imprisonment mandated by this paragraph may be served in a work release program only after such offender has served 48 consecutive hours imprisonment, provided such work release program requires such offender to return to confinement at the end of each day in the work release program. The offender shall serve at least five consecutive days imprisonment before the offender is granted probation, suspension or reduction of sentence or parole or is otherwise released. As a condition of any grant of probation, suspension of sentence or parole or of any other release, the offender shall be required to undergo a domestic violence offender assessment conducted by a certified batterer intervention program and follow all recommendations made by such program, unless otherwise ordered by the court ~~or department of corrections;~~ and

~~(3)(C)~~ a person felony, if, within five years immediately preceding commission of the crime, an offender is convicted of domestic battery a third or subsequent time, and the offender shall be sentenced to not less than 90 days nor more than one year’s imprisonment and fined not less than \$1,000 nor more than \$7,500. The offender convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the offender has served at least 90 days imprisonment. As a condition of any grant of probation, suspension of sentence or parole or of any other release, the offender shall be required to undergo a domestic violence offender assessment conducted by a certified batterer intervention program and follow all recommendations made by such program, unless otherwise ordered by the court ~~or department of corrections.~~ If the offender does not undergo a domestic violence offender assessment conducted by a certified batterer intervention program and follow all recommendations made by such program, the offender shall serve not less than 180 days nor more than one year’s imprisonment. The 90 days imprisonment mandated by this paragraph may be served in a work release program only after such offender has served 48 consecutive hours imprisonment, provided such work release program requires such offender to return to confinement at the end of each day in the work release program.

(2) *Aggravated domestic battery is a severity level 7, person felony.*

~~(c)(d)~~ In determining the sentence to be imposed within the limits provided for a first, second, third or subsequent offense under this section, a court shall consider information presented to the court relating to any current or prior protective order issued against such person.

(e) As used in this section:

(1) “Dating relationship” means a social relationship of a romantic nature. In addition to any other factors the court deems relevant, the trier of fact may consider the following when making a determination of whether a relationship exists or existed: Nature of the relationship, length of time the relationship existed, frequency of interaction between the parties and time since the termination of the relationship, if applicable;

(2) “family or household member” means persons 18 years of age or older who are spouses, former spouses, parents or stepparents and children or stepchildren, and persons who are presently residing together or who have resided together in the past, and persons who have a child in common regardless of whether they have been married or who have lived together at any time. “Family or household member” also includes a man and woman if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or have lived together at any time; and

(3) “protective order” means:

(A) A protection from abuse order issued pursuant to K.S.A. 60-3105, 60-3106 or 60-3107, and amendments thereto;

(B) a protective order issued by a court or tribunal of any state or Indian tribe that is consistent with the provisions of 18 U.S.C. § 2265;

(C) a restraining order issued pursuant to K.S.A. 23-2707, 38-2243, 38-2244 or 38-2255, and amendments thereto, or K.S.A. 60-1607, prior to its transfer;

(D) an order issued in this or any other state as a condition of pretrial release, diversion, probation, suspended sentence, postrelease supervision or at any other time during the criminal case or upon appeal that orders the person to refrain from having any direct or indirect contact with a family or household member;

(E) an order issued in this or any other state as a condition of release after conviction or as a condition of a supersedeas bond pending disposition of an appeal, that orders the person to refrain from having any direct or indirect contact with another person; or

(F) a protection from stalking order issued pursuant to K.S.A. 60-31a05 or 60-31a06, and amendments thereto.

~~(2)(f)~~ For the purpose of determining whether a conviction is a first, second, third or subsequent conviction in sentencing under ~~this section~~ subsection (c)(1):

~~(A)(1)~~ “Conviction” includes being convicted of a violation of K.S.A. 21-3412a, prior to its repeal, this section or entering into a diversion or deferred judgment agreement in lieu of further criminal proceedings on a complaint alleging a violation of this section;

~~(B)(2)~~ “conviction” includes being convicted of a violation of a law of another state, or an ordinance of any city, or resolution of any county, which prohibits the acts that this section prohibits or entering into a diversion or deferred judgment agreement in lieu of further criminal proceedings in a case alleging a violation of such law, ordinance or resolution;

~~(C)(3)~~ only convictions occurring in the immediately preceding five years including prior to July 1, 2001, shall be taken into account, but the court may consider other prior convictions in determining the sentence to be imposed within the limits provided for a first, second, third or subsequent offender, whichever is applicable; and

~~(D)(4)~~ it is irrelevant whether an offense occurred before or after conviction for a previous offense.

~~(D)(g)~~ A person may enter into a diversion agreement in lieu of further criminal proceedings for a violation of ~~this section~~ subsection (a) or (b) or an ordinance of any city or resolution of any county which prohibits the acts that ~~this section~~ subsection (a) or (b) prohibits only twice during any five-year period.

Sec. 3. On and after July 1, 2017, K.S.A. 2016 Supp. 21-5709 is hereby amended to read as follows: 21-5709. (a) It shall be unlawful for any person to possess ephedrine, pseudoephedrine, red phosphorus, lithium metal, sodium metal, iodine, anhydrous ammonia, pressurized ammonia or phenylpropanolamine, or their salts, isomers or salts of isomers with an intent to use the product to manufacture a controlled substance.

(b) It shall be unlawful for any person to use or possess with intent to use any drug paraphernalia to:

(1) Manufacture, cultivate, plant, propagate, harvest, test, analyze or distribute a controlled substance; or

(2) store, contain, conceal, inject, ingest, inhale or otherwise introduce a controlled substance into the human body.

(c) It shall be unlawful for any person to use or possess with intent to use anhydrous ammonia or pressurized ammonia in a container not approved for that chemical by the Kansas department of agriculture.

(continued)

(d) It shall be unlawful for any person to purchase, receive or otherwise acquire at retail any compound, mixture or preparation containing more than 3.6 grams of pseudoephedrine base or ephedrine base in any single transaction or any compound, mixture or preparation containing more than nine grams of pseudoephedrine base or ephedrine base within any 30-day period.

- (e) (1) Violation of subsection (a) is a drug severity level 3 felony;
  - (2) violation of subsection (b)(1) is a:
    - (A) Drug severity level 5 felony, except as provided in subsection (e)(2)(B); and
    - (B) class-A B nonperson misdemeanor if the drug paraphernalia was used to cultivate fewer than five marijuana plants;
  - (3) violation of subsection (b)(2) is a class-A B nonperson misdemeanor;
  - (4) violation of subsection (c) is a drug severity level 5 felony; and
  - (5) violation of subsection (d) is a class A nonperson misdemeanor.
- (f) For persons arrested and charged under subsection (a) or (c), bail shall be at least \$50,000 cash or surety, and such person shall not be released upon the person's own recognizance pursuant to K.S.A. 22-2802, and amendments thereto, unless the court determines, on the record, that the defendant is not likely to reoffend, the court imposes pretrial supervision or the defendant agrees to participate in a licensed or certified drug treatment program.

Sec. 4. K.S.A. 2016 Supp. 21-5807 is hereby amended to read as follows: 21-5807. (a) Burglary is, without authority, entering into or remaining within any:

- (1) Dwelling, with intent to commit a felony, theft or sexually motivated crime therein;
  - (2) building, manufactured home, mobile home, tent or other structure which is not a dwelling, with intent to commit a felony, theft or sexually motivated crime therein; or
  - (3) vehicle, aircraft, watercraft, railroad car or other means of conveyance of persons or property, with intent to commit a felony, theft or sexually motivated crime therein.
- (b) Aggravated burglary is, without authority, entering into or remaining within any:

- (1) Dwelling in which there is a human being, with intent to commit a felony, theft or sexually motivated crime therein;
- (2) building, manufactured home, mobile home, tent or other structure which is not a dwelling in which there is a human being, with intent to commit a felony, theft or sexually motivated crime therein; or
- (3) vehicle, aircraft, watercraft, railroad car or other means of conveyance of persons or property in which there is a human being, with intent to commit a felony, theft or sexually motivated crime therein.

- (c) (1) Burglary as defined in:
    - (A) (i) Subsection (a)(1) ~~is a severity level 7, person felony, except as provided in subsection (c)(1)(B);~~
    - (ii) subsection (a)(2) is a severity level 7, nonperson felony, except as provided in subsection (c)(1)(B); and
    - ~~(iii)~~ (iii) subsection (a)(3) is a severity level 9, nonperson felony, except as provided in subsection (c)(1)(B); and
  - (B) (i) subsection (a)(1), with intent to commit the theft of a firearm, is a severity level 5, person felony; and
  - (ii) subsection (a)(2) or (a)(3), with intent to commit the theft of a firearm, is a severity level 5, nonperson felony.
- (2) Aggravated burglary as defined in:
- (A) Subsection (b)(1) is a severity level 4, person felony; and
  - (B) subsection (b)(2) or (b)(3) is a severity level 5, person felony.
- (d) As used in this section, "sexually motivated" means that one of the purposes for which the defendant committed the crime was for the purpose of the defendant's sexual gratification.

(e) This section shall not apply to any person entering into or remaining in a retail or commercial premises at any time that it is open to the public after having received a personal communication from the owner or manager of such premises not to enter such premises pursuant to K.S.A. 2016 Supp. 21-5808, and amendments thereto, except when such person is entering into or remaining in such premises with the intent to commit a person felony or sexually motivated crime therein.

Sec. 5. On and after July 1, 2017, K.S.A. 2016 Supp. 21-6412 is hereby amended to read as follows: 21-6412. (a) Cruelty to animals is:

- (1) Knowingly and maliciously killing, injuring, maiming, torturing, burning or mutilating any animal;
- (2) knowingly abandoning any animal in any place without making provisions for its proper care;

(3) having physical custody of any animal and knowingly failing to provide such food, potable water, protection from the elements, opportunity for exercise and other care as is needed for the health or well-being of such kind of animal;

(4) intentionally using a wire, pole, stick, rope or any other object to cause an equine to lose its balance or fall, for the purpose of sport or entertainment;

(5) knowingly but not maliciously killing or injuring any animal; or

(6) knowingly and maliciously administering any poison to any domestic animal.

(b) Cruelty to animals as defined in:

(1) Subsection (a)(1) or (a)(6) is a nonperson felony. Upon conviction of subsection (a)(1) or (a)(6), a person shall be sentenced to not less than 30 days or more than one year's imprisonment and be fined not less than \$500 nor more than \$5,000. The person convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the person has served the minimum mandatory sentence as provided herein. During the mandatory 30 days imprisonment, such offender shall have a psychological evaluation prepared for the court to assist the court in determining conditions of probation. Such conditions shall include, but not be limited to, the completion of an anger management program; and

(2) subsection (a)(2), (a)(3), (a)(4) or (a)(5) is a:

(A) Class A nonperson misdemeanor, except as provided in subsection (b)(2)(B); and

(B) nonperson felony upon the second or subsequent conviction of cruelty to animals as defined in subsection (a)(2), (a)(3), (a)(4) or (a)(5). Upon such conviction, a person shall be sentenced to not less than five days or more than one year's imprisonment and be fined not less than \$500 nor more than \$2,500. The person convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the person has served the minimum mandatory sentence as provided herein.

(c) The provisions of this section shall not apply to:

- (1) Normal or accepted veterinary practices;
- (2) bona fide experiments carried on by commonly recognized research facilities;
- (3) killing, attempting to kill, trapping, catching or taking of any animal in accordance with the provisions of chapter 32 or chapter 47 of the Kansas Statutes Annotated, and amendments thereto;
- (4) rodeo practices accepted by the rodeo cowboys' association;
- (5) the humane killing of an animal ~~which~~ *that* is diseased or disabled beyond recovery for any useful purpose, or the humane killing of animals for population control, by the owner thereof or the agent of such owner residing outside of a city or the owner thereof within a city if no animal shelter, ~~pound~~ or licensed veterinarian is within the city, or by a licensed veterinarian at the request of the owner thereof, or by any officer or agent of ~~an incorporated humane society, the operator of an animal shelter or pound,~~ a local or state health officer or a licensed veterinarian three business days following the receipt of any such animal at such ~~society, shelter or pound;~~

(6) with respect to farm animals, normal or accepted practices of animal husbandry, including the normal and accepted practices for the slaughter of such animals for food or by-products and the careful or thrifty management of one's herd or animals, including animal care practices common in the industry or region;

(7) the killing of any animal by any person at any time ~~which~~ *that* may be found outside of the owned or rented property of the owner or custodian of such animal and ~~which~~ *that* is found injuring or posing a threat to any person, farm animal or property;

(8) an animal control officer trained by a licensed veterinarian in the use of a tranquilizer gun, using such gun with the appropriate dosage for the size of the animal, when such animal is vicious or could not be captured after reasonable attempts using other methods;

(9) laying an equine down for medical or identification purposes;

(10) normal or accepted practices of pest control, as defined in ~~subsection (x) of~~ K.S.A. 2-2438a(x), and amendments thereto; or

(11) accepted practices of animal husbandry pursuant to regulations promulgated by the United States department of agriculture for domestic pet animals under the animal welfare act, public law 89-544, as amended and in effect on July 1, 2006.

(d) The provisions of subsection (a)(6) shall not apply to any person exposing poison upon their premises for the purpose of destroying wolves, coyotes or other predatory animals.

(e) Any public health officer, law enforcement officer, licensed veterinarian or officer or agent of any ~~incorporated humane society,~~ ani-

mal shelter or other appropriate facility may take into custody any animal, upon either private or public property, which clearly shows evidence of cruelty to animals. Such officer, agent or veterinarian may inspect, care for or treat such animal or place such animal in the care of a ~~duly incorporated humane society~~ *an animal shelter* or licensed veterinarian for treatment, boarding or other care or, if an officer of such ~~humane society~~ *animal shelter* or such veterinarian determines that the animal appears to be diseased or disabled beyond recovery for any useful purpose, for humane killing. ~~If the animal is placed in the care of an animal shelter, the animal shelter shall notify~~ The owner or custodian, if known or reasonably ascertainable, ~~shall be notified in writing~~. If the owner or custodian is charged with a violation of this section, ~~the board of county commissioners in the county where the animal was taken into custody shall establish and approve procedures whereby the law enforcement agency, district attorney's office, county prosecutor, veterinarian or animal shelter may petition the district court to be allowed in the county in which the animal was taken into custody to place the animal for adoption or euthanize~~ transfer ownership of the animal at any time after 21 days after the owner or custodian is notified or, if the owner or custodian is not known or reasonably ascertainable after 21 days after the animal is taken into custody, unless the owner or custodian of the animal files a renewable cash or performance bond with the county clerk of the county where the animal is being held, in an amount equal to not less than the cost of care and treatment of the animal for 30 days. Upon receiving such petition, the court shall determine whether the animal may be placed for adoption or euthanized. ~~The board of county commissioners in the county where the animal was taken into custody shall review the cost of care and treatment being charged by the animal shelter maintaining the animal transferred.~~

(f) The owner or custodian of an animal placed for adoption or killed transferred pursuant to subsection (e) shall not be entitled to recover damages for the placement or killing transfer of such animal unless the owner proves that such placement or killing transfer was unwarranted.

(g) Expenses incurred for the care, treatment or boarding of any animal, taken into custody pursuant to subsection (e), pending prosecution of the owner or custodian of such animal for the crime of cruelty to animals, shall be assessed to the owner or custodian as a cost of the case if the owner or custodian is adjudicated guilty of such crime.

(h) If a person is adjudicated guilty of the crime of cruelty to animals, and the court having jurisdiction is satisfied that an animal owned or possessed by such person would be in the future subjected to such crime, such animal shall not be returned to or remain with such person. Such animal may be turned over to a ~~duly incorporated humane society~~ *an animal shelter* or licensed veterinarian for sale or other disposition.

(i) As used in this section:

(1) "Animal shelter" means the same as such term is defined in K.S.A. 47-1701, and amendments thereto;

(2) "equine" means a horse, pony, mule, jenny, donkey or hinny; and

(2)-(3) "maliciously" means a state of mind characterized by actual evil-mindedness or specific intent to do a harmful act without a reasonable justification or excuse.

Sec. 6. On and after July 1, 2017, K.S.A. 2016 Supp. 21-6414 is hereby amended to read as follows: 21-6414. (a) Unlawful conduct of dog fighting is:

(1) Causing, for amusement or gain, any dog to fight with or injure another dog, with no requirement of culpable mental state;

(2) knowingly permitting such fighting or injuring on premises under one's ownership, charge or control; or

(3) training, owning, keeping, transporting or selling any dog with the intent of having it fight with or injure another dog.

(b) Unlawful possession of dog fighting paraphernalia is possession, with the intent to use in the unlawful conduct of dog fighting, any breaking stick, treadmill, wheel, hot walker, cat mill, cat walker, jenni, or other paraphernalia.

(c) Unlawful attendance of dog fighting is, entering or remaining on the premises where the unlawful conduct of dog fighting is occurring, whether the person knows or has reason to know that dog fighting is occurring on the premises.

(d) (1) Unlawful conduct of dog fighting is a severity level 10, nonperson felony.

(2) Unlawful possession of dog fighting paraphernalia is a class A nonperson misdemeanor.

(3) Unlawful attendance of dog fighting is a class B nonperson misdemeanor.

(e) When a person is arrested under this section, a law enforcement agency may take into custody any dog on the premises where the dog fight is alleged to have occurred and any dog owned or kept on the premises of any person arrested for unlawful conduct of dog fighting, unlawful attendance of dog fighting; or unlawful possession of dog fighting paraphernalia.

(f) When a law enforcement agency takes custody of a dog under this section, such agency may place the dog in the care of a ~~duly incorporated humane society~~ *an animal shelter* or licensed veterinarian for boarding, treatment or other care. If it appears to a licensed veterinarian that the dog is diseased or disabled beyond recovery for any useful purpose, such dog may be humanely killed. The dog may be sedated, isolated or restrained if such officer, agent or veterinarian determines it to be in the best interest of the dog, other animals at the animal shelter or personnel of the animal shelter. ~~If the dog is placed in the care of an animal shelter, the board of county commissioners in the county where the animal was taken into custody shall establish and approve procedures whereby~~ The law enforcement agency, district attorney's office, county prosecutor, veterinarian or animal shelter may petition the district court in the county in which the animal was taken into custody to be allowed to place the dog for adoption or euthanize transfer ownership of the dog at any time after 21 days after the dog is taken into custody, unless the owner or custodian of the dog files a renewable cash or performance bond with the county clerk of the county where the dog is being held, in an amount equal to not less than the cost of care and treatment of the dog for 30 days. Upon receiving such petition, the court shall determine whether the dog may be placed for adoption or euthanized. ~~The board of county commissioners in the county where the animal was taken into custody shall review the cost of care and treatment being charged by the animal shelter maintaining the animal transferred.~~ Except as provided in subsection (g), if it appears to the licensed veterinarian by physical examination that the dog has not been trained for aggressive conduct or is a type of dog that is not commonly bred or trained for aggressive conduct, the district or county attorney shall order that the dog be returned to its owner when the dog is not needed as evidence in a case filed under this section or K.S.A. 2016 Supp. 21-6412, and amendments thereto. The owner or keeper of a dog placed for adoption or humanely killed transferred under this subsection shall not be entitled to damages unless the owner or keeper proves that such placement or killing transfer was unwarranted.

(g) If a person is convicted of unlawful conduct of dog fighting, unlawful attendance of dog fighting or unlawful possession of dog fighting paraphernalia, a dog taken into custody pursuant to subsection (e) shall not be returned to such person and the court shall order the owner or keeper to pay to the animal shelter or licensed veterinarian all expenses incurred for the care, treatment and boarding of such dog, including any damages caused by such dog, prior to conviction of the owner or keeper. Disposition of such dog shall be in accordance with K.S.A. 2016 Supp. 21-6412, and amendments thereto. If no such conviction results, the dog shall be returned to the owner or keeper and the court shall order the county where the dog was taken into custody to pay to the law enforcement agency, veterinarian or animal shelter all expenses incurred by the shelter for the care, treatment and boarding of such dog, including any damages caused by such dog, prior to its return.

(h) A person who violates the provisions of this section may also be prosecuted for, convicted of, and punished for cruelty to animals.

(i) As used in this section, "animal shelter" means the same as such term is defined in K.S.A. 47-1701, and amendments thereto.

Sec. 7. On and after July 1, 2017, K.S.A. 2016 Supp. 21-6804 is hereby amended to read as follows: 21-6804. (a) The provisions of this section shall be applicable to the sentencing guidelines grid for nondrug crimes. The following sentencing guidelines grid shall be applicable to nondrug felony crimes:

(continued)

SENTENCING RANGE - NONDRUG OFFENSES

Category →	A	B	C	D	E	F	G	H	I
Severity Level ↓	3+ Person Felonies	2 Person Felonies	1 Person & 1 Nonperson Felonies	1 Person Felony	3+ Nonperson Felonies	2 Nonperson Felonies	1 Nonperson Felony	2+ Misdemeanors	1 Misdemeanor No Record
I	653 620 592	618 586 554	285 272 258	267 253 240	246 234 221	226 214 203	203 195 184	186 176 166	165 155 147
II	493 467 442	460 438 416	216 205 194	200 190 181	184 174 165	168 160 152	154 146 138	138 131 123	123 117 109
III	247 233 221	228 216 206	107 102 96	100 94 89	92 88 82	83 79 74	77 72 68	71 66 61	61 59 55
IV	172 162 154	162 154 144	75 71 68	69 66 62	64 60 57	59 56 52	52 50 47	48 45 42	43 41 38
V	136 130 122	128 120 114	60 57 53	55 52 50	51 49 46	47 44 41	43 41 38	38 36 34	34 33 31
VI	46 43 40	41 39 37	38 36 34	36 34 32	32 30 28	29 27 25	26 24 22	21 20 19	19 18 17
VII	34 32 30	31 29 27	29 27 25	26 24 22	23 21 19	19 18 17	17 16 15	14 13 12	13 12 11
VIII	23 21 19	20 19 18	19 18 17	17 16 15	15 14 13	13 12 11	11 10 9	11 10 9	9 8 7
IX	17 16 15	15 14 13	13 12 11	13 12 11	11 10 9	10 9 8	9 8 7	8 7 6	7 6 5
X	13 12 11	12 11 10	11 10 9	10 9 8	9 8 7	8 7 6	7 6 5	7 6 5	7 6 5

LEGEND
Presumptive Probation
Border Box
Presumptive Imprisonment

(b) Sentences expressed in the sentencing guidelines grid for non-drug crimes represent months of imprisonment.

(c) The sentencing guidelines grid is a two-dimensional crime severity and criminal history classification tool. The grid's vertical axis is the crime severity scale which classifies current crimes of conviction. The grid's horizontal axis is the criminal history scale which classifies criminal histories.

(d) The sentencing guidelines grid for nondrug crimes as provided in this section defines presumptive punishments for felony convictions, subject to the sentencing court's discretion to enter a departure sentence. The appropriate punishment for a felony conviction should depend on the severity of the crime of conviction when compared to all other crimes and the offender's criminal history.

(e) (1) The sentencing court has discretion to sentence at any place within the sentencing range. In the usual case it is recommended that the sentencing judge select the center of the range and reserve the upper and lower limits for aggravating and mitigating factors insufficient to warrant a departure.

(2) In presumptive imprisonment cases, the sentencing court shall pronounce the complete sentence which shall include the:

- (A) Prison sentence;
- (B) maximum potential reduction to such sentence as a result of good time; and

(C) period of postrelease supervision at the sentencing hearing. Failure to pronounce the period of postrelease supervision shall not negate the existence of such period of postrelease supervision.

(3) In presumptive nonprison cases, the sentencing court shall pronounce the:

- (A) Prison sentence; and
- (B) duration of the nonprison sanction at the sentencing hearing.

(f) Each grid block states the presumptive sentencing range for an offender whose crime of conviction and criminal history place such offender in that grid block. If an offense is classified in a grid block below the dispositional line, the presumptive disposition shall be nonimprisonment. If an offense is classified in a grid block above the dispositional line, the presumptive disposition shall be imprisonment. If an offense is classified in grid blocks 5-H, 5-I or 6-G, the court may impose an optional nonprison sentence as provided in subsection (g).

(g) The sentence for a violation of K.S.A. 21-3415, prior to its repeal, aggravated battery against a law enforcement officer committed



prior to July 1, 2006, or a violation of K.S.A. 2016 Supp. 21-5412(d), and amendments thereto, aggravated assault against a law enforcement officer, which places the defendant's sentence in grid block 6-H or 6-I shall be presumed imprisonment. The court may impose an optional nonprison sentence as provided in subsection (q).

(h) When a firearm is used to commit any person felony, the offender's sentence shall be presumed imprisonment. The court may impose an optional nonprison sentence as provided in subsection (q).

(i) (1) The sentence for the violation of the felony provision of K.S.A. 2016 Supp. 8-1025, K.S.A. 8-2,144, K.S.A. 8-1567, K.S.A. 2016 Supp. 21-5414(b)(3), K.S.A. 2016 Supp. 21-5823(b)(3) and (b)(4), K.S.A. 2016 Supp. 21-6412 and K.S.A. 2016 Supp. 21-6416, and amendments thereto, shall be as provided by the specific mandatory sentencing requirements of that section and shall not be subject to the provisions of this section or K.S.A. 2016 Supp. 21-6807, and amendments thereto.

(2) If because of the offender's criminal history classification the offender is subject to presumptive imprisonment or if the judge departs from a presumptive probation sentence and the offender is subject to imprisonment, the provisions of this section and K.S.A. 2016 Supp. 21-6807, and amendments thereto, shall apply and the offender shall not be subject to the mandatory sentence as provided in K.S.A. 2016 Supp. 21-5823, and amendments thereto.

(3) Notwithstanding the provisions of any other section, the term of imprisonment imposed for the violation of the felony provision of K.S.A. 2016 Supp. 8-1025, K.S.A. 8-2,144, K.S.A. 8-1567, K.S.A. 2016 Supp. 21-5414(b)(3), K.S.A. 2016 Supp. 21-5823(b)(3) and (b)(4), K.S.A. 2016 Supp. 21-6412 and K.S.A. 2016 Supp. 21-6416, and amendments thereto, shall not be served in a state facility in the custody of the secretary of corrections, except that the term of imprisonment for felony violations of K.S.A. 2016 Supp. 8-1025 or K.S.A. 8-2,144 or K.S.A. 8-1567, and amendments thereto, may be served in a state correctional facility designated by the secretary of corrections if the secretary determines that substance abuse treatment resources and facility capacity is available. The secretary's determination regarding the availability of treatment resources and facility capacity shall not be subject to review. Prior to imposing any sentence pursuant to this subsection, the court may consider assigning the defendant to a house arrest program pursuant to K.S.A. 2016 Supp. 21-6609, and amendments thereto.

(j) (1) The sentence for any persistent sex offender whose current convicted crime carries a presumptive term of imprisonment shall be double the maximum duration of the presumptive imprisonment term. The sentence for any persistent sex offender whose current conviction carries a presumptive nonprison term shall be presumed imprisonment and shall be double the maximum duration of the presumptive imprisonment term.

(2) Except as otherwise provided in this subsection, as used in this subsection, "persistent sex offender" means a person who:

(A) (i) Has been convicted in this state of a sexually violent crime, as defined in K.S.A. 22-3717, and amendments thereto; and

(ii) at the time of the conviction under subsection (j)(2)(A)(i) has at least one conviction for a sexually violent crime, as defined in K.S.A. 22-3717, and amendments thereto, in this state or comparable felony under the laws of another state, the federal government or a foreign government; or

(B) (i) has been convicted of rape, as defined in K.S.A. 21-3502, prior to its repeal, or K.S.A. 2016 Supp. 21-5503, and amendments thereto; and

(ii) at the time of the conviction under subsection (j)(2)(B)(i) has at least one conviction for rape in this state or comparable felony under the laws of another state, the federal government or a foreign government.

(3) Except as provided in subsection (j)(2)(B), the provisions of this subsection shall not apply to any person whose current convicted crime is a severity level 1 or 2 felony.

(k) (1) If it is shown at sentencing that the offender committed any felony violation for the benefit of, at the direction of, or in association with any criminal street gang, with the specific intent to promote, further or assist in any criminal conduct by gang members, the offender's sentence shall be presumed imprisonment. The court may impose an optional nonprison sentence as provided in subsection (q).

(2) As used in this subsection, "criminal street gang" means any organization, association or group of three or more persons, whether formal or informal, having as one of its primary activities:

(A) The commission of one or more person felonies; or

(B) the commission of felony violations of article 57 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, K.S.A. 2010 Supp. 21-36a01 through 21-36a17, prior to their transfer, or any felony violation of any provision of the uniform controlled substances act prior to July 1, 2009; and

(C) its members have a common name or common identifying sign or symbol; and

(D) its members, individually or collectively, engage in or have engaged in the commission, attempted commission, conspiracy to commit or solicitation of two or more person felonies or felony violations of article 57 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, K.S.A. 2010 Supp. 21-36a01 through 21-36a17, prior to their transfer, any felony violation of any provision of the uniform controlled substances act prior to July 1, 2009, or any substantially similar offense from another jurisdiction.

(l) Except as provided in subsection (o), the sentence for a violation of K.S.A. 2016 Supp. 21-5807(a)(1), and amendments thereto, or any attempt or conspiracy, as defined in K.S.A. 2016 Supp. 21-5301 and 21-5302, and amendments thereto, to commit such offense, when such person being sentenced has a prior conviction for a violation of K.S.A. 21-3715(a) or (b), prior to its repeal, 21-3716, prior to its repeal, K.S.A. 2016 Supp. 21-5807(a)(1) or (a)(2), or K.S.A. 2016 Supp. 21-5807(b), and amendments thereto, or any attempt or conspiracy to commit such offense, shall be presumptive imprisonment.

(m) The sentence for a violation of K.S.A. 22-4903 or K.S.A. 2016 Supp. 21-5913(a)(2), and amendments thereto, shall be presumptive imprisonment. If an offense under such sections is classified in grid blocks 5-E, 5-F, 5-G, 5-H or 5-I, the court may impose an optional nonprison sentence as provided in subsection (q).

(n) The sentence for a violation of criminal deprivation of property, as defined in K.S.A. 2016 Supp. 21-5803, and amendments thereto, when such property is a motor vehicle, and when such person being sentenced has any combination of two or more prior convictions of K.S.A. 21-3705(b), prior to its repeal, or of criminal deprivation of property, as defined in K.S.A. 2016 Supp. 21-5803, and amendments thereto, when such property is a motor vehicle, shall be presumptive imprisonment. Such sentence shall not be considered a departure and shall not be subject to appeal.

(o) The sentence for a felony violation of theft of property as defined in K.S.A. 2016 Supp. 21-5801, and amendments thereto, or burglary as defined in K.S.A. 2016 Supp. 21-5807(a), and amendments thereto, when such person being sentenced has no prior convictions for a violation of K.S.A. 21-3701 or 21-3715, prior to their repeal, or theft of property as defined in K.S.A. 2016 Supp. 21-5801, and amendments thereto, or burglary as defined in K.S.A. 2016 Supp. 21-5807(a), and amendments thereto; or the sentence for a felony violation of theft of property as defined in K.S.A. 2016 Supp. 21-5801, and amendments thereto, when such person being sentenced has one or two prior felony convictions for a violation of K.S.A. 21-3701, 21-3715 or 21-3716, prior to their repeal, or theft of property as defined in K.S.A. 2016 Supp. 21-5801, and amendments thereto, or burglary or aggravated burglary as defined in K.S.A. 2016 Supp. 21-5807, and amendments thereto; or the sentence for a felony violation of burglary as defined in K.S.A. 2016 Supp. 21-5807(a), and amendments thereto, when such person being sentenced has one prior felony conviction for a violation of K.S.A. 21-3701, 21-3715 or 21-3716, prior to their repeal, or theft of property as defined in K.S.A. 2016 Supp. 21-5801, and amendments thereto, or burglary or aggravated burglary as defined in K.S.A. 2016 Supp. 21-5807, and amendments thereto, shall be the sentence as provided by this section, except that the court may order an optional nonprison sentence for a defendant to participate in a drug treatment program, including, but not limited to, an approved after-care plan, if the court makes the following findings on the record:

(1) Substance abuse was an underlying factor in the commission of the crime;

(2) substance abuse treatment in the community is likely to be more effective than a prison term in reducing the risk of offender recidivism; and

(3) participation in an intensive substance abuse treatment program will serve community safety interests.

A defendant sentenced to an optional nonprison sentence under this subsection shall be supervised by community correctional services. The provisions of K.S.A. 2016 Supp. 21-6824(f)(1), and amendments thereto, shall apply to a defendant sentenced under this subsection. The sentence under this subsection shall not be considered a departure and shall not be subject to appeal.

(p) The sentence for a felony violation of theft of property as defined in K.S.A. 2016 Supp. 21-5801, and amendments thereto, when such person being sentenced has any combination of three or more prior felony convictions for violations of K.S.A. 21-3701, 21-3715 or 21-3716, prior

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to their repeal, or theft of property as defined in K.S.A. 2016 Supp. 21-5801, and amendments thereto, or burglary or aggravated burglary as defined in K.S.A. 2016 Supp. 21-5807, and amendments thereto; or the sentence for a violation of burglary as defined in K.S.A. 2016 Supp. 21-5807(a), and amendments thereto, when such person being sentenced has any combination of two or more prior convictions for violations of K.S.A. 21-3701, 21-3715 and 21-3716, prior to their repeal, or theft of property as defined in K.S.A. 2016 Supp. 21-5801, and amendments thereto, or burglary or aggravated burglary as defined in K.S.A. 2016 Supp. 21-5807, and amendments thereto, shall be presumed imprisonment and the defendant shall be sentenced to prison as provided by this section, except that the court may recommend that an offender be placed in the custody of the secretary of corrections, in a facility designated by the secretary to participate in an intensive substance abuse treatment program, upon making the following findings on the record:

(1) Substance abuse was an underlying factor in the commission of the crime;

(2) substance abuse treatment with a possibility of an early release from imprisonment is likely to be more effective than a prison term in reducing the risk of offender recidivism; and

(3) participation in an intensive substance abuse treatment program with the possibility of an early release from imprisonment will serve community safety interests by promoting offender reformation.

The intensive substance abuse treatment program shall be determined by the secretary of corrections, but shall be for a period of at least four months. Upon the successful completion of such intensive treatment program, the offender shall be returned to the court and the court may modify the sentence by directing that a less severe penalty be imposed in lieu of that originally adjudged within statutory limits. If the offender's term of imprisonment expires, the offender shall be placed under the applicable period of postrelease supervision. The sentence under this subsection shall not be considered a departure and shall not be subject to appeal.

(q) As used in this section, an "optional nonprison sentence" is a sentence which the court may impose, in lieu of the presumptive sentence, upon making the following findings on the record:

(1) An appropriate treatment program exists which is likely to be more effective than the presumptive prison term in reducing the risk of offender recidivism; and

(2) the recommended treatment program is available and the offender can be admitted to such program within a reasonable period of time; or

(3) the nonprison sanction will serve community safety interests by promoting offender reformation.

Any decision made by the court regarding the imposition of an optional nonprison sentence shall not be considered a departure and shall not be subject to appeal.

(r) The sentence for a violation of K.S.A. 2016 Supp. 21-5413(c) (2), and amendments thereto, shall be presumptive imprisonment and shall be served consecutively to any other term or terms of imprisonment imposed. Such sentence shall not be considered a departure and shall not be subject to appeal.

(s) The sentence for a violation of K.S.A. 2016 Supp. 21-5512, and amendments thereto, shall be presumptive imprisonment. Such sentence shall not be considered a departure and shall not be subject to appeal.

(t) (1) If the trier of fact makes a finding *beyond a reasonable doubt* that an offender wore or used ballistic resistant material in the commission of, or attempt to commit, or flight from any felony, in addition to the sentence imposed pursuant to the Kansas sentencing guidelines act, the offender shall be sentenced to an additional 30 months' imprisonment.

(2) The sentence imposed pursuant to subsection (t)(1) shall be presumptive imprisonment and shall be served consecutively to any other term or terms of imprisonment imposed. Such sentence shall not be considered a departure and shall not be subject to appeal.

(3) As used in this subsection, "ballistic resistant material" means: (A) Any commercially produced material designed with the purpose of providing ballistic and trauma protection, including, but not limited to, bulletproof vests and kevlar vests; and (B) any homemade or fabricated substance or item designed with the purpose of providing ballistic and trauma protection.

(u) The sentence for a violation of K.S.A. 2016 Supp. 21-6107, and amendments thereto, or any attempt or conspiracy, as defined in K.S.A. 2016 Supp. 21-5301 and 21-5302, and amendments thereto, to commit such offense, when such person being sentenced has a prior conviction for a violation of K.S.A. 21-4018, prior to its repeal, or K.S.A. 2016 Supp. 21-6107, and amendments thereto, or any attempt or conspiracy to com-

mit such offense, shall be presumptive imprisonment. Such sentence shall not be considered a departure and shall not be subject to appeal.

(v) The sentence for a third or subsequent violation of K.S.A. 8-1568, and amendments thereto, shall be presumptive imprisonment and shall be served consecutively to any other term or terms of imprisonment imposed. Such sentence shall not be considered a departure and shall not be subject to appeal.

(w) The sentence for aggravated criminal damage to property as defined in K.S.A. 2016 Supp. 21-5813(b), and amendments thereto, when such person being sentenced has a prior conviction for any non-person felony shall be presumptive imprisonment. Such sentence shall not be considered a departure and shall not be subject to appeal.

(x) The sentence for a violation of K.S.A. 2016 Supp. 21-5807(a)(1), and amendments thereto, shall be presumptive imprisonment if the offense under such paragraph is classified in grid blocks 7-C, 7-D or 7-E. Such sentence shall not be considered a departure and shall not be subject to appeal.

(y) (1) *Except as provided in subsection (y)(3), if the trier of fact makes a finding beyond a reasonable doubt that an offender committed a nondrug felony offense, or any attempt or conspiracy, as defined in K.S.A. 2016 Supp. 21-5301 and 21-5302, and amendments thereto, to commit a nondrug felony offense, against a law enforcement officer, as defined in K.S.A. 2016 Supp. 21-5111(p)(1) and (3), and amendments thereto, while such officer was engaged in the performance of such officer's duty, or in whole or in any part because of such officer's status as a law enforcement officer, the sentence for such offense shall be:*

(A) *If such offense is classified in severity level 2 through 10, one severity level above the appropriate level for such offense; and*

(B) (i) *if such offense is classified in severity level 1, except as otherwise provided in subsection (y)(1)(B)(ii), imprisonment for life, and such offender shall not be eligible for probation or suspension, modification or reduction of sentence. In addition, such offender shall not be eligible for parole prior to serving 25 years' imprisonment, and such 25 years' imprisonment shall not be reduced by the application of good time credits. No other sentence shall be permitted.*

(ii) *The provisions of subsection (y)(1)(B)(i) requiring the court to impose a mandatory minimum term of imprisonment of 25 years shall not apply if the court finds the offender, because of the offender's criminal history classification, is subject to presumptive imprisonment and the sentencing range exceeds 300 months. In such case, the offender is required to serve a mandatory minimum term equal to the sentence established pursuant to the sentencing range.*

(2) *The sentence imposed pursuant to subsection (y)(1) shall not be considered a departure and shall not be subject to appeal.*

(3) *The provisions of this subsection shall not apply to an offense described in subsection (y)(1) if the factual aspect concerning a law enforcement officer is a statutory element of such offense.*

Sec. 8. On and after July 1, 2017, K.S.A. 2016 Supp. 22-2410 is hereby amended to read as follows: 22-2410. (a) (1) Any person who has been arrested in this state may petition the district court for the expungement of such arrest record.

(2) (A) *If a person has been arrested in this state as a result of mistaken identity or as a result of another person using the identifying information of the named person, and the charge against the named person is dismissed or not prosecuted, the prosecuting attorney or other judicial officer who ordered the dismissal or declined to prosecute shall provide notice to the court of such action and petition the district court for the expungement of such arrest record, and the court shall order the arrest record and subsequent court proceedings, if any, expunged and purged from all applicable state and federal systems pursuant to subsection (d).*

(B) *For purposes of this section, the term "mistaken identity" means the erroneous arrest of a person for a crime as a result of misidentification by a witness or law enforcement, confusion on the part of a witness or law enforcement as to the identity of the person who committed the crime, misinformation provided to law enforcement as to the identity of the person who committed the crime or some other mistake on the part of a witness or law enforcement as to the identity of the person who committed the crime. "Mistaken identity" shall not include any situation in which an arrestee intentionally provides false information to law enforcement officials in an attempt to conceal such person's identity.*

(b) (1) When a petition for expungement is filed pursuant to subsection (a)(1), the court shall set a date for hearing on such petition and shall cause notice of such hearing to be given to the prosecuting attorney and the arresting law enforcement agency. Any person who may have relevant information about the petitioner may testify at the hearing. The court may inquire into the background of the petitioner.

(2) When a petition for expungement is filed pursuant to subsection (a)(1) or (a)(2), the official court file shall be separated from the other records of the court, and shall be disclosed only to a judge of the court and members of the staff of the court designated by a judge of the district court, the prosecuting attorney, the arresting law enforcement agency, or any other person when authorized by a court order, subject to any conditions imposed by the order.

(3)(A) Except as otherwise provided by law, a petition for expungement pursuant to subsection (a)(1) shall be accompanied by a docket fee in the amount of \$176. Except as provided further, the docket fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for the docket fee. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after July 1, 2015, through June 30, 2017, the supreme court may impose an additional charge, not to exceed \$19 per docket fee, to fund the costs of non-judicial personnel.

The petition shall state:

- ~~(1) The petitioner's full name;~~
- ~~(2) the full name of the petitioner at the time of arrest, if different than the petitioner's current name;~~
- ~~(3) the petitioner's sex, race and date of birth;~~
- ~~(4) the crime for which the petitioner was arrested;~~
- ~~(5) the date of the petitioner's arrest; and~~
- ~~(6) the identity of the arresting law enforcement agency.~~

(B) No surcharge or fee shall be imposed to any person filing a petition pursuant to this section subsection (a)(1), who was arrested as a result of being a victim of identity theft under K.S.A. 21-4018, prior to its repeal, or K.S.A. 2016 Supp. 21-6107(a), and amendments thereto, or who has had criminal charges dismissed because a court has found that there was no probable cause for the arrest, the petitioner was found not guilty in court proceedings or the charges have been dismissed. ~~Any person who may have relevant information about the petitioner may testify at the hearing. The court may inquire into the background of the petitioner.~~

- (4) The petition filed pursuant to subsection (a)(1) or (a)(2) shall state:
  - (A) The petitioner's full name;
  - (B) the full name of the petitioner at the time of arrest, if different than the petitioner's current name;
  - (C) the petitioner's sex, race and date of birth;
  - (D) the crime for which the petitioner was arrested;
  - (E) the date of the petitioner's arrest; and
  - (F) the identity of the arresting law enforcement agency.

(c) At the hearing on a petition for expungement pursuant to subsection (a)(1), the court shall order the arrest record and subsequent court proceedings, if any, expunged upon finding: (1) The arrest occurred because of mistaken identity;

- (2) a court has found that there was no probable cause for the arrest;
- (3) the petitioner was found not guilty in court proceedings; or
- (4) the expungement would be in the best interests of justice and:
  - (A) Charges have been dismissed; or
  - (B) no charges have been or are likely to be filed.

(d) (1) When the court has ordered expungement of an arrest record and subsequent court proceedings, if any, on a petition for expungement pursuant to subsection (a)(1), the order shall state the information required to be stated in the petition and shall state the grounds for expungement under subsection (c). The clerk of the court shall send a certified copy of the order to the Kansas bureau of investigation which shall notify the federal bureau of investigation, the secretary of corrections and any other criminal justice agency which may have a record of the arrest. If the case was appealed from municipal court, the clerk of the district court shall send a certified copy of the order of expungement to the municipal court. The municipal court shall order the case expunged once the certified copy of the order of expungement is received. If an order of expungement is entered, the petitioner pursuant to subsection (a)(1) shall be treated as not having been arrested.

(2) When the court has ordered expungement of arrest records on a petition for expungement pursuant to subsection (a)(2), the order shall state the information required to be stated in the petition and shall state the grounds for expungement under subsection (a)(2). The order shall also direct the Kansas bureau of investigation to purge the arrest information from the criminal justice information system central repository and all applicable state and federal databases. The clerk of the court shall send a certified copy of the order to the Kansas bureau of investigation, which shall carry out the order and shall notify the federal bureau of investigation, the secretary of corrections and any other criminal justice agency that may have a record of the arrest. If an order of expungement is entered, the person eligible for mandatory expungement pursuant to subsection (a)(2) shall be treated as not having been arrested.

(e) If the ground for expungement is as provided in subsection (c)(4), the court shall determine whether, in the interests of public welfare, the records should be available for any of the following purposes:

(1) In any application for employment as a detective with a private detective agency, as defined in K.S.A. 75-7b01, and amendments thereto; as security personnel with a private patrol operator, as defined by K.S.A. 75-7b01, and amendments thereto; or with an institution, as defined in K.S.A. 76-12a01, and amendments thereto, of the Kansas department for aging and disability services;

(2) in any application for admission, or for an order of reinstatement, to the practice of law in this state;

(3) to aid in determining the petitioner's qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;

(4) to aid in determining the petitioner's qualifications for executive director of the Kansas racing commission, for employment with the commission or for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission, or to aid in determining qualifications for licensure or renewal of licensure by the commission;

(5) in any application for a commercial driver's license under K.S.A. 8-2,125 through 8-2,142, and amendments thereto;

(6) to aid in determining the petitioner's qualifications to be an employee of the state gaming agency;

(7) to aid in determining the petitioner's qualifications to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-state gaming compact; or

(8) in any other circumstances which the court deems appropriate.

(f) The court shall make all expunged records and related information in such court's possession, created prior to, on and after July 1, 2011, available to the Kansas bureau of investigation for the purposes of:

(1) Completing a person's criminal history record information within the central repository in accordance with K.S.A. 22-4701 et seq., and amendments thereto; or

(2) providing information or documentation to the federal bureau of investigation, in connection with the national instant criminal background check system, to determine a person's qualification to possess a firearm.

(g) Subject to any disclosures required under subsection (e), in any application for employment, license or other civil right or privilege, or any appearance as a witness, a person whose arrest records have been expunged as provided in this section may state that such person has never been arrested.

(h) Whenever a petitioner's person's arrest records have been expunged as provided in this section, the custodian of the records of arrest, incarceration due to arrest or court proceedings related to the arrest, shall not disclose the arrest or any information related to the arrest, except as directed by the order of expungement or when requested by the person whose arrest record was expunged.

(i) The docket fee collected at the time the petition for expungement is filed pursuant to subsection (a)(1) shall be disbursed in accordance with K.S.A. 20-362, and amendments thereto.

Sec. 9. K.S.A. 22-3504 is hereby amended to read as follows: 22-3504. (1) The court may correct an illegal sentence at any time. The defendant shall receive full credit for time spent in custody under the sentence prior to correction. *Unless the motion and the files and records of the case conclusively show that the defendant is entitled to no relief*, the defendant shall have a right to a hearing, after reasonable notice to be fixed by the court, to be personally present and to have the assistance of counsel in any proceeding for the correction of an illegal sentence.

(2) Clerical mistakes in judgments, orders or other parts of the record and errors in the record arising from oversight or omission may be corrected by the court at any time and after such notice, if any, as the court orders.

(3) "Illegal sentence" means a sentence: Imposed by a court without jurisdiction; that does not conform to the applicable statutory provision, either in character or punishment; or that is ambiguous with respect to the time and manner in which it is to be served at the time it is pronounced. A sentence is not an "illegal sentence" because of a change in the law that occurs after the sentence is pronounced.

Sec. 10. K.S.A. 2016 Supp. 22-3717 is hereby amended to read as follows: 22-3717. (a) Except as otherwise provided by this section; K.S.A. 1993 Supp. 21-4628, prior to its repeal; K.S.A. 21-4624, 21-4635 through

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21-4638 and 21-4642, prior to their repeal; K.S.A. 2016 Supp. 21-6617, 21-6620, 21-6623, 21-6624, 21-6625 and 21-6626, and amendments thereto; and K.S.A. 8-1567, and amendments thereto; an inmate, including an inmate sentenced pursuant to K.S.A. 21-4618, prior to its repeal, or K.S.A. 2016 Supp. 21-6707, and amendments thereto, shall be eligible for parole after serving the entire minimum sentence imposed by the court, less good time credits.

(b) (1) An inmate sentenced to imprisonment for life without the possibility of parole pursuant to K.S.A. 2016 Supp. 21-6617, and amendments thereto, shall not be eligible for parole.

(2) Except as provided by K.S.A. 21-4635 through 21-4638, prior to their repeal, and K.S.A. 2016 Supp. 21-6620, 21-6623, 21-6624 and 21-6625, and amendments thereto, an inmate sentenced to imprisonment for the crime of: (A) Capital murder committed on or after July 1, 1994, shall be eligible for parole after serving 25 years of confinement, without deduction of any good time credits; (B) murder in the first degree based upon a finding of premeditated murder committed on or after July 1, 1994, but prior to July 1, 2014, shall be eligible for parole after serving 25 years of confinement, without deduction of any good time credits; and (C) murder in the first degree as described in K.S.A. 2016 Supp. 21-5402(a)(2), and amendments thereto, committed on or after July 1, 2014, shall be eligible for parole after serving 25 years of confinement, without deduction of any good time credits.

(3) Except as provided by subsections (b)(1), (b)(2) and (b)(5), K.S.A. 1993 Supp. 21-4628, prior to its repeal, K.S.A. 21-4635 through 21-4638, prior to their repeal, and K.S.A. 2016 Supp. 21-6620, 21-6623, 21-6624 and 21-6625, and amendments thereto, an inmate sentenced to imprisonment for an off-grid offense committed on or after July 1, 1993, but prior to July 1, 1999, shall be eligible for parole after serving 15 years of confinement, without deduction of any good time credits and an inmate sentenced to imprisonment for an off-grid offense committed on or after July 1, 1999, shall be eligible for parole after serving 20 years of confinement without deduction of any good time credits.

(4) Except as provided by K.S.A. 1993 Supp. 21-4628, prior to its repeal, an inmate sentenced for a class A felony committed before July 1, 1993, including an inmate sentenced pursuant to K.S.A. 21-4618, prior to its repeal, or K.S.A. 2016 Supp. 21-6707, and amendments thereto, shall be eligible for parole after serving 15 years of confinement, without deduction of any good time credits.

(5) An inmate sentenced to imprisonment for a violation of K.S.A. 21-3402(a), prior to its repeal, committed on or after July 1, 1996, but prior to July 1, 1999, shall be eligible for parole after serving 10 years of confinement without deduction of any good time credits.

(6) An inmate sentenced to imprisonment pursuant to K.S.A. 21-4643, prior to its repeal, or K.S.A. 2016 Supp. 21-6627, and amendments thereto, committed on or after July 1, 2006, shall be eligible for parole after serving the mandatory term of imprisonment without deduction of any good time credits.

(c) (1) Except as provided in subsection (e), if an inmate is sentenced to imprisonment for more than one crime and the sentences run consecutively, the inmate shall be eligible for parole after serving the total of:

(A) The aggregate minimum sentences, as determined pursuant to K.S.A. 21-4608, prior to its repeal, or K.S.A. 2016 Supp. 21-6606, and amendments thereto, less good time credits for those crimes which are not class A felonies; and

(B) An additional 15 years, without deduction of good time credits, for each crime which is a class A felony.

(2) If an inmate is sentenced to imprisonment pursuant to K.S.A. 21-4643, prior to its repeal, or K.S.A. 2016 Supp. 21-6627, and amendments thereto, for crimes committed on or after July 1, 2006, the inmate shall be eligible for parole after serving the mandatory term of imprisonment.

(d) (1) Persons sentenced for crimes, other than off-grid crimes, committed on or after July 1, 1993, or persons subject to subparagraph (G), will not be eligible for parole, but will be released to a mandatory period of postrelease supervision upon completion of the prison portion of their sentence as follows:

(A) Except as provided in subparagraphs (D) and (E), persons sentenced for nondrug severity levels 1 through 4 crimes, drug severity levels 1 and 2 crimes committed on or after July 1, 1993, but prior to July 1, 2012, and drug severity levels 1, 2 and 3 crimes committed on or after July 1, 2012, must serve 36 months on postrelease supervision.

(B) Except as provided in subparagraphs (D) and (E), persons sentenced for nondrug severity levels 5 and 6 crimes, drug severity level 3 crimes committed on or after July 1, 1993, but prior to July 1, 2012, and drug severity level 4 crimes committed on or after July 1, 2012, must serve 24 months on postrelease supervision.

(C) Except as provided in subparagraphs (D) and (E), persons sentenced for nondrug severity levels 7 through 10 crimes, drug severity level 4 crimes committed on or after July 1, 1993, but prior to July 1, 2012, and drug severity level 5 crimes committed on or after July 1, 2012, must serve 12 months on postrelease supervision.

(D) Persons sentenced to a term of imprisonment that includes a sentence for a sexually violent crime as defined in K.S.A. 22-3717, and amendments thereto, committed on or after July 1, 1993, but prior to July 1, 2006, a sexually motivated crime in which the offender has been ordered to register pursuant to K.S.A. 22-3717(d)(1)(D)(vii), and amendments thereto, electronic solicitation, K.S.A. 21-3523, prior to its repeal, or K.S.A. 2016 Supp. 21-5509, and amendments thereto, or unlawful sexual relations, K.S.A. 21-3520, prior to its repeal, or K.S.A. 2016 Supp. 21-5512, and amendments thereto, shall serve the period of postrelease supervision as provided in subsections (d)(1)(A), (d)(1)(B) or (d)(1)(C), plus the amount of good time and program credit earned and retained pursuant to K.S.A. 21-4722, prior to its repeal, or K.S.A. 2016 Supp. 21-6821, and amendments thereto, on postrelease supervision.

(i) If the sentencing judge finds substantial and compelling reasons to impose a departure based upon a finding that the current crime of conviction was sexually motivated, departure may be imposed to extend the postrelease supervision to a period of up to 60 months.

(ii) If the sentencing judge departs from the presumptive postrelease supervision period, the judge shall state on the record at the time of sentencing the substantial and compelling reasons for the departure. Departures in this section are subject to appeal pursuant to K.S.A. 21-4721, prior to its repeal, or K.S.A. 2016 Supp. 21-6820, and amendments thereto.

(iii) In determining whether substantial and compelling reasons exist, the court shall consider:

(a) Written briefs or oral arguments submitted by either the defendant or the state;

(b) any evidence received during the proceeding;

(c) the presentence report, the victim's impact statement and any psychological evaluation as ordered by the court pursuant to K.S.A. 21-4714(e), prior to its repeal, or K.S.A. 2016 Supp. 21-6813(e), and amendments thereto; and

(d) any other evidence the court finds trustworthy and reliable.

(iv) The sentencing judge may order that a psychological evaluation be prepared and the recommended programming be completed by the offender. The department of corrections or the prisoner review board shall ensure that court ordered sex offender treatment be carried out.

(v) In carrying out the provisions of subsection (d)(1)(D), the court shall refer to K.S.A. 21-4718, prior to its repeal, or K.S.A. 2016 Supp. 21-6817, and amendments thereto.

(vi) Upon petition and payment of any restitution ordered pursuant to K.S.A. 2016 Supp. 21-6604, and amendments thereto, the prisoner review board may provide for early discharge from the postrelease supervision period imposed pursuant to subsection (d)(1)(D)(i) upon completion of court ordered programs and completion of the presumptive postrelease supervision period, as determined by the crime of conviction, pursuant to subsection (d)(1)(A), (d)(1)(B) or (d)(1)(C). Early discharge from postrelease supervision is at the discretion of the board.

(vii) Persons convicted of crimes deemed sexually violent or sexually motivated shall be registered according to the offender registration act, K.S.A. 22-4901 through 22-4910, and amendments thereto.

(viii) Persons convicted of K.S.A. 21-3510 or 21-3511, prior to their repeal, or K.S.A. 2016 Supp. 21-5508, and amendments thereto, shall be required to participate in a treatment program for sex offenders during the postrelease supervision period.

(E) The period of postrelease supervision provided in subparagraphs (A) and (B) may be reduced by up to 12 months and the period of postrelease supervision provided in subparagraph (C) may be reduced by up to six months based on the offender's compliance with conditions of supervision and overall performance while on postrelease supervision. The reduction in the supervision period shall be on an earned basis pursuant to rules and regulations adopted by the secretary of corrections.

(F) In cases where sentences for crimes from more than one severity level have been imposed, the offender shall serve the longest period of postrelease supervision as provided by this section available for any crime upon which sentence was imposed irrespective of the severity level of the crime. Supervision periods will not aggregate.

(G) (i) Except as provided in subsection (u), persons convicted of sentenced to imprisonment for a sexually violent crime committed on or after July 1, 2006, when the offender was 18 years of age or older, and who

are released from prison, shall be released to a mandatory period of postrelease supervision for the duration of the person's natural life.

(ii) *Persons sentenced to imprisonment for a sexually violent crime committed on or after the effective date of this act, when the offender was under 18 years of age, and who are released from prison, shall be released to a mandatory period of postrelease supervision for 60 months, plus the amount of good time and program credit earned and retained pursuant to K.S.A. 21-4722, prior to its repeal, or K.S.A. 2016 Supp. 21-6821, and amendments thereto.*

(2) Persons serving a period of postrelease supervision pursuant to subsections (d)(1)(A), (d)(1)(B) or (d)(1)(C) may petition the prisoner review board for early discharge. Upon payment of restitution, the prisoner review board may provide for early discharge.

(3) Persons serving a period of incarceration for a supervision violation shall not have the period of postrelease supervision modified until such person is released and returned to postrelease supervision.

(4) Offenders whose crime of conviction was committed on or after July 1, 2013, and whose probation, assignment to a community corrections program, suspension of sentence or nonprison sanction is revoked pursuant to K.S.A. 22-3716(c), and amendments thereto, or whose underlying prison term expires while serving a sanction pursuant to K.S.A. 22-3716(c)(1)(C) or (c)(1)(D), and amendments thereto, shall serve a period of postrelease supervision upon the completion of the underlying prison term.

(5) As used in this subsection, "sexually violent crime" means:

(A) Rape, K.S.A. 21-3502, prior to its repeal, or K.S.A. 2016 Supp. 21-5503, and amendments thereto;

(B) indecent liberties with a child, K.S.A. 21-3503, prior to its repeal, or K.S.A. 2016 Supp. 21-5506(a), and amendments thereto;

(C) aggravated indecent liberties with a child, K.S.A. 21-3504, prior to its repeal, or K.S.A. 2016 Supp. 21-5506(b), and amendments thereto;

(D) criminal sodomy, K.S.A. 21-3505(a)(2) and (a)(3), prior to its repeal, or K.S.A. 2016 Supp. 21-5504(a)(3) and (a)(4), and amendments thereto;

(E) aggravated criminal sodomy, K.S.A. 21-3506, prior to its repeal, or K.S.A. 2016 Supp. 21-5504(b), and amendments thereto;

(F) indecent solicitation of a child, K.S.A. 21-3510, prior to its repeal, or K.S.A. 2016 Supp. 21-5508(a), and amendments thereto;

(G) aggravated indecent solicitation of a child, K.S.A. 21-3511, prior to its repeal, or K.S.A. 2016 Supp. 21-5508(b), and amendments thereto;

(H) sexual exploitation of a child, K.S.A. 21-3516, prior to its repeal, or K.S.A. 2016 Supp. 21-5510, and amendments thereto;

(I) aggravated sexual battery, K.S.A. 21-3518, prior to its repeal, or K.S.A. 2016 Supp. 21-5505(b), and amendments thereto;

(J) aggravated incest, K.S.A. 21-3603, prior to its repeal, or K.S.A. 2016 Supp. 21-5604(b), and amendments thereto;

(K) aggravated human trafficking, as defined in K.S.A. 21-3447, prior to its repeal, or K.S.A. 2016 Supp. 21-5426(b), and amendments thereto, if committed in whole or in part for the purpose of the sexual gratification of the defendant or another;

(L) commercial sexual exploitation of a child, as defined in K.S.A. 2016 Supp. 21-6422, and amendments thereto; or

(M) an attempt, conspiracy or criminal solicitation, as defined in K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or K.S.A. 2016 Supp. 21-5301, 21-5302 or 21-5303, and amendments thereto, of a sexually violent crime as defined in this section.

(6) As used in this subsection, "sexually motivated" means that one of the purposes for which the defendant committed the crime was for the purpose of the defendant's sexual gratification.

(e) If an inmate is sentenced to imprisonment for a crime committed while on parole or conditional release, the inmate shall be eligible for parole as provided by subsection (c), except that the prisoner review board may postpone the inmate's parole eligibility date by assessing a penalty not exceeding the period of time which could have been assessed if the inmate's parole or conditional release had been violated for reasons other than conviction of a crime.

(f) If a person is sentenced to prison for a crime committed on or after July 1, 1993, while on probation, parole, conditional release or in a community corrections program, for a crime committed prior to July 1, 1993, and the person is not eligible for retroactive application of the sentencing guidelines and amendments thereto pursuant to K.S.A. 21-4724, prior to its repeal, the new sentence shall not be aggregated with the old sentence, but shall begin when the person is paroled or reaches the conditional release date on the old sentence. If the offender was past the offender's conditional release date at the time the new offense was committed, the new sentence shall not be aggregated with the old sentence but shall begin when the person is ordered released by the pris-

oner review board or reaches the maximum sentence expiration date on the old sentence, whichever is earlier. The new sentence shall then be served as otherwise provided by law. The period of postrelease supervision shall be based on the new sentence, except that those offenders whose old sentence is a term of imprisonment for life, imposed pursuant to K.S.A. 1993 Supp. 21-4628, prior to its repeal, or an indeterminate sentence with a maximum term of life imprisonment, for which there is no conditional release or maximum sentence expiration date, shall remain on postrelease supervision for life or until discharged from supervision by the prisoner review board.

(g) Subject to the provisions of this section, the prisoner review board may release on parole those persons confined in institutions who are eligible for parole when: (1) The board believes that the inmate should be released for hospitalization, deportation or to answer the warrant or other process of a court and is of the opinion that there is reasonable probability that the inmate can be released without detriment to the community or to the inmate; or (2) the secretary of corrections has reported to the board in writing that the inmate has satisfactorily completed the programs required by any agreement entered under K.S.A. 75-5210a, and amendments thereto, or any revision of such agreement, and the board believes that the inmate is able and willing to fulfill the obligations of a law abiding citizen and is of the opinion that there is reasonable probability that the inmate can be released without detriment to the community or to the inmate. Parole shall not be granted as an award of clemency and shall not be considered a reduction of sentence or a pardon.

(h) The prisoner review board shall hold a parole hearing at least the month prior to the month an inmate will be eligible for parole under subsections (a), (b) and (c). At least one month preceding the parole hearing, the county or district attorney of the county where the inmate was convicted shall give written notice of the time and place of the public comment sessions for the inmate to any victim of the inmate's crime who is alive and whose address is known to the county or district attorney or, if the victim is deceased, to the victim's family if the family's address is known to the county or district attorney. Except as otherwise provided, failure to notify pursuant to this section shall not be a reason to postpone a parole hearing. In the case of any inmate convicted of an off-grid felony or a class A felony, the secretary of corrections shall give written notice of the time and place of the public comment session for such inmate at least one month preceding the public comment session to any victim of such inmate's crime or the victim's family pursuant to K.S.A. 74-7338, and amendments thereto. If notification is not given to such victim or such victim's family in the case of any inmate convicted of an off-grid felony or a class A felony, the board shall postpone a decision on parole of the inmate to a time at least 30 days after notification is given as provided in this section. Nothing in this section shall create a cause of action against the state or an employee of the state acting within the scope of the employee's employment as a result of the failure to notify pursuant to this section. If granted parole, the inmate may be released on parole on the date specified by the board, but not earlier than the date the inmate is eligible for parole under subsections (a), (b) and (c). At each parole hearing and, if parole is not granted, at such intervals thereafter as it determines appropriate, the board shall consider: (1) Whether the inmate has satisfactorily completed the programs required by any agreement entered under K.S.A. 75-5210a, and amendments thereto, or any revision of such agreement; and (2) all pertinent information regarding such inmate, including, but not limited to, the circumstances of the offense of the inmate; the presentence report; the previous social history and criminal record of the inmate; the conduct, employment, and attitude of the inmate in prison; the reports of such physical and mental examinations as have been made, including, but not limited to, risk factors revealed by any risk assessment of the inmate; comments of the victim and the victim's family including in person comments, contemporaneous comments and prerecorded comments made by any technological means; comments of the public; official comments; any recommendation by the staff of the facility where the inmate is incarcerated; proportionality of the time the inmate has served to the sentence a person would receive under the Kansas sentencing guidelines for the conduct that resulted in the inmate's incarceration; and capacity of state correctional institutions.

(i) In those cases involving inmates sentenced for a crime committed after July 1, 1993, the prisoner review board will review the inmate's proposed release plan. The board may schedule a hearing if they desire. The board may impose any condition they deem necessary to insure public safety, aid in the reintegration of the inmate into the

(continued)

community, or items not completed under the agreement entered into under K.S.A. 75-5210a, and amendments thereto. The board may not advance or delay an inmate's release date. Every inmate while on post-release supervision shall remain in the legal custody of the secretary of corrections and is subject to the orders of the secretary.

(j) (1) Before ordering the parole of any inmate, the prisoner review board shall have the inmate appear either in person or via a video conferencing format and shall interview the inmate unless impractical because of the inmate's physical or mental condition or absence from the institution. Every inmate while on parole shall remain in the legal custody of the secretary of corrections and is subject to the orders of the secretary. Whenever the board formally considers placing an inmate on parole and no agreement has been entered into with the inmate under K.S.A. 75-5210a, and amendments thereto, the board shall notify the inmate in writing of the reasons for not granting parole. If an agreement has been entered under K.S.A. 75-5210a, and amendments thereto, and the inmate has not satisfactorily completed the programs specified in the agreement, or any revision of such agreement, the board shall notify the inmate in writing of the specific programs the inmate must satisfactorily complete before parole will be granted. If parole is not granted only because of a failure to satisfactorily complete such programs, the board shall grant parole upon the secretary's certification that the inmate has successfully completed such programs. If an agreement has been entered under K.S.A. 75-5210a, and amendments thereto, and the secretary of corrections has reported to the board in writing that the inmate has satisfactorily completed the programs required by such agreement, or any revision thereof, the board shall not require further program participation. However, if the board determines that other pertinent information regarding the inmate warrants the inmate's not being released on parole, the board shall state in writing the reasons for not granting the parole. If parole is denied for an inmate sentenced for a crime other than a class A or class B felony or an off-grid felony, the board shall hold another parole hearing for the inmate not later than one year after the denial unless the board finds that it is not reasonable to expect that parole would be granted at a hearing if held in the next three years or during the interim period of a deferral. In such case, the board may defer subsequent parole hearings for up to three years but any such deferral by the board shall require the board to state the basis for its findings. If parole is denied for an inmate sentenced for a class A or class B felony or an off-grid felony, the board shall hold another parole hearing for the inmate not later than three years after the denial unless the board finds that it is not reasonable to expect that parole would be granted at a hearing if held in the next 10 years or during the interim period of a deferral. In such case, the board may defer subsequent parole hearings for up to 10 years, but any such deferral shall require the board to state the basis for its findings.

(2) Inmates sentenced for a class A or class B felony who have not had a board hearing in the five years prior to July 1, 2010, shall have such inmates' cases reviewed by the board on or before July 1, 2012. Such review shall begin with the inmates with the oldest deferral date and progress to the most recent. Such review shall be done utilizing existing resources unless the board determines that such resources are insufficient. If the board determines that such resources are insufficient, then the provisions of this paragraph are subject to appropriations therefor.

(k) (1) Parolees and persons on postrelease supervision shall be assigned, upon release, to the appropriate level of supervision pursuant to the criteria established by the secretary of corrections.

(2) Parolees and persons on postrelease supervision are, and shall agree in writing to be, subject to searches of the person and the person's effects, vehicle, residence and property by a parole officer or a department of corrections enforcement, apprehension and investigation officer, at any time of the day or night, with or without a search warrant and with or without cause. Nothing in this subsection shall be construed to authorize such officers to conduct arbitrary or capricious searches or searches for the sole purpose of harassment.

(3) Parolees and persons on postrelease supervision are, and shall agree in writing to be, subject to searches of the person and the person's effects, vehicle, residence and property by any law enforcement officer based on reasonable suspicion of the person violating conditions of parole or postrelease supervision or reasonable suspicion of criminal activity. Any law enforcement officer who conducts such a search shall submit a written report to the appropriate parole officer no later than the close of the next business day after such search. The written report shall include the facts leading to such search, the scope of such search and any findings resulting from such search.

(l) The prisoner review board shall promulgate rules and regulations in accordance with K.S.A. 77-415 et seq., and amendments thereto, not inconsistent with the law and as it may deem proper or necessary, with respect to the conduct of parole hearings, postrelease supervision reviews, revocation hearings, orders of restitution, reimbursement of expenditures by the state board of indigents' defense services and other conditions to be imposed upon parolees or releasees. Whenever an order for parole or postrelease supervision is issued it shall recite the conditions thereof.

(m) Whenever the prisoner review board orders the parole of an inmate or establishes conditions for an inmate placed on postrelease supervision, the board:

(1) Unless it finds compelling circumstances which would render a plan of payment unworkable, shall order as a condition of parole or postrelease supervision that the parolee or the person on postrelease supervision pay any transportation expenses resulting from returning the parolee or the person on postrelease supervision to this state to answer criminal charges or a warrant for a violation of a condition of probation, assignment to a community correctional services program, parole, conditional release or postrelease supervision;

(2) to the extent practicable, shall order as a condition of parole or postrelease supervision that the parolee or the person on postrelease supervision make progress towards or successfully complete the equivalent of a secondary education if the inmate has not previously completed such educational equivalent and is capable of doing so;

(3) may order that the parolee or person on postrelease supervision perform community or public service work for local governmental agencies, private corporations organized not-for-profit or charitable or social service organizations performing services for the community;

(4) may order the parolee or person on postrelease supervision to pay the administrative fee imposed pursuant to K.S.A. 22-4529, and amendments thereto, unless the board finds compelling circumstances which would render payment unworkable;

(5) unless it finds compelling circumstances which would render a plan of payment unworkable, shall order that the parolee or person on postrelease supervision reimburse the state for all or part of the expenditures by the state board of indigents' defense services to provide counsel and other defense services to the person. In determining the amount and method of payment of such sum, the prisoner review board shall take account of the financial resources of the person and the nature of the burden that the payment of such sum will impose. Such amount shall not exceed the amount claimed by appointed counsel on the payment voucher for indigents' defense services or the amount prescribed by the board of indigents' defense services reimbursement tables as provided in K.S.A. 22-4522, and amendments thereto, whichever is less, minus any previous payments for such services;

(6) shall order that the parolee or person on postrelease supervision agree in writing to be subject to searches of the person and the person's effects, vehicle, residence and property by a parole officer or a department of corrections enforcement, apprehension and investigation officer, at any time of the day or night, with or without a search warrant and with or without cause. Nothing in this subsection shall be construed to authorize such officers to conduct arbitrary or capricious searches or searches for the sole purpose of harassment; and

(7) shall order that the parolee or person on postrelease supervision agree in writing to be subject to searches of the person and the person's effects, vehicle, residence and property by any law enforcement officer based on reasonable suspicion of the person violating conditions of parole or postrelease supervision or reasonable suspicion of criminal activity.

(n) If the court which sentenced an inmate specified at the time of sentencing the amount and the recipient of any restitution ordered as a condition of parole or postrelease supervision, the prisoner review board shall order as a condition of parole or postrelease supervision that the inmate pay restitution in the amount and manner provided in the journal entry unless the board finds compelling circumstances which would render a plan of restitution unworkable.

(o) Whenever the prisoner review board grants the parole of an inmate, the board, within 14 days of the date of the decision to grant parole, shall give written notice of the decision to the county or district attorney of the county where the inmate was sentenced.

(p) When an inmate is to be released on postrelease supervision, the secretary, within 30 days prior to release, shall provide the county or district attorney of the county where the inmate was sentenced written notice of the release date.

(q) Inmates shall be released on postrelease supervision upon the termination of the prison portion of their sentence. Time served while on postrelease supervision will vest.

(r) An inmate who is allocated regular good time credits as provided in K.S.A. 22-3725, and amendments thereto, may receive meritorious good time credits in increments of not more than 90 days per meritorious act. These credits may be awarded by the secretary of corrections when an inmate has acted in a heroic or outstanding manner in coming to the assistance of another person in a life threatening situation, preventing injury or death to a person, preventing the destruction of property or taking actions which result in a financial savings to the state.

(s) The provisions of subsections (d)(1)(A), (d)(1)(B), (d)(1)(C) and (d)(1)(E) shall be applied retroactively as provided in subsection (t).

(t) For offenders sentenced prior to July 1, 2014, who are eligible for modification of their postrelease supervision obligation, the department of corrections shall modify the period of postrelease supervision as provided for by this section:

(1) On or before September 1, 2013, for offenders convicted of:

(A) Severity levels 9 and 10 crimes on the sentencing guidelines grid for nondrug crimes;

(B) severity level 4 crimes on the sentencing guidelines grid for drug crimes committed prior to July 1, 2012; and

(C) severity level 5 crimes on the sentencing guidelines grid for drug crimes committed on and after July 1, 2012;

(2) on or before November 1, 2013, for offenders convicted of:

(A) Severity levels 6, 7 and 8 crimes on the sentencing guidelines grid for nondrug crimes;

(B) level 3 crimes on the sentencing guidelines grid for drug crimes committed prior to July 1, 2012; and

(C) level 4 crimes on the sentencing guidelines grid for drug crimes committed on or after July 1, 2012; and

(3) on or before January 1, 2014, for offenders convicted of:

(A) Severity levels 1, 2, 3, 4 and 5 crimes on the sentencing guidelines grid for nondrug crimes;

(B) severity levels 1 and 2 crimes on the sentencing guidelines grid for drug crimes committed at any time; and

(C) severity level 3 crimes on the sentencing guidelines grid for drug crimes committed on or after July 1, 2012.

(u) An inmate sentenced to imprisonment pursuant to K.S.A. 21-4643, prior to its repeal, or K.S.A. 2016 Supp. 21-6627, and amendments thereto, for crimes committed on or after July 1, 2006, shall be placed on parole for life and shall not be discharged from supervision by the prisoner review board. When the board orders the parole of an inmate pursuant to this subsection, the board shall order as a condition of parole that the inmate be electronically monitored for the duration of the inmate's natural life.

(v) Whenever the prisoner review board orders a person to be electronically monitored pursuant to this section, or the court orders a person to be electronically monitored pursuant to K.S.A. 2016 Supp. 21-6604(r), and amendments thereto, the board shall order the person to reimburse the state for all or part of the cost of such monitoring. In determining the amount and method of payment of such sum, the board shall take account of the financial resources of the person and the nature of the burden that the payment of such sum will impose.

(w) (1) On and after July 1, 2012, for any inmate who is a sex offender, as defined in K.S.A. 22-4902, and amendments thereto, whenever the prisoner review board orders the parole of such inmate or establishes conditions for such inmate placed on postrelease supervision, such inmate shall agree in writing to not possess pornographic materials.

(A) As used in this subsection, "pornographic materials" means any obscene material or performance depicting sexual conduct, sexual contact or a sexual performance; and any visual depiction of sexually explicit conduct.

(B) As used in this subsection, all other terms have the meanings provided by K.S.A. 2016 Supp. 21-5510, and amendments thereto.

(2) The provisions of this subsection shall be applied retroactively to every sex offender, as defined in K.S.A. 22-4902, and amendments thereto, who is on parole or postrelease supervision on July 1, 2012. The prisoner review board shall obtain the written agreement required by this subsection from such offenders as soon as practicable.

Sec. 11. K.S.A. 22-3504 and K.S.A. 2016 Supp. 21-5807 and 22-3717 are hereby repealed.

Sec. 12. On and after July 1, 2017, K.S.A. 2016 Supp. 21-5414, 21-5709, 21-6412, 21-6414, 21-6804 and 22-2410 are hereby repealed.

Sec. 13. This act shall take effect and be in force from and after its publication in the Kansas register.

## State of Kansas

### Legislature

#### Legislative Bills and Resolutions Introduced

The following numbers and titles of bills and resolutions were introduced May 4-10 during the 2017 session of the Kansas Legislature. Full text of bills, bill tracking and other information may be accessed at <http://www.kslegislature.org/li/>.

#### House Bills

**HB 2425**, AN ACT concerning children and minors; relating to mandatory reporting of suspected child abuse or neglect; amending K.S.A. 2016 Supp. 38-2223 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2426**, AN ACT reconciling amendments to certain statutes; amending K.S.A. 2016 Supp. 12-4117, 12-4516, 22-4903, 65-4202, as amended by section 22 of 2017 House Bill No. 2055 and 65-6111 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 12-4112a, 12-4117b, 12-4516e, 22-4903a, 65-4202, as amended by section 3 of 2017 House Bill No. 2025 and 65-6111a, by Committee on Appropriations.

#### House Resolutions

**HR 6031**, A RESOLUTION commemorating the 80th anniversary of the American System of Conservation Funding, by Representatives Hoffman, Corbet, Alford, Becker, Bishop, Blex, Carmichael, Carpenter, Clark, Concannon, Curtis, DeGraaf, Delperdang, Dietrich, Elliott, Ellis, Eplee, Esau, Finch, Francis, Garber, Hibbard, Highland, Houser, Huebert, Jacobs, Jennings, Judd-Jenkins, Kessinger, Landwehr, Lewis, Lusker, Mason, Mastroni, Ohaebosim, Orr, Osterman, Ousley, Phillips, Pittman, Rahjes, Resman, Ruiz, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, Smith, Tarwater, Thimesch, Thompson, Vickrey, Victors, Waymaster, Whitmer, Williams and Wilson.

#### Senate Bills

**SB 248**, AN ACT concerning education; relating to the state board of education; creating the student opportunity scholarship program, by Committee on Assessment and Taxation.

**SB 249**, AN ACT concerning property tax; relating to property valuation of grain elevator facilities, deviation from appraisal guides; amending K.S.A. 2016 Supp. 79-1456 and repealing the existing section, by Committee on Assessment and Taxation.

**SB 250**, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system; excluding members of the legislature and other elected officials from membership; amending K.S.A. 74-4991 and K.S.A. 2016 Supp. 74-4902 and repealing the existing sections, by Committee on Federal and State Affairs.

#### Senate Resolutions

**SR 1743**, A RESOLUTION congratulating and commending Zeke Metz for his accomplishments during the 2016-2017 swimming season, by Senators Kelly and V. Schmidt.

**SR 1744**, A RESOLUTION congratulating and commending the Washburn University debate team, by Senators Kelly, Hensley and V. Schmidt.

**SR 1745**, A RESOLUTION commemorating the 80th anniversary of the American System of Conservation Funding, by Senators Petersen, Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Denning, Doll, Estes, Fitzgerald, Francisco, Givens, Goddard, Haley, Hardy, Hawk, Hilderbrand, Kelly, Kerschen, Longbine, Lynn, Masterson, McGinn, Olson, Rogers, V. Schmidt, Skubal, Suellentrop, Sykes, Taylor, Wagle and Wilborn.

Doc. No. 045431

INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the Kansas Register issue in which more information can be found. Temporary regulations are designated with a (T) in the Action column. This cumulative index supplements the 2009 Volumes of the Kansas Administrative Regulations and the 2016 Supplement of the Kansas Administrative Regulations.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Table with columns: Reg. No., Action, Register. Rows include 1-2-74, 1-6-23, 1-9-23, 1-14-8, 1-14-10, 1-16-4, 1-16-8, 1-16-15, 1-16-18, 1-16-18a, 1-39-1 through 1-39-4.

AGENCY 4: DEPARTMENT OF AGRICULTURE

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AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES

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AGENCY 7: SECRETARY OF STATE

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AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

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AGENCY 30: KANSAS DEPARTMENT FOR CHILDREN AND FAMILIES

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AGENCY 51: DEPARTMENT OF LABOR—DIVISION OF WORKERS COMPENSATION

Table with columns: Reg. No., Action, Register. Row includes 51-9-7.

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AGENCY 61: BOARD OF BARBERING

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AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

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AGENCY 67: KANSAS BOARD OF EXAMINERS IN FITTING AND DISPENSING OF HEARING INSTRUMENTS

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Table with columns: Reg. No., Action, Register. Rows include 68-1-1b, 68-1-1f, 68-1-1g, 68-5-18, 68-7-10, 68-7-22, 68-9-2, 68-9-3, 68-11-3.

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AGENCY 71: KANSAS DENTAL BOARD

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AGENCY 74: BOARD OF ACCOUNTANCY

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**AGENCY 82: STATE CORPORATION COMMISSION**

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86-3-31	New	V. 35, p. 929

**AGENCY 88: BOARD OF REGENTS**

Reg. No.	Action	Register
88-3-8a	Amended	V. 36, p. 444
88-24-2	Amended	V. 36, p. 445
88-28-1	through	
88-28-8	Amended	V. 36, p. 445-452
88-29-2	Revoked	V. 35, p. 1113
88-29-5	Revoked	V. 35, p. 1113
88-29-6	Revoked	V. 35, p. 1113
88-29-7	Revoked	V. 35, p. 1113
88-29-7a	Revoked	V. 35, p. 1113
88-29-8	Revoked	V. 35, p. 1113
88-29-8c	Revoked	V. 35, p. 1113
88-29-9	Revoked	V. 35, p. 1113
88-29-10	Revoked	V. 35, p. 1113
88-29-11	Amended	V. 35, p. 1113

**AGENCY 91: DEPARTMENT OF EDUCATION**

Reg. No.	Action	Register
91-31-32	Amended	V. 35, p. 1014
91-42-1	Amended (T)	V. 35, p. 163
91-42-1	Amended	V. 35, p. 486
91-42-2	Amended (T)	V. 35, p. 163
91-42-2	Amended	V. 35, p. 486
91-42-3	through	
91-42-7	New (T)	V. 35, p. 164-166
91-42-3	through	
91-42-7	New	V. 35, p. 487-489

**AGENCY 92: DEPARTMENT OF REVENUE**

Reg. No.	Action	Register
92-23-9	through	
92-23-23	Revoked	V. 35, p. 63, 64
92-23-25	Revoked	V. 35, p. 64
92-23-30	Revoked	V. 35, p. 64
92-23-31	Revoked	V. 35, p. 64

92-23-37	through	
92-23-40	Revoked	V. 35, p. 64
92-23-41	through	
92-23-59	New	V. 35, p. 64-67
92-23-70	through	
92-23-75	New	V. 35, p. 67, 68

**AGENCY 93: DEPARTMENT OF REVENUE—DIVISION OF PROPERTY VALUATION**

Reg. No.	Action	Register
93-6-3	Amended	V. 35, p. 357

**AGENCY 100: BOARD OF HEALING ARTS**

Reg. No.	Action	Register
100-28a-1a	New	V. 35, p. 353
100-28a-6	Amended	V. 35, p. 353
100-28a-9	Amended	V. 35, p. 354
100-28a-9a	New	V. 35, p. 354
100-28a-10	Amended	V. 35, p. 354
100-28a-11	Amended	V. 35, p. 355
100-28a-12	Amended	V. 35, p. 355
100-28a-13	Amended	V. 35, p. 355
100-28a-14	Amended	V. 35, p. 356
100-28a-15	Amended	V. 35, p. 356
100-28a-17	Amended	V. 35, p. 356
100-29-9	Amended	V. 35, p. 387
100-29-16	Amended	V. 35, p. 388
100-29-18	through	
100-29-21	New	V. 36, p. 368, 369
100-54-7	Amended	V. 35, p. 389
100-54-12	New	V. 35, p. 390

**AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD**

Reg. No.	Action	Register
102-8-1	New (T)	V. 35, p. 628
102-8-1	New	V. 35, p. 930
102-8-2	New (T)	V. 35, p. 628
102-8-2	New	V. 35, p. 931
102-8-4	New (T)	V. 35, p. 629
102-8-4	New	V. 35, p. 931
102-8-6	New (T)	V. 35, p. 629
102-8-6	New	V. 35, p. 932
102-8-7	New (T)	V. 35, p. 629
102-8-7	New	V. 35, p. 932
102-8-8	New (T)	V. 35, p. 646
102-8-8	New	V. 35, p. 932
102-8-9	through	
102-8-12	New (T)	V. 35, p. 630-632
102-8-9	through	
102-8-12	New	V. 35, p. 932-935

**AGENCY 105: BOARD OF INDIGENTS' DEFENSE SERVICES**

Reg. No.	Action	Register
105-5-2	Amended	V. 35, p. 936
105-5-3	Amended	V. 35, p. 936
105-5-6	Amended	V. 35, p. 937
105-5-7	Amended	V. 35, p. 937
105-5-8	Amended	V. 35, p. 937
105-11-1	Amended	V. 35, p. 938

**AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES**

Reg. No.	Action	Register
109-1-1	Amended	V. 35, p. 314
109-2-1	Amended	V. 35, p. 317
109-2-2	Amended	V. 35, p. 317

109-2-6	Amended	V. 35, p. 318
109-2-7	Revoked	V. 35, p. 318
109-2-8	Amended	V. 35, p. 318
109-2-11	Amended	V. 35, p. 320
109-3-3	Amended	V. 36, p. 329
109-3-4	Amended	V. 36, p. 330
109-5-1a	Amended	V. 35, p. 935
109-5-1b	Amended	V. 35, p. 936
109-5-1c	Amended	V. 35, p. 936
109-5-5	Amended	V. 35, p. 582
109-7-1	Amended	V. 35, p. 321

**AGENCY 111: KANSAS LOTTERY**

A complete index listing all regulations filed by the Kansas Lottery from 1988 through 2000 can be found in the Vol. 19, No. 52, December 28, 2000 *Kansas Register*. A list of regulations filed from 2001 through 2003 can be found in the Vol. 22, No. 52, December 25, 2003 *Kansas Register*. A list of regulations filed from 2004 through 2005 can be found in the Vol. 24, No. 52, December 29, 2005 *Kansas Register*. A list of regulations filed from 2006 through 2007 can be found in the Vol. 26, No. 52, December 27, 2007 *Kansas Register*. A list of regulations filed from 2008 through November 2009 can be found in the Vol. 28, No. 53, December 31, 2009 *Kansas Register*. A list of regulations filed from December 1, 2009, through December 21, 2011, can be found in the Vol. 30, No. 52, December 29, 2011 *Kansas Register*. A list of regulations filed from December 22, 2011, through November 6, 2013, can be found in the Vol. 32, No. 52, December 26, 2013 *Kansas Register*. A list of regulations filed from November 7, 2013, through December 31, 2015, can be found in the Vol. 34, No. 53, December 31, 2015 *Kansas Register*.

Reg. No.	Action	Register
111-2-62	Amended	V. 35, p. 491
111-2-321	New	V. 35, p. 898
111-2-322	New	V. 35, p. 898
111-3-1	Amended	V. 35, p. 898
111-4-878	Amended	V. 35, p. 819
111-4-879	Amended	V. 35, p. 819
111-4-880	Amended	V. 35, p. 819
111-4-3417	through	
111-4-3421	New	V. 35, p. 131-135
111-4-3422	New	V. 35, p. 157
111-4-3423	New	V. 35, p. 157
111-4-3424	through	
111-4-3431	New	V. 35, p. 406-408
111-4-3432	New	V. 35, p. 491
111-4-3433	through	
111-4-3439	New	V. 35, p. 457-461
111-4-3440	Amended	V. 35, p. 900
111-4-3441	New	V. 35, p. 463
111-4-3442	through	
111-4-3445	New	V. 35, p. 492-495
111-4-3446	through	
111-4-3449	New	V. 35, p. 582-584
111-4-3450	New	V. 35, p. 678
111-4-3451	New	V. 35, p. 765
111-4-3452	New	V. 35, p. 766
111-4-3453	New	V. 35, p. 768
111-4-3454	New	V. 35, p. 821
111-4-3455	through	
111-4-3459	New	V. 35, p. 900-904
111-4-3460	New	V. 35, p. 1057

111-4-3461	New	V. 35, p. 1058	111-19-6			115-2-3	Amended	V. 35, p. 973
111-4-3462	New	V. 35, p. 1059	through			115-4-2	Amended	V. 36, p. 273
111-4-3463			111-19-8	New	V. 36, p. 405-407	115-4-11	Amended	V. 36, p. 274
through			111-301-28	Amended	V. 36, p. 163	115-7-1	Amended	V. 35, p. 974
111-4-3465	New	V. 36, p. 160-162	111-301-45	Amended	V. 35, p. 770	115-7-10	Amended	V. 35, p. 975
111-4-3466	New	V. 36, p. 192	111-301-47	New	V. 35, p. 1066	115-8-1	Amended	V. 36, p. 398
111-4-3467	New	V. 36, p. 193	111-301-48	Amended	V. 36, p. 195	115-8-13	Amended	V. 35, p. 975
111-4-3468	New	V. 36, p. 217	111-301-49	New	V. 35, p. 1066	115-8-24	Revoked	V. 35, p. 633
111-4-3469	New	V. 36, p. 218	111-301-50	Amended	V. 36, p. 195	115-17-2	Amended	V. 35, p. 976
111-4-3470	New	V. 36, p. 219	111-301-51	New	V. 35, p. 1067	115-18-20	Amended	V. 35, p. 977
111-4-3471			111-301-52	Amended	V. 36, p. 196			
through			111-301-53					
111-4-3475	New	V. 36, p. 398-403	through					
111-5-220			111-301-57	New	V. 35, p. 1067-1068			
through			111-307-5	Amended	V. 35, p. 771	<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
111-5-227	New	V. 35, p. 1060-1064	111-307-7	Amended	V. 35, p. 771	117-1-1	Amended	V. 36, p. 452
111-6-1	Amended	V. 35, p. 907	111-401-35			117-2-2	Amended	V. 36, p. 452
111-7-66	Amended	V. 35, p. 158	through			117-2-2a	Amended	V. 36, p. 453
111-7-68	Amended	V. 35, p. 159	111-401-37	Amended	V. 35, p. 162	117-2-4	Amended	V. 35, p. 536
111-7-73	Amended	V. 35, p. 159	111-401-142	Amended	V. 36, p. 196	117-3-2	Amended	V. 36, p. 454
111-7-75	Amended	V. 35, p. 159	111-401-148	Amended	V. 35, p. 504	117-3-2a	Amended	V. 36, p. 455
111-7-265	New	V. 36, p. 404	111-401-185			117-3-4	Amended	V. 35, p. 537
111-7-266	New	V. 36, p. 405	through			117-4-1	Amended	V. 35, p. 537
111-9-216	New	V. 35, p. 586	111-401-188	Amended	V. 35, p. 139	117-4-2	Amended	V. 36, p. 455
111-9-217	New	V. 35, p. 586	111-401-190			117-4-2a	Amended	V. 36, p. 456
111-15-1	Amended	V. 35, p. 821	through			117-4-4	Amended	V. 35, p. 539
111-15-2	Amended	V. 35, p. 821	111-401-194	Amended	V. 35, p. 140	117-5-2a	Amended	V. 36, p. 457
111-15-3	Amended	V. 35, p. 822	111-401-200a	New	V. 35, p. 409	117-8-3	New	V. 35, p. 199
111-15-5	Amended	V. 35, p. 823	111-401-201					
111-15-6	Amended	V. 35, p. 823	through					
111-15-7	Amended	V. 35, p. 1064	111-401-205	New	V. 35, p. 409-411			
111-15-21	Amended	V. 35, p. 1064	111-501-38	Amended	V. 36, p. 227	<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
111-16-1	Amended	V. 35, p. 464	111-501-122			123-17-101	New	V. 36, p. 369
111-16-2	Amended	V. 35, p. 464	through					
111-16-5	Amended	V. 35, p. 464	111-501-127	New	V. 35, p. 412-414			
111-17-21	Amended	V. 35, p. 160	111-501-128					
111-17-24	New	V. 35, p. 136	through			<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
111-17-25	New	V. 35, p. 161	111-501-138	New	V. 35, p. 910-912	125-1-6	Amended	V. 35, p. 489
111-17-27	New	V. 35, p. 408	111-601-1			125-1-7	Amended	V. 35, p. 490
111-17-28	New	V. 35, p. 465	through					
111-17-29	New	V. 35, p. 466	111-601-8	New	V. 36, p. 164-167			
111-17-30	New	V. 35, p. 498	111-601-14					
111-17-31	New	V. 35, p. 499	through					
111-17-32	New	V. 35, p. 678	111-601-45	New	V. 36, p. 167-178			
111-17-33	New	V. 35, p. 769				<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
111-17-34	Amended	V. 35, p. 1065				128-6-4	Amended (T)	V. 35, p. 1115
111-17-35	New	V. 35, p. 909				128-6-4	Amended	V. 36, 271
111-17-36	New	V. 36, p. 194						
111-18-1								
through								
111-18-7	New	V. 36, p. 220-224						
111-19-1								
through								
111-19-5	New	V. 36, p. 224-226						

  

<b>AGENCY 112: RACING AND GAMING COMMISSION</b>		
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
112-102-2	Amended	V. 35, p. 612

  

<b>AGENCY 115: DEPARTMENT OF WILDLIFE, PARKS AND TOURISM</b>		
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
115-2-2	Amended	V. 35, p. 973

  

<b>AGENCY 117: REAL ESTATE APPRAISAL BOARD</b>		
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
117-1-1	Amended	V. 36, p. 452
117-2-2	Amended	V. 36, p. 452
117-2-2a	Amended	V. 36, p. 453
117-2-4	Amended	V. 35, p. 536
117-3-2	Amended	V. 36, p. 454
117-3-2a	Amended	V. 36, p. 455
117-3-4	Amended	V. 35, p. 537
117-4-1	Amended	V. 35, p. 537
117-4-2	Amended	V. 36, p. 455
117-4-2a	Amended	V. 36, p. 456
117-4-4	Amended	V. 35, p. 539
117-5-2a	Amended	V. 36, p. 457
117-8-3	New	V. 35, p. 199

  

<b>AGENCY 123: DEPARTMENT OF CORRECTIONS – DIVISION OF JUVENILE SERVICES</b>		
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
123-17-101	New	V. 36, p. 369

  

<b>AGENCY 125: KANSAS AGRICULTURAL REMEDIATION BOARD</b>		
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
125-1-6	Amended	V. 35, p. 489
125-1-7	Amended	V. 35, p. 490

  

<b>AGENCY 128: DEPARTMENT OF COMMERCE – KANSAS ATHLETIC COMMISSION</b>		
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
128-6-4	Amended (T)	V. 35, p. 1115
128-6-4	Amended	V. 36, 271

  

<b>AGENCY 133: OFFICE OF ADMINISTRATIVE HEARINGS</b>		
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
133-1-1 through 133-1-4	New	V. 36, p. 8

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