

KANSAS OFFICE *of*
REVISOR *of* STATUTES

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

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

MEMORANDUM

To: Joint Committee on Administrative Rules and Regulations
From: Office of Revisor of Statutes
Date: December 6, 2024
Subject: Authority for Proposed Rules and Regulations for December 11th Meeting

State Department of Education

K.A.R. 91-31-35 is authorized by: Article 6, § 2(a) of the Kansas Constitution, K.S.A. 72-3235, 72-5170

Article 6, § 2(a) of the Kansas Constitution

"(a) The legislature shall provide for a state board of education which shall have general supervision of public schools, educational institutions and all the educational interests of the state, except educational functions delegated by law to the state board of regents. The state board of education shall perform such other duties as may be provided by law."

K.S.A. 72-3235

"(a) The state board of education shall provide for a course of instruction in Kansas history and government, which shall be required for all students graduating from an accredited high school in this state."

Department of Agriculture

K.A.R. 9-15-2 and 9-15-4 are authorized by: K.S.A. 47-426

" The commissioner may make all the necessary rules and regulations to carry out the provisions of article 4 of chapter 47 of the Kansas Statutes Annotated, and amendments thereto, and may by such rules and regulations make and provide for exceptions, in addition to those listed in K.S.A. 47-420, and amendments thereto, for the use of particular brands in conjunction with the recorded brand."

Board of Examiners in Optometry

K.A.R. 65-5-2 and 65-8-4 are authorized by: K.S.A. 74-1504(a)(6)

"[T]he board may: (6) Adopt rules and regulations for the procedure and conduct of the board and for the administration of the optometry law, which rules and regulations shall not be inconsistent with the provisions of the optometry law."