

## HOUSE BILL No. 2789

By Committee on Health and Human Services

Requested by Representative Landwehr

2-9

1 AN ACT concerning abortion; establishing the pregnancy compassion  
2 program and the pregnancy compassion public awareness program;  
3 providing services that promote childbirth to women facing unplanned  
4 pregnancies; establishing requirements and penalties for failure to  
5 fulfill program contract requirements; promoting public awareness of  
6 such services; establishing the pregnancy compassion fund; making  
7 transfers to such fund; prescribing guidelines for the expenditure of  
8 moneys credited thereto; relating to license plates; establishing a fee on  
9 the In God We Trust license plate and the choose life license plate and  
10 using such fees to provide additional revenue for the alternatives to  
11 abortion program; amending K.S.A. 8-1,160 and 8-1,183 and repealing  
12 the existing sections.  
13

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

15 New Section 1. (a) (1) There is hereby established the pregnancy  
16 compassion program. The program shall be administered by the secretary  
17 for children and families.

18 (2) The pregnancy compassion program shall serve as a statewide  
19 program to enhance and increase resources that promote childbirth instead  
20 of abortion to women facing unplanned pregnancies. The program shall  
21 offer a full range of services, including pregnancy support centers,  
22 adoption assistance and maternity homes.

23 (b) The pregnancy compassion program shall include only the  
24 following services:

25 (1) Counseling and mentoring;

26 (2) care coordination for prenatal services, including connecting  
27 clients to health programs;

28 (3) providing educational materials and information about pregnancy  
29 and parenting;

30 (4) referrals to county and social service programs, including, but not  
31 limited to, child care, transportation, housing and state and federal benefit  
32 programs;

33 (5) classes on life skills, budgeting, parenting, stress management, job  
34 training, job placement and obtaining a GED certificate;

35 (6) providing material items, including, but not limited to, car seats,

1 cribs, maternity clothes, infant diapers and formula; and

2 (7) support groups in maternity homes.

3 (c) Pregnancy compassion program services shall be available to any  
4 Kansas resident who is:

5 (1) A pregnant woman;

6 (2) the biological father of an unborn child;

7 (3) the biological or adoptive parent of a child 24 months of age or  
8 younger;

9 (4) a program participant who has experienced the loss of a child; or

10 (5) a parent or legal guardian of a pregnant child who is a program  
11 participant.

12 (d) (1) The provision and delivery of services under the pregnancy  
13 compassion program shall be dependent on participant needs as assessed  
14 by the nonprofit organization providing the services and not otherwise  
15 prioritized by the secretary for children and families. Such services shall  
16 be available to participants only during pregnancy and continuing for up to  
17 two years after birth of the child.

18 (2) The state treasurer shall contract with one nonprofit organization  
19 to provide services under the pregnancy compassion program. Such  
20 nonprofit organization shall subcontract with existing pregnancy centers,  
21 adoption agencies, maternity homes and social service organizations that  
22 promote childbirth instead of abortion to provide the services described in  
23 subsection (b). The contractor and subcontractors may provide services in  
24 addition to the services described in subsection (b) that are not otherwise  
25 inconsistent with this section, but such services shall not be funded under  
26 the pregnancy compassion program.

27 (e) To the greatest extent possible, the secretary for children and  
28 families shall supplement and match moneys appropriated for the  
29 pregnancy compassion program with federal and other public and private  
30 moneys. The secretary shall prioritize such additional moneys to be used  
31 preferentially for the pregnancy compassion program. The secretary shall  
32 remit such supplemental and matching moneys to the state treasurer in  
33 accordance with K.S.A. 75-4215, and amendments thereto. Such moneys  
34 shall be expended for the pregnancy compassion program.

35 (f) The pregnancy compassion program and any moneys expended  
36 therefor shall not be used to perform, induce, assist in the performing or  
37 inducing of or refer for abortions. Moneys expended for the pregnancy  
38 compassion program shall not be granted to organizations or affiliates of  
39 organizations that perform, induce, assist in the performing or inducing of  
40 or refer for abortions.

41 (g) Any contract or renewal of such contract awarded under this  
42 section shall be for a term not longer than two years.

43 (h) The state treasurer shall assess an administrative fine against any

1 nonprofit organization awarded a contract under this section for failure to  
2 satisfy the requirements of this section or for the intentional or reckless  
3 misuse of any funds awarded by the terms of such contract. Such fine shall  
4 be in the amount of 10% of the funds awarded by the terms of such  
5 contract. The state treasurer shall deposit any moneys recovered from any  
6 such fine into the state treasury to the credit of the state general fund.

7 (i) On or before July 31 of each year, the nonprofit organization  
8 selected to provide services under the pregnancy compassion program  
9 shall submit a report to the legislature and the state treasurer on the  
10 administration of the program covering the fiscal year ending on the  
11 immediately preceding June 30. Such report shall include:

- 12 (1) The number of clients enrolled in the program;
- 13 (2) the number of clients who participated in case management  
14 services provided under the program;
- 15 (3) the number of case management hours provided under the  
16 program;
- 17 (4) the number of clients engaged in educational services or job  
18 training and placement activities under the program;
- 19 (5) the number of newborns who were born to program participants;
- 20 (6) the number of such newborns placed for adoption;
- 21 (7) the number of fathers who participated in program services;
- 22 (8) the number of client satisfaction surveys completed; and
- 23 (9) any other information that shows the success of the contractor's  
24 administration of the program.

25 New Sec. 2. (a) There is hereby established the pregnancy  
26 compassion public awareness program. The program shall be administered  
27 by the same nonprofit organization providing services under contract with  
28 the state treasurer pursuant to section 1, and amendments thereto.

29 (b) The purpose of the pregnancy compassion public awareness  
30 program is to help pregnant women who are at risk of having abortions to  
31 be made aware of the pregnancy compassion services made available in  
32 accordance with section 1, and amendments thereto.

33 (c) (1) The pregnancy compassion public awareness program shall  
34 include the development and promotion of a website that provides a  
35 geographically indexed list of pregnancy compassion services and  
36 subcontractors available in accordance with section 1, and amendments  
37 thereto. Such agencies shall be entities that are exempt from income  
38 taxation pursuant to the internal revenue code and provide pregnancy  
39 compassion services as described in section 1, and amendments thereto.

40 (2) The pregnancy compassion public awareness program may  
41 include, but shall not be limited to, the use of television, radio, outdoor  
42 advertising, newspapers, magazines, other print media and the internet to  
43 provide information about pregnancy compassion services, agencies and

1 contractors.

2 (d) To the greatest extent possible, the secretary for children and  
3 families shall supplement and match moneys appropriated for the  
4 pregnancy compassion public awareness program with federal and other  
5 public and private moneys. The secretary shall prioritize such additional  
6 moneys to be used preferentially for the pregnancy compassion public  
7 awareness program. The secretary shall remit such supplemental and  
8 matching moneys to the state treasurer in accordance with K.S.A. 75-4215,  
9 and amendments thereto. Such moneys shall be expended for the  
10 pregnancy compassion public awareness program.

11 (e) The pregnancy compassion public awareness program and any  
12 moneys expended therefor shall not be used to perform, induce, assist in  
13 the performing or inducing of or refer for abortions. Moneys expended for  
14 the pregnancy compassion public awareness program shall not be granted  
15 to organizations or affiliates of organizations that perform, induce, assist in  
16 the performing or inducing of or refer for abortions.

17 New Sec. 3. There is hereby established in the state treasury the  
18 pregnancy compassion program fund, which shall be administered by the  
19 state treasurer. All expenditures from the pregnancy compassion program  
20 fund shall be made in accordance with appropriation acts upon warrants of  
21 the director of accounts and reports issued pursuant to vouchers approved  
22 by the state treasurer or the treasurer's designee. The secretary shall remit  
23 such supplemental and matching moneys to the state treasurer in  
24 accordance with K.S.A. 75-4215, and amendments thereto. Upon receipt  
25 of each such remittance, the state treasurer shall deposit the entire amount  
26 in the state treasury to the credit of the pregnancy compassion program  
27 fund. Moneys in the fund shall be used for the purposes set forth in the  
28 pregnancy compassion program established by section 1, and amendments  
29 thereto.

30 New Sec. 4. On July 1, 2024, and on each July 1 thereafter, or as soon  
31 thereafter each such date as moneys are available, the director of accounts  
32 and reports shall transfer \$4,000,000 from the state general fund to the  
33 pregnancy compassion program fund.

34 Sec. 5. K.S.A. 8-1,160 is hereby amended to read as follows: 8-1,160.

35 (a) ~~On and after January 1, 2009,~~ Any owner or lessee of one or more  
36 passenger vehicles, trucks of a gross weight of 20,000 pounds or less,  
37 motorcycles or travel trailers, who is a resident of the state of Kansas, may  
38 apply for and be issued one distinctive license plate for each such  
39 passenger vehicle, truck, motorcycle or travel trailer, an In God We Trust  
40 license plate. Such license plates shall be issued for the same period of  
41 time as other plates upon proper registration and payment of the regular  
42 license fee as provided in K.S.A. 8-143, and amendments thereto.

43 (b) Any person may make application for such distinctive license

1 plates, not less than 60 days prior to such person's renewal of registration  
2 date, on a form prescribed and furnished by the director of vehicles.  
3 Application for the registration of a passenger vehicle, truck, motorcycle  
4 or travel trailer and issuance of the license plates under this section shall  
5 be made by the owner or lessee in a manner prescribed by the director of  
6 vehicles upon forms furnished by the director.

7 (c) No registration or distinctive license plates issued under the  
8 authority of this section shall be transferable to any other person.

9 (d) Renewals of registration under this section shall be made  
10 annually, upon payment of the fee prescribed in ~~subsection (a)~~ *K.S.A. 8-*  
11 *143, and amendments thereto, and in the manner prescribed in ~~subsection~~*  
12 ~~(b)~~ *of K.S.A. 8-132(b), and amendments thereto. No renewal of*  
13 *registration shall be made to any applicant until such applicant has filed*  
14 *with the director a form as provided in subsection (b). If such form is not*  
15 *filed, the applicant shall be required to comply with K.S.A. 8-143, and*  
16 *amendments thereto, and return the distinctive license plates to the county*  
17 *treasurer of such person's residence.*

18 (e) The In God We Trust license plate shall have a background  
19 design, an emblem or colors that designate the license plate as an In God  
20 We Trust license plate.

21 (f) *On and after January 1, 2025, any applicant or renewal for an In*  
22 *God We Trust license plate authorized by this section shall make an*  
23 *annual payment of a pregnancy compassion program fee of \$25 to the*  
24 *county treasurer for each license plate to be issued. Annual pregnancy*  
25 *compassion program fees collected by county treasurers pursuant to this*  
26 *subsection shall be remitted to the state treasurer in accordance with the*  
27 *provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of*  
28 *such remittance, the state treasurer shall deposit the entire amount in the*  
29 *state treasury to the credit of the pregnancy compassion program fund*  
30 *established by section 3, and amendments thereto.*

31 Sec. 6. K.S.A. 8-1,183 is hereby amended to read as follows: 8-1,183.

32 (a) ~~On and after January 1, 2019,~~ Any owner or lessee of one or more  
33 passenger vehicles, trucks of a gross weight of 20,000 pounds or less,  
34 motorcycles or travel trailers, who is a resident of the state of Kansas, may  
35 apply for and be issued one distinctive license plate for each such  
36 passenger vehicle, truck, motorcycle or travel trailer, a choose life license  
37 plate. Such license plates shall be issued for the same period of time as  
38 other plates upon proper registration and payment of the regular license fee  
39 as provided in K.S.A. 8-143, and amendments thereto.

40 (b) Any person may make application for such distinctive license  
41 plates, not less than 60 days prior to such person's renewal of registration  
42 date, on a form prescribed and furnished by the director of vehicles.  
43 Application for the registration of a passenger vehicle, truck, motorcycle

1 or travel trailer and issuance of the license plates under this section shall  
 2 be made by the owner or lessee in a manner prescribed by the director of  
 3 vehicles upon forms furnished by the director.

4 (c) No registration or distinctive license plate issued under the  
 5 authority of this section shall be transferable to any other person.

6 (d) Renewals of registration under this section shall be made  
 7 annually, upon payment of the fee prescribed in ~~subsection (a)~~ *K.S.A. 8-*  
 8 *143, and amendments thereto, and* in the manner prescribed in K.S.A. 8-  
 9 132(b), and amendments thereto. No renewal of registration shall be made  
 10 to any applicant until such applicant has filed with the director a form as  
 11 provided in subsection (b). If such form is not filed, the applicant shall be  
 12 required to comply with K.S.A. 8-143, and amendments thereto, and return  
 13 the distinctive license plates to the county treasurer of such person's  
 14 residence.

15 (e) The choose life license plate shall have a background design, an  
 16 emblem or colors that designate the license plate as a choose life license  
 17 plate.

18 (f) *On and after January 1, 2025, any applicant or renewal for a*  
 19 *choose life license plate authorized by this section shall make an annual*  
 20 *payment of a pregnancy compassion program fee of \$25 to the county*  
 21 *treasurer for each license plate to be issued. Annual pregnancy*  
 22 *compassion program fees collected by county treasurers pursuant to this*  
 23 *subsection shall be remitted to the state treasurer in accordance with the*  
 24 *provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of*  
 25 *such remittance, the state treasurer shall deposit the entire amount in the*  
 26 *state treasury to the credit of the pregnancy compassion program fund*  
 27 *established by section 3, and amendments thereto.*

28 Sec. 7. K.S.A. 8-1,160 and 8-1,183 are hereby repealed.

29 Sec. 8. This act shall take effect and be in force from and after its  
 30 publication in the statute book.