

As Amended by House Committee

Session of 2025

HOUSE BILL No. 2063

By Committee on Agriculture and Natural Resources Budget

Requested by Justin Cobb on behalf of Kansans for Conservation

1-22

1 AN ACT concerning natural resources; relating to state moneys for
2 conservation; establishing the state conservation fund, the working
3 lands conservation fund, the wildlife conservation fund and the Kansas
4 outdoors fund; providing for the use of moneys in such funds by the
5 Kansas department of agriculture and the Kansas department of wildlife
6 and parks; requiring that certain reports regarding such funds be made
7 to the governor and the legislature; authorizing a transfer from the state
8 **general gaming revenues** fund to the state conservation fund;
9 authorizing transfers from the state conservation fund to the working
10 lands conservation fund, wildlife conservation fund and the Kansas
11 outdoors fund; **providing for the expiration of the state conservation**
12 **fund, the working lands conservation fund, the wildlife**
13 **conservation fund and the Kansas outdoors fund on and after July**
14 **1, 2031; amending K.S.A. 2025 Supp. 79-4801 and repealing the**
15 **existing section.**

16

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

18 New Section 1. (a) (1) There is hereby established in the state
19 treasury the state conservation fund. All moneys credited to the state
20 conservation fund shall be expended or transferred only for the purposes
21 and in the manner provided by this section. All expenditures from the state
22 conservation fund shall be made in accordance with appropriation acts for
23 the financing of conservation programs. It is the intent of the legislature
24 that the fund shall remain intact and inviolate for the purposes set forth in
25 this section, and moneys in the fund shall not be subject to the provisions
26 of K.S.A. 75-3722, 75-3725a and 75-3726a, and amendments thereto.
27 Moneys credited to the state conservation fund shall be used to supplement
28 existing appropriations and shall not be used to supplant state general fund
29 or special revenue fund appropriations to the Kansas department of
30 agriculture or the Kansas department of wildlife and parks.

31

(2) Moneys transferred to and received from the state conservation
32 fund shall not be used to fund any fee simple acquisition of land by the
33 federal or state government.

34

(b) ~~On July 1, 2025~~ **June 25, 2026**, and each ~~July 1~~ **June 25**
35 thereafter, the director of accounts and reports shall transfer \$60,000,000

1 **\$16,000,000** from the state—general **gaming revenues** fund to the state
2 conservation fund **pursuant to the provisions of K.S.A. 79-4801, and**
3 **amendments thereto.**

4 (c) On July-15, 2025 1, 2026, and each July-15 1 thereafter, the
5 director of accounts and reports shall transfer an amount equal to 50% of
6 the balance in the state conservation fund to the working lands
7 conservation fund established in section 2, and amendments thereto.

8 (d) On July-15, 2025 1, 2026, and each July-15 1 thereafter, the
9 director of accounts and reports shall transfer an amount equal to 25% of
10 the balance in the state conservation fund to the wildlife conservation fund
11 established in section 3, and amendments thereto.

12 (e) On July-15, 2025 1, 2026, and each July-15 1 thereafter, after
13 making the transfers prescribed by subsections (c) and (d), the director of
14 accounts and reports shall transfer ~~the remaining an amount equal to~~
15 **25% of the** balance in the state conservation fund to the Kansas outdoors
16 fund established in section 4, and amendments thereto.

17 **New Sec. 2.** (a) There is hereby established in the state treasury the
18 working lands conservation fund. The working lands conservation fund
19 shall be administered by the director of the division of conservation
20 established within the Kansas department of agriculture by K.S.A. 74-
21 5,126, and amendments thereto. All expenditures from such fund shall be
22 made in accordance with appropriation acts upon warrants of the director
23 of accounts and reports issued pursuant to vouchers approved by the
24 director or the director's designee. **The division is authorized to use an**
25 **amount of not to exceed 2% of the amount of moneys transferred to**
26 **the working lands conservation fund each July 1 for the**
27 **administration of the fund.**

28 (b) The division shall adopt rules and regulations to administer a
29 grant program expending moneys from the working lands conservation
30 fund.

31 (c) The state conservation commission shall provide guidance to the
32 division on priority criteria for applications, the final selection of awardees
33 and the annual budget for the administration of the grant program. The
34 secretary shall consider both the guidance of the commission and the
35 recommendations of the division in making final approvals of awardees
36 and the annual administrative budget.

37 (d) Public entities, including, but not limited to, state agencies,
38 municipalities, counties, state or federally recognized tribal nations,
39 conservation districts, special park and recreation districts, recreation
40 commissions and nonprofit entities shall be eligible to receive funding
41 from the grant program.

42 (e) Eligible grant applications shall benefit the natural resources of
43 the state by promoting conservation on working lands or utilizing

1 practices, including, but not limited to:

- 2 (1) Irrigation efficiency;
- 3 (2) grazing land management;
- 4 (3) voluntary conservation agreements;
- 5 (4) soil health practices;
- 6 (5) practices that promote or regenerate soil ecosystems, biodiversity
- 7 and native grasslands;
- 8 (6) management of woody encroachment;
- 9 (7) sustainable and regenerative timber management;
- 10 (8) ecological restoration of lands;
- 11 (9) enhanced water quality or quantity; and
- 12 (10) relevant educational programs, resources and services for adults
- 13 and youth.

14 (g) Applications providing an opportunity to capture federal, private

15 or other nonstate matching moneys through a state or local match shall be

16 prioritized. Matching moneys shall include cash contributions, noncash

17 contributions, including land value donations, and in-kind contributions.

18 (h) **Applications related to land use practices included in**

19 **subsection (e) that also provide tangible benefits to water quality and**

20 **quantity shall be prioritized.**

21 (i) It is the intent of the legislature that all moneys allocated to the

22 working lands conservation fund shall be:

23 (1) Fully obligated to approved projects within 12 months of

24 allocation to the fund; and

25 (2) in addition to, and not supplant, existing appropriations.

26 ~~(f)(j)~~ On or before December 1 of each year, the division shall submit

27 a report to the governor and the legislature, which shall be published on

28 the division's website. Such report shall include:

29 (1) An accounting of all moneys expended from the working lands

30 conservation fund in the immediately preceding fiscal year and the current

31 fiscal year to date; and

32 (2) a brief description of all funding applications received with an

33 explanation of why such applications were or were not funded.

34 ~~(j) The division may use a portion of moneys allocated to the working~~

35 ~~lands conservation fund to pay for relevant and necessary expenses of~~

36 ~~administering the grant program.~~

37 (k) As used in this section:

38 (1) "Director" means the executive director of the division.

39 (2) "Division" means the division of conservation established within

40 the Kansas department of agriculture by K.S.A. 74-5,126, and

41 amendments thereto.

42 (3) "Secretary" means the secretary of agriculture.

43 (4) "Working lands" means lands used for farming, grazing or

1 production of forest products.

2 **New Sec. 3.** (a) There is hereby established in the state treasury the
3 wildlife conservation fund. The wildlife conservation fund shall be
4 administered by the secretary of wildlife and parks. All expenditures from
5 such fund shall be made in accordance with appropriation acts upon
6 warrants of the director of accounts and reports issued pursuant to
7 vouchers approved by the secretary of wildlife and parks or the secretary's
8 designee.

9 (b) The secretary of wildlife and parks shall adopt rules and
10 regulations to administer a grant program expending moneys from the
11 wildlife conservation fund. **The secretary is authorized to use an
12 amount of not to exceed 2% of the amount of moneys transferred to
13 the wildlife conservation fund each July 1 for the administration of the
14 fund.**

15 (c) The Kansas department of wildlife and parks commission shall
16 provide guidance to the division on priority criteria for applications, the
17 final selection of awardees and the annual budget for the administration of
18 the grant program. The secretary of wildlife and parks shall consider both
19 the guidance of the commission and the recommendations of the division
20 in making final approvals of awardees and the annual administrative
21 budget.

22 (d) Public entities, including, but not limited to, state agencies,
23 municipalities, counties, state or federally recognized tribal nations,
24 conservation districts, special park and recreation districts, recreation
25 commissions and nonprofit entities shall be eligible to receive funding
26 from the grant program.

27 (e) Eligible grant applications shall benefit the natural resources of
28 the state by promoting biodiversity or utilizing practices established in the
29 state wildlife action plan, including, but not limited to:

30 (1) Establishing quality habitat;

31 (2) increasing access to diverse high-quality privately owned native
32 grassland habitat for hunting through the expansion of walk-in hunting
33 access;

34 (3) increasing access to diverse high-quality native grassland habitat
35 through the expansion and creation of wildlife management areas;

36 (4) establishing diverse high-quality native grasslands for the benefit
37 of upland birds in a manner that prioritizes science-based habitat
38 investments to create the most significant outcomes for these species;

39 (5) engaging in voluntary conservation agreements;

40 (6) restoring habitat for threatened or endangered species or those
41 species in need of conservation;

42 (7) conserving or restoring native landscapes, such as forests,
43 grasslands or state wetlands and streams;

1 (8) improving fisheries, angler access and invasive species
2 management; and

3 (9) providing relevant educational programs, resources and services
4 for adults and youth.

5 (f) Applications providing an opportunity to capture federal, private
6 or other nonstate matching moneys through a state or local match shall be
7 prioritized. Matching moneys may include cash contributions, noncash
8 contributions, including land value donations, and in-kind contributions.

9 (g) ~~Fee simple land acquisitions by a state agency shall be subject to~~ the requirements in K.S.A. 32-833, and amendments thereto, at the time of
10 acquisition and not the grant application. **In support of section 21 of the**
11 **bill of rights of the constitution of the state of Kansas, applications**
12 **involving public access for purposes of hunting, fishing, trapping or**
13 **other consumptive recreation shall be prioritized.**

14 (h) It is the intent of the legislature that all moneys allocated to the
15 wildlife conservation fund shall be:

16 (1) Fully obligated to approved projects within 12 months of
17 allocation to the fund; and

18 (2) in addition to, and not supplant, existing appropriations.

19 (i) On or before December 1 of each year, the Kansas department of
20 wildlife and parks shall submit a report to the governor and the legislature,
21 which shall be published on the department's website. Such report shall
22 include:

23 (1) An accounting of all moneys expended from the wildlife
24 conservation fund in the immediately preceding fiscal year and the current
25 fiscal year to date; and

26 (2) a brief description of all funding applications received with an
27 explanation of why such applications were or were not funded.

28 (j) ~~The Kansas department of wildlife and parks may use a portion of~~
29 ~~moneys allocated to the wildlife conservation fund to pay for relevant and~~
30 ~~necessary expenses of administering the grant program.~~

31 **New Sec. 4.** (a) There is hereby established in the state treasury the
32 Kansas outdoors fund. The Kansas outdoors fund shall be administered by
33 the secretary of wildlife and parks as part of the parks division of the
34 Kansas department of wildlife and parks. All expenditures from such fund
35 shall be made in accordance with appropriation acts upon warrants of the
36 director of accounts and reports issued pursuant to vouchers approved by
37 the secretary of wildlife and parks or the secretary's designee.

38 (b) The secretary, in consultation with the division, shall adopt rules
39 and regulations to administer a grant program expending moneys from the
40 Kansas outdoors fund. **The secretary is authorized to use an amount of**
41 **not to exceed 2% of the amount of moneys transferred to the outdoors**
42 **fund each July 1 for the administration of the fund.**

1 (c) The advisory board shall provide guidance to the division on
2 priority criteria for applications, the final selection of awardees and the
3 annual budget for the administration of the grant program. The secretary
4 shall consider both the guidance of the advisory board and the
5 recommendations of the division in making final approvals of awardees
6 and the annual administrative budget.

7 (d) Public entities, including, but not limited to, state agencies,
8 municipalities, counties, state or federally recognized tribal nations,
9 conservation districts, special park and recreation districts, recreation
10 commissions and nonprofit entities shall be eligible to receive funding
11 from the grant program.

12 (e) Eligible grant applications shall benefit the natural resources of
13 the state by promoting outdoor access, environmental education and
14 recreation or utilizing practices established in the state comprehensive
15 outdoor recreation plan, including, but not limited to:

16 (1) Increasing access to and numbers of natural areas for nature
17 appreciation, camping, hiking, trail use, boating, kayaking, canoeing and
18 other outdoor recreational pursuits;

19 (2) engaging in voluntary conservation agreements;

20 (3) improving local, county and state recreational facilities and parks;

21 (4) enhancing outdoor tourism opportunities; and

22 (5) providing relevant educational programs, resources and services
23 for adults and youth.

24 (f) Applications providing an opportunity to capture federal, private
25 or other nonstate matching moneys through a state or local match shall be
26 prioritized. Matching moneys may include cash contributions, noncash
27 contributions, including land value donations, and in-kind contributions.

28 (g) It is the intent of the legislature that all moneys allocated to the
29 Kansas outdoors fund shall be:

30 (1) Fully obligated to approved projects within 12 months of
31 allocation to the fund; and

32 (2) in addition to, and not supplant, existing appropriations.

33 (h) On or before December 1 of each year, the division shall submit a
34 report to the governor and the legislature, which shall be published on the
35 division's website. Such report shall include:

36 (1) An accounting of all moneys expended from the Kansas outdoors
37 fund in the immediately preceding fiscal year and the current fiscal year to
38 date; and

39 (2) a brief description of all funding applications received with an
40 explanation of why such applications were or were not funded.

41 (i) The division may use a portion of moneys allocated to the Kansas
42 outdoors fund to pay for relevant and necessary expenses of administering
43 the grant program.

1 (f) As used in this section:

2 (1) "Division" means the parks division established within the Kansas
3 department of wildlife and parks.

4 (2) "Advisory board" means the statewide local recreation advisory
5 board established by the parks division within the Kansas department of
6 wildlife and parks pursuant to K.S.A. 32-825, and amendments thereto.

7 (3) "Secretary" means the secretary of wildlife and parks.

8 **New Sec. 5. The provisions of sections 1 through 4, and
9 amendments thereto, shall expire and have no effect on and after July
10 1, 2031.**

11 Sec. 6. K.S.A. 2025 Supp. 79-4801 is hereby amended to read as
12 follows: 79-4801. There is hereby created the state gaming revenues
13 fund in the state treasury. All moneys credited to such fund shall be
14 expended or transferred only for the purposes and in the manner
15 provided by law and all expenditures from the state gaming revenues
16 fund shall be made in accordance with appropriation acts. All moneys
17 credited to such fund shall be allocated and credited monthly to the
18 funds and in the amounts specified by law except that the total of the
19 amounts credited to such funds in any one fiscal year pursuant to
20 K.S.A. 79-4803 through 79-4806, and amendments thereto, shall not
21 exceed \$50,000,000. All amounts credited to such fund in any one fiscal
22 year that are in excess of \$50,000,000 shall be transferred and credited
23 to the state general fund on June 25, except that:

24 (a) (1) On June 25, 2026, June 25, 2027, June 25, 2028, June 25,
25 2029, and June 25, 2030, the director of the budget, in consultation
26 with the director of legislative research, shall certify, for each such
27 fiscal year, the aggregate of all amounts certified by the executive
28 director of the Kansas lottery that have been transferred to the state
29 gaming revenues fund as provided by law, but not including sports
30 wagering revenues deposited in the lottery operating fund, that is in
31 excess of \$50,000,000 and equal to or less than \$66,000,000 and shall
32 transmit such certification to the director of accounts and reports.

33 (2) Upon receipt of such certification for any fiscal year pursuant
34 to paragraph (1), on June 25 of such fiscal year or as soon thereafter
35 on such dates as moneys are available, the director of accounts and
36 reports shall transfer the amount of revenues in excess of \$50,000,000
37 and equal to or less than \$66,000,000 as certified by the director of the
38 budget for such fiscal year from the state gaming revenues fund to the
39 state conservation fund established in section 1, and amendments
40 thereto. If the amount certified by the director of the budget for such
41 fiscal year is equal to or less than \$50,000,000, no transfer to the state
42 conservation fund shall be made.

43 (b) (1) On June 25, 2025, and each June 25 thereafter, the director

1 of the budget, in consultation with the director of legislative research,
2 shall certify, for each such fiscal year, the aggregate of all amounts
3 certified by the executive director of the Kansas lottery that have been
4 transferred from the lottery operating fund to the state gaming
5 revenues fund as provided by law, but not including sports wagering
6 revenues deposited in the lottery operating fund, that is in excess of, or
7 is less than, \$71,490,000, and shall transmit such certification to the
8 director of accounts and reports.

9 (b) (2) Upon receipt of such certification for the fiscal year ending
10 June 30, 2025, and each fiscal year thereafter, or as soon thereafter as
11 moneys are available, the director of accounts and reports shall
12 transfer the amount of revenues in excess of \$71,490,000 as certified
13 by the director of the budget for such fiscal year from the state gaming
14 revenues fund to the attracting professional sports to Kansas fund
15 established in K.S.A. 2025 Supp. 74-8793, and amendments thereto. If
16 the amount certified by the director of the budget for such fiscal year
17 is less than \$71,490,000, then no transfer to the attracting professional
18 sports to Kansas fund shall be made.

19 Sec. 7. K.S.A. 2025 Supp. 79-4801 is hereby repealed.

20 Sec. 8. This act shall take effect and be in force from and after its
21 publication in the statute book Kansas register.