

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: Chairman Waymaster and members of the House Appropriations Committee

From: Jill A. Wolters, First Assistant Revisor

Date: March 8, 2023

Subject: **SB195**, Authorizing the children's cabinet to form a 501(c)(3) for fundraising for the Dolly Parton imagination library book gifting program.

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).

SB195 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.

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

SB195 passed in the Senate 39-0, consent calendar, on February 22.

HB2191 is identical to this legislation and passed in the House 122-0 on February 23. It had a hearing in Senate Ways and Means on March 6, and was passed out of Committee and placed on the Senate consent calendar that day.