

## HOUSE BILL No. 2656

By Committee on Aging and Long-term Care

2-7

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1 AN ACT concerning state government; relating to the transfer of all  
2 powers, duties and functions of the adult protective services program of  
3 the department of social and rehabilitation services to the office of the  
4 attorney general of the state of Kansas.  
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6 *Be it enacted by the Legislature of the State of Kansas:*

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

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

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

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

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

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

3 (f) On the effective date of this section, all officers and employees  
4 who, immediately prior to such date, were engaged in the performance of  
5 powers, duties and functions of the department of social and rehabilitation  
6 services concerning adult protective services which are transferred by this  
7 section, or who became part of the office of the attorney general of the  
8 state of Kansas, or the powers, duties and functions of which are  
9 transferred to the office of the attorney general of the state of Kansas, and  
10 who, in the opinion of the attorney general, are necessary to perform the  
11 powers, duties and functions of the office of the attorney general of the  
12 state of Kansas, shall be transferred to, and shall become officers and  
13 employees of the office of the attorney general of the state of Kansas. All  
14 classified employees so transferred shall retain their status as classified  
15 employees. Thereafter, the attorney general may convert vacant classified  
16 positions to positions in the unclassified service under the Kansas civil  
17 service act.

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

28 Sec. 2. This act shall take effect and be in force from and after  
29 January 1, 2013, and its publication in the statute book.  
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