

**SENATE SUBSTITUTE for HOUSE BILL No. 2390**

By Committee on Public Health and Welfare

3-22

1 AN ACT concerning the secretary of health and environment; relating to  
2 drug overdoses; requiring the secretary of health and environment to  
3 study overdose deaths; providing for the confidentiality of acquired and  
4 compiled records; restricting the powers of the secretary of health and  
5 environment and local health officers to control the introduction and  
6 spread of infectious or contagious diseases; repealing the authority of  
7 the secretary to order individuals to isolate or quarantine and impose  
8 penalties for violations thereof; amending K.S.A. 65-116g, 65-118, 65-  
9 119, 65-128, 65-129b and 65-129d and K.S.A. 2022 Supp. 65-101, 65-  
10 202 and 72-5180 and repealing the existing sections; also repealing  
11 K.S.A. 65-126, 65-127, 65-129 and 65-129c.  
12

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

14 New Section 1. (a) As used in this section:

15 (1) "Data" means all facts, information, records of interviews, written  
16 reports, statements, notes or memorandums secured in connection with an  
17 authorized medical research study.

18 (2) "Overdose" means injury to the body that happens when one or  
19 more drugs are taken in excessive amounts. "Overdose" includes fatal and  
20 nonfatal injuries.

21 (3) "Secretary" means the secretary of health and environment.

22 (b) The secretary shall:

23 (1) Identify drug overdose deaths;

24 (2) review autopsy reports, death certificates, medical records and  
25 other relevant data;

26 (3) review interactions with the healthcare system, behavioral health  
27 system, social services, educational institutions, children and family  
28 services, the criminal justice system and any other systems with which a  
29 decedent had contact prior to a drug overdose death;

30 (4) contact family members and other affected or involved persons to  
31 collect additional relevant data;

32 (5) make determinations regarding the preventability of drug  
33 overdose death cases and develop recommendations to prevent such  
34 deaths, including recommendations for changes to statutes, rules and  
35 regulations, policies and procedures; and

36 (6) disseminate findings and recommendations to the governor, the

1 legislature, healthcare providers and facilities, behavioral health  
2 professionals, law enforcement and the general public.

3 (c) The secretary shall have access to the following identifiable data  
4 sources and records therein:

5 (1) Law enforcement reports directly relating to events leading up to  
6 a drug overdose death and information leading to the conclusion that the  
7 death may have been a drug overdose death. The law enforcement agency  
8 may redact names and other personally identifiable information of  
9 individuals contained in such law enforcement reports or exclude  
10 information that would reveal an ongoing investigation of drug violations  
11 or any criminal history information prohibited by law to be released;

12 (2) autopsy records and coroner's investigative records regarding a  
13 drug overdose death in Kansas;

14 (3) medical records or emergency medical services records regarding  
15 a drug overdose death or previous overdose by a decedent;

16 (4) a decedent's controlled substance dispensation records from the  
17 prescription monitoring program established by the prescription  
18 monitoring program act, K.S.A. 65-1681 et seq., and amendments thereto;  
19 and

20 (5) records, data and reports from any other applicable entity that has  
21 provided services to a decedent.

22 (d) (1) The secretary may apply to the district court for the issuance  
23 of, and the district court may issue, a subpoena to compel the production  
24 of any relevant data or information requested by the secretary under this  
25 section. Any data or information received by the secretary pursuant to the  
26 subpoena shall be confidential and privileged information and not subject  
27 to disclosure.

28 (2) The provisions of this subsection providing for confidentiality of  
29 records shall expire on July 1, 2028, unless the legislature acts prior to July  
30 1, 2028, to continue such provisions in accordance with K.S.A. 45-229,  
31 and amendments thereto.

32 (e) (1) All proceedings and activities of the secretary or  
33 representatives of the secretary under this section, opinions of the secretary  
34 or representatives of the secretary formed as a result of such proceedings  
35 and activities and records obtained, created or maintained pursuant to this  
36 section, including records of interviews, written reports and statements  
37 procured by the secretary or any other person, agency or organization  
38 acting jointly or under contract with the department of health and  
39 environment in connection with the requirements of this section, shall be  
40 confidential and not subject to the provisions of the open records act or the  
41 open meetings act or subject to subpoena, discovery or introduction into  
42 evidence in any civil or criminal proceeding. Nothing in this section shall  
43 be construed to limit or otherwise restrict the right to discover or use in

1 any civil or criminal proceeding any document or record that is available  
2 and entirely independent of proceedings and activities of the secretary or  
3 representatives of the secretary under this section.

4 (2) The secretary or representatives of the secretary shall not be  
5 questioned in any civil or criminal proceeding regarding the information  
6 presented in or opinions formed as a result of an investigation. Nothing in  
7 this section shall be construed to prevent the secretary or representatives of  
8 the secretary from testifying to information obtained independently of this  
9 section or that is public information.

10 (3) The provisions of this subsection providing for confidentiality of  
11 records shall expire on July 1, 2028, unless the legislature acts to continue  
12 such provisions. The legislature shall review the provisions of this  
13 subsection pursuant to K.S.A. 45-229, and amendments thereto, prior to  
14 July 1, 2028.

15 Sec. 2. K.S.A. 2022 Supp. 65-101 is hereby amended to read as  
16 follows: 65-101. (a) The secretary of health and environment shall exercise  
17 general supervision of the health of the people of the state and may:

18 (1) Where authorized by any other statute, require reports from  
19 appropriate persons relating to the health of the people of the state so a  
20 determination of the causes of sickness and death among the people of the  
21 state may be made through the use of these reports and other records;

22 (2) investigate the causes of disease, including especially, epidemics  
23 and endemics, the causes of mortality and effects of locality, employments,  
24 conditions, food, water supply, habits and other circumstances affecting  
25 the health of the people of this state and the causes of sickness and death;

26 (3) advise other offices and agencies of government concerning  
27 location, drainage, water supply, disposal of excreta and heating and  
28 ventilation of public buildings;

29 (4) make sanitary inspection and survey of such places and localities  
30 as the secretary deems advisable;

31 (5) take action to prevent the introduction of infectious or contagious  
32 disease into this state and to prevent the spread of infectious or contagious  
33 disease within this state; *and*

34 (6) provide public health outreach services to the people of the state  
35 including educational and other activities designed to increase the  
36 individual's awareness and appropriate use of public and other preventive  
37 health services.

38 (b) The secretary of health and environment may adopt rules and  
39 regulations necessary to carry out the provisions of subsection (a). In  
40 addition to other remedies provided by law, the secretary is authorized to  
41 apply to the district court, and such court shall have jurisdiction upon a  
42 hearing and for cause shown to grant a temporary or permanent injunction  
43 to compel compliance with such rules and regulations.

1 (c) *The secretary of health and environment shall not carry out the*  
2 *provisions of subsection (a) or (b) in a manner that conflicts with any*  
3 *other statute or otherwise expands the authority of the secretary.*

4 (d) In the event of a state of disaster emergency declared by the  
5 governor pursuant to K.S.A. 48-924, and amendments thereto, or a state of  
6 local disaster emergency declared pursuant to K.S.A. 48-932, and  
7 amendments thereto, the legislature may revoke an order issued by the  
8 secretary to take action related to such disaster emergency as provided in  
9 this subsection. Such order may be revoked at any time by concurrent  
10 resolution of the legislature or, when the legislature is not in session or is  
11 adjourned during session for three or more days, such order may be  
12 revoked by the legislative coordinating council with the affirmative vote of  
13 five members thereof.

14 Sec. 3. K.S.A. 65-116g is hereby amended to read as follows: 65-  
15 116g. (a) *It shall be unlawful for any person who violates to:*

16 (1) *Violate any provision of this act relating to tuberculosis, or any*  
17 *associated rules or regulations of the secretary of health and environment*  
18 *for the enforcement of this act, or;*

19 (2) ~~violates~~ *violate any of the rules or regulations of any an*  
20 *institution while a patient therein,; or*

21 (3) ~~conducts himself in a engage in disorderly manner, shall be guilty~~  
22 ~~of conduct, as described in K.S.A. 21-6203, and amendments thereto.~~

23 (b) *Violation of this section is a class C nonperson misdemeanor.*

24 (c) *As used in this section, "this act" means K.S.A. 65-116a through*  
25 *65-116m, and amendments thereto.*

26 Sec. 4. K.S.A. 65-118 is hereby amended to read as follows: 65-118.

27 (a) Whenever any person licensed to practice the healing arts or engaged in  
28 a postgraduate training program approved by the state board of healing  
29 arts, licensed dentist, licensed professional nurse, licensed practical nurse,  
30 administrator of a hospital, licensed adult care home-administrator,  
31 licensed physician assistant, or licensed social worker, ~~teacher or school~~  
32 ~~administrator~~ knows or has information indicating that a person is  
33 suffering from or has died from a reportable infectious or contagious  
34 disease as defined in rules and regulations, such knowledge or information  
35 shall be reported immediately to the county or joint board of health or the  
36 local health officer, together with the name and address of the person who  
37 has or is suspected of having the infectious or contagious disease, or the  
38 name and former address of the deceased individual who had or was  
39 suspected of having such a disease. In the case of a licensed hospital or  
40 adult care home, the administrator may designate an individual to receive  
41 and make such reports. The secretary of health and environment shall,  
42 through rules and regulations, make provision for the consolidation of  
43 reports required to be made under this section when the person required to

1 make the report is working in a licensed hospital or adult care home.  
2 Laboratories certified under the federal clinical laboratories improvement  
3 act pursuant to ~~42 code of federal regulations~~, *C.F.R. part* 493 shall report  
4 the results of microbiologic cultures, examinations; *and* immunologic  
5 essays for the presence of antigens and antibodies and any other laboratory  
6 tests which are indicative of the presence of a reportable infectious or  
7 contagious disease to the department of health and environment. The  
8 director of the division of public health may use information from death  
9 certificates for disease investigation purposes.

10 (b) Any person who is an individual member of a class of persons  
11 designated under subsection (a) of this section and who reports the  
12 information required to be reported under such subsection in good faith  
13 and without malice to a county or joint board of health, a local health  
14 officer or the department of health and environment shall have immunity  
15 from any liability, civil or criminal, that might otherwise be incurred or  
16 imposed in an action resulting from such report. Any such person shall  
17 have the same immunity with respect to participation in any judicial  
18 proceeding resulting from such report.

19 (c) Information required to be reported under subsection (a) ~~of this~~  
20 ~~section~~ shall be confidential and shall not be disclosed or made public,  
21 upon subpoena or otherwise, beyond the requirements of subsection (a) ~~of~~  
22 ~~this section~~ or ~~subsection (a) of~~ K.S.A. 65-119(a), and amendments  
23 thereto, except such information may be disclosed:

24 (1) If no person can be identified in the information to be disclosed  
25 and the disclosure is for statistical purposes;

26 (2) if all persons who are identifiable in the information to be  
27 disclosed consent in writing to its disclosure;

28 (3) if the disclosure is necessary, and only to the extent necessary, to  
29 protect the public health;

30 (4) if a medical emergency exists and the disclosure is to medical  
31 personnel qualified to treat infectious or contagious diseases. Any  
32 information disclosed pursuant to this paragraph shall be disclosed only to  
33 the extent necessary to protect the health or life of a named party; or

34 (5) if the information to be disclosed is required in a court proceeding  
35 involving child abuse and the information is disclosed in camera.

36 Sec. 5. K.S.A. 65-119 is hereby amended to read as follows: 65-119.

37 (a) Any county or joint board of health or local health officer having  
38 knowledge of any infectious or contagious disease, or of a death from such  
39 disease, within their jurisdiction, shall immediately exercise and maintain  
40 a supervision over such case or cases during their continuance, seeing that  
41 all such cases are properly cared for and that the provisions of this act ~~as~~  
42 *relating* to isolation, restriction of communication, quarantine and  
43 disinfection are duly enforced. The county or joint board of health or local

1 health officer shall communicate without delay all information ~~as relating~~  
2 to existing conditions to the secretary of health and environment. The local  
3 health officer shall confer personally, if practicable, otherwise by letter,  
4 with the person in attendance upon the case, as to its future management  
5 and control. ~~The county or joint board of health or local health officer is~~  
6 ~~hereby empowered and authorized to prohibit public gatherings when~~  
7 ~~necessary for the control of any and all infectious or contagious disease.~~

8 (b) Any disclosure or communication of information relating to  
9 infectious or contagious diseases required to be disclosed or  
10 communicated under subsection (a) ~~of this section~~ shall be confidential  
11 and shall not be disclosed or made public beyond the requirements of  
12 subsection (a) ~~of this section~~ or subsection (a) of K.S.A. 65-118(a), and  
13 *amendments thereto*, except as otherwise permitted by subsection (c) of  
14 K.S.A. 65-118(c), and *amendments thereto*.

15 Sec. 6. K.S.A. 65-128 is hereby amended to read as follows: 65-128.  
16 (a) For the protection of the public health and for the control of infectious  
17 or contagious diseases, the secretary of health and environment ~~by rules~~  
18 ~~and regulations shall designate~~ *submit a report of* such diseases ~~as that~~ are  
19 infectious or contagious in their nature *to the speaker of the house of*  
20 *representatives and the president of the senate*.

21 (b) The secretary of health and environment is authorized to ~~issue~~  
22 ~~such orders and adopt rules and regulations as may be medically necessary~~  
23 ~~and reasonable~~ *recommend to the public and provide education on ways*  
24 *to prevent the spread and dissemination of diseases injurious to the public*  
25 *health, including, but not limited to, providing for the testing for such*  
26 *diseases and the isolation and quarantine of persons afflicted with or*  
27 *exposed to such diseases.*

28 (c) ~~No later than January 1, 2014, The secretary shall develop and~~  
29 ~~adopt rules and regulations providing for~~ *make recommendations for*  
30 *preventing the introduction and spread of infectious or contagious disease*  
31 *within this state and the protection of individuals who provide medical or*  
32 *nursing services, clinical or forensic laboratory services, emergency*  
33 *medical services and firefighting, law enforcement and correctional*  
34 *services, or who provide any other service, or individuals who receive any*  
35 *such services or are in any other employment where the individual may*  
36 *encounter occupational exposure to blood and other potentially infectious*  
37 *materials.*

38 Sec. 7. K.S.A. 65-129b is hereby amended to read as follows: 65-  
39 129b. ~~(a) Notwithstanding the provisions of K.S.A. 65-119, 65-122, 65-~~  
40 ~~123, 65-126 and 65-128, and amendments thereto, and any rules or~~  
41 ~~regulations adopted thereunder, in investigating actual or potential~~  
42 ~~exposures to an infectious or contagious disease that is potentially life-~~  
43 ~~threatening, the local health officer or the secretary:~~

1       ~~(1) (A)(a)~~ *May issue an order requiring* *recommend* an individual  
 2 ~~who whom~~ the local health officer ~~or the secretary~~ has reason to believe  
 3 has been exposed to an infectious or contagious disease to seek appropriate  
 4 and necessary evaluation and treatment;

5       ~~(B)(b)~~ when the local health officer ~~or the secretary~~ determines that it  
 6 is medically necessary and reasonable to prevent or reduce the spread of  
 7 the disease or outbreak believed to have been caused by the exposure to an  
 8 infectious or contagious disease, ~~may order~~ *recommend* an individual or  
 9 group of individuals to go to and remain in places of isolation or  
 10 quarantine until the local health officer ~~or the secretary~~ determines that the  
 11 individual no longer poses a substantial risk of transmitting the disease or  
 12 condition to the public;

13       ~~(C)(c)~~ if a competent individual ~~of who is~~ 18 years of age or older or  
 14 an emancipated minor refuses ~~vaccination~~, medical examination, treatment  
 15 or testing under this section, ~~may require~~ *recommend* the individual to go  
 16 to and remain in a place of isolation or quarantine until the local health  
 17 officer ~~or the secretary~~ determines that the individual no longer poses a  
 18 substantial risk of transmitting the disease or condition to the public; and

19       ~~(D)(d)~~ if, on behalf of a minor child or ward, a parent or guardian  
 20 refuses ~~vaccination~~, medical examination, treatment or testing under this  
 21 section, ~~may require~~ *recommend* the minor child or ward to go to and  
 22 remain in a place of isolation or quarantine and ~~must~~ *shall* allow the parent  
 23 or guardian to accompany the minor child or ward until the local health  
 24 officer ~~or the secretary~~ determines that the minor child or ward no longer  
 25 poses a substantial risk of transmitting the disease or condition to the  
 26 public; ~~and~~

27       ~~(2) may order any sheriff, deputy sheriff or other law enforcement~~  
 28 ~~officer of the state or any subdivision to assist in the execution or~~  
 29 ~~enforcement of any order issued under this section.~~

30       Sec. 8. K.S.A. 65-129d is hereby amended to read as follows: 65-  
 31 129d. ~~It shall be unlawful for any A~~ public or private employer ~~to shall not~~  
 32 discharge an employee solely because the employee or an immediate  
 33 family member of the employee is ~~under an order of~~ *following an* isolation  
 34 or quarantine *recommendation from a local health officer*. ~~The violation of~~  
 35 ~~this section is punishable as a violation of K.S.A. 65-129, and amendments~~  
 36 ~~thereto~~ *In an action against an employer for a violation of this section, the*  
 37 *court shall award a prevailing plaintiff the actual damages such person*  
 38 *sustained, costs and reasonable attorney fees.*

39       Sec. 9. K.S.A. 2022 Supp. 65-202 is hereby amended to read as  
 40 follows: 65-202. (a) The local health officer in each county throughout the  
 41 state, immediately after such officer's appointment, shall:

42       (1) Take the same oath of office prescribed by law for the county  
 43 officers; ~~shall~~;

1       (2) give bond of \$500 conditioned for the faithful performance of the  
2 officer's duties; ~~shall;~~

3       (3) keep an accurate record of all the transactions of such office;  
4 ~~shall;~~

5       (4) turn over to the successor in office or to the county or joint board  
6 of health selecting such officer, on the expiration of such officer's term of  
7 office, all records, documents and other articles belonging to the office;  
8 ~~and shall~~

9       (5) faithfully account to *the* board of county commissioners and to the  
10 county and state for all moneys coming into the office. Such officer shall  
11 notify the secretary of health and environment of such officer's  
12 appointment and qualification, and provide the secretary with such  
13 officer's contact information.

14       (b) Such officer shall receive and distribute without delay in the  
15 county all forms from the secretary of health and environment to the  
16 rightful persons, all returns from persons licensed to practice medicine and  
17 surgery, assessors and local boards to said secretary, shall keep an accurate  
18 record of all of the transactions of such office and shall turn over all  
19 records and documents kept by such officer, the successor in office, or to  
20 the county or joint board electing such officer, on the expiration of the  
21 term of office.

22       (c) The local health officer shall upon the opening of the fall term of  
23 school, make a sanitary inspection of each school building and grounds,  
24 and shall make such additional inspections as are necessary to protect the  
25 public health of the students of the school.

26       ~~(e)~~(d) (1) Such officer shall make an investigation of each case of  
27 smallpox, diphtheria, typhoid fever, scarlet fever, acute anterior  
28 poliomyelitis (infantile paralysis), epidemic cerebro-spinal meningitis and  
29 such other acute infectious, contagious or communicable diseases as may  
30 be required, and shall use all ~~known~~ *medically necessary and reasonable*  
31 measures to prevent the spread of any such infectious, contagious or  
32 communicable disease, and shall perform such other duties as this act, the  
33 county or joint board; ~~or board of health or the secretary of health and~~  
34 ~~environment~~ may require.

35       (2) ~~Any order issued by the local health officer, including Orders~~  
36 ~~issued as a result of an executive order of the governor, on behalf of a~~  
37 ~~county regarding the remediation of any infectious disease may be~~  
38 ~~reviewed, amended or revoked by the board of county commissioners of~~  
39 ~~any county affected by such order in the manner provided by K.S.A. 65-~~  
40 ~~201(b), and amendments thereto.~~

41       (e) Such officer shall receive compensation as set by the board and,  
42 with the approval of the board of health, may employ a skilled professional  
43 nurse and other additional personnel whenever deemed necessary for the



1 protection of the public health.

2 (f) For any failure or neglect of the local health officer to perform any  
3 of the duties prescribed in this act, the officer may be removed from office  
4 by the county board of health. In addition to removal from office; for any  
5 failure or neglect to perform any of the duties prescribed by this act, the  
6 local health officer shall be deemed guilty of a misdemeanor and, upon  
7 conviction, be fined not less \$10 nor more than \$100 for each and every  
8 offense.

9 Sec. 10. K.S.A. 2022 Supp. 72-5180 is hereby amended to read as  
10 follows: 72-5180. (a) Commencing in the 2021-2022 school year, except  
11 as otherwise provided in this section, no school district shall provide or  
12 offer to any student enrolled in the district more than a total of 40 school  
13 term hours of remote learning unless:

14 (1) The board of education of the school district has authorized a  
15 student to temporarily attend school through remote learning in excess of  
16 the 40-hour limitation pursuant to a temporary individual exemption  
17 granted pursuant to subsection (b); or

18 (2) due to a disaster, the state board of education has authorized the  
19 school district to conduct remote learning in excess of the 40-hour  
20 limitation pursuant to subsection (c) or has waived the limitations provided  
21 in subsection (d).

22 (b) The board of education of a school district may temporarily  
23 suspend the remote learning limitation provided in subsection (a) on an  
24 individual student basis for any student who cannot reasonably attend  
25 school in person due to an illness, medical condition, injury or any other  
26 extraordinary circumstance that would necessitate remote learning to allow  
27 the student to continue to receive an education during the existence of such  
28 circumstance. The board of education of the school district shall notify the  
29 state board of any individual exemptions provided pursuant to this  
30 subsection and the reason for such exemption.

31 (c) The state board of education may authorize a school district to  
32 exceed the 40-hour remote learning limitation upon application by the  
33 school district. The application may be granted by the state board of  
34 education upon:

35 (1) Certification by a school district that, due to a disaster, conditions  
36 resulting from widespread or severe property damage caused by the  
37 disaster or other conditions restricting the operation of public schools will  
38 exist in the school district for an inordinate period of time; and

39 (2) a determination by the state board that the school district cannot  
40 reasonably adjust its schedule to comply with the requirements of this  
41 section unless remote learning is conducted for a period of time not to  
42 exceed 240 school term hours, unless such limitation is waived by the state  
43 board pursuant to subsection (d).

1 (d) The state board of education may waive the requirements of law  
2 relating to the remote learning limitations pursuant to subsection (c) in any  
3 school year upon application for such waiver by a school district. The  
4 waiver may be granted by the state board of education upon:

5 (1) Certification by a board of education that, due to a disaster,  
6 conditions resulting from widespread or severe property damage caused by  
7 the disaster or other conditions restricting the operation of public schools  
8 will exist in the school district for an inordinate period of time; and

9 (2) a determination by the state board that the school district cannot  
10 reasonably adjust its schedule to comply with such requirements of law  
11 and that remote learning beyond the limitations provided in subsection (c)  
12 is necessary to allow the school district to continue to provide education to  
13 students during such conditions.

14 (e) (1) Any student who attends a school of a school district through  
15 remote learning in excess of the remote learning limitations provided  
16 pursuant to this section shall be deemed a remote learning student and  
17 shall be counted as a remotely enrolled student for state aid purposes.

18 (2) On or before June 30 of each school year:

19 (A) A school district that offers remote learning during the school  
20 year shall determine the remote enrollment of the district based on the  
21 number of students remotely enrolled in accordance with this section;

22 (B) the clerk or superintendent of each school district shall certify  
23 under oath to the state board a report showing the remote enrollment of the  
24 school district determined pursuant to this subsection by the grades  
25 maintained in the schools of the school district. The state board shall  
26 examine such reports upon receipt, and if the state board finds any errors  
27 in any such report, the state board shall consult with the school district  
28 officer furnishing the report and make any necessary corrections in the  
29 report; and

30 (C) the state board shall determine the number of students who were  
31 included in the remote enrollment of each school district and recompute  
32 the enrollment of the school district as required pursuant to this subsection.

33 (3) A school district that offers remote learning and is determined to  
34 have remotely enrolled students pursuant to this section shall receive  
35 remote enrollment state aid. The state board shall determine the amount of  
36 remote enrollment state aid a school district is to receive by multiplying  
37 the remote enrollment of the school district by \$5,000. No remote  
38 enrollment state aid shall be provided for any student who participates in  
39 remote learning on a part-time basis during the school day.

40 (4) The state board shall notify each school district of the amount of  
41 remote enrollment state aid the district shall receive pursuant to this  
42 section and, pursuant to K.S.A. 72-5136, and amendments thereto, shall:

43 (A) Require the district to remit any such amount of overpayment

1 made to the district in the current school year; or

2 (B) deduct the excess amounts paid to the district from future  
3 payments made to the school district.

4 (5) If a student is included in the remote enrollment of a district  
5 pursuant to this subsection, such student shall not be included in the  
6 adjusted enrollment of the district in the current school year.

7 (f) Each school district that determines remote enrollment pursuant to  
8 this section shall submit any documentation or information required by the  
9 state board.

10 (g) As used in this section, "disaster" means a state of disaster  
11 emergency declared by proclamation of the governor pursuant to K.S.A.  
12 48-924, and amendments thereto, closure of schools by order issued by a  
13 county or joint board of health, a local health officer pursuant to K.S.A.  
14 65-119, and amendments thereto, ~~or the secretary of health and~~  
15 ~~environment pursuant to K.S.A. 65-126, and amendments thereto,~~ or  
16 occurrence of widespread or severe damage, injury or loss of life or  
17 property resulting from any natural or manmade cause, including, but not  
18 limited to, fire, flood, earthquake, tornado, wind, storm, an epidemic, air  
19 contamination, blight, drought, infestation or explosion.

20 (h) This section shall be a part of and supplemental to the Kansas  
21 school equity and enhancement act.

22 ~~(i) This section shall take effect and be in force from and after July 1,~~  
23 ~~2021.~~

24 Sec. 11. K.S.A. 65-116g, 65-118, 65-119, 65-126, 65-127, 65-128,  
25 65-129, 65-129b, 65-129c and 65-129d and K.S.A. 2022 Supp. 65-101,  
26 65-202 and 72-5180 are hereby repealed.

27 Sec. 12. This act shall take effect and be in force from and after its  
28 publication in the statute book.