

KANSAS OFFICE *of*  
**REVISOR *of* STATUTES**

LEGISLATURE *of* THE STATE *of* KANSAS  
*Legislative Attorneys transforming ideas into legislation.*

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300 SW TENTH AVENUE ■ SUITE 24-E ■ TOPEKA, KS 66612 ■ (785) 296-2321

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**MEMORANDUM**

To: Senate Committee on Ways and Means

From: Office of Revisor of Statutes

Date: March 6, 2023

Subject: HB 2191: Authorizing the children's cabinet to form a 501(c)(3) for fundraising for the Dolly Parton imagination library book gifting program.

House Bill No. 2191 authorizes the children's cabinet to establish a 501(c)(3). The board of directors of the nonprofit corporation shall consist of the members of the children's cabinet, the executive director of the children's cabinet and other directors designated by the children's cabinet. The purpose of the nonprofit corporation shall be to receive gifts, donations, grants and other moneys and engage in fundraising projects for the benefit of the Dolly Parton's imagination library book gifting program to develop, implement, promote and sustain reading by the children of Kansas.

Generally, a state agency only has the powers granted to them by statute, so if an agency wanted to form a 501(c)(3) nonprofit corporation, they would need the statutory authority to do so. Currently, the state fair board has the specific authority to form a nonprofit pursuant to K.S.A. 74-520a(f) and in 2021, the Legislature granted the department of corrections the specific authority to form a nonprofit pursuant to K.S.A. 75-52,169(d).

The bill becomes effective upon the publication in the statute book.

The House made no amendments and passed the bill 122-0 on February 23, 2023.

The Senate version of the bill, SB 195, was heard by the Committee on Ways and Means on February 15, 2023, and was passed by the Senate 39-0 on February 22, 2023. SB 195 is currently in House Appropriations Committee.