Kansas Administrative Regulations
Economic Impact Statement (EIS)

Commission on Peace Officer's Standards & Training | Mike Brown - 316-8329006 | _____
Agency | Agency Contact | Contact Phone Number

106-2-4 ☒ Permanent ☐ Temporary
K.A.R. Number(s)

Is/Are the proposed rule(s) and regulation(s) mandated by the federal government as a requirement for participating in or implementing a federally subsidized or assisted program?

☐ Yes If yes, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration and the Attorney General. Budget approval is not required; however, the Division of the Budget will require submission of a copy of the EIS at the end of the review process.

☒ No If no, do the total annual implementation and compliance costs for the proposed rule(s) and regulation(s), calculated from the effective date of the rule(s) and regulation(s), exceed $1.0 million or more in implementation and compliance costs that are reasonably expected to be incurred by or passed along to businesses, local governmental units and individuals as a result of the proposed rule and regulation over the initial five-year period following adoption of such rule(s) and regulation(s) (as calculated in Section III, F)?

☐ Yes If "Yes," then the agency shall not adopt the rule(s) and regulation(s) until the rule(s) and regulation(s) has been ratified by the Legislature with a bill, unless the proposed rule(s) and regulation(s) are: 1) mandated by the federal government as a requirement for participating in or implementing a federally subsidized or assisted program, as described in K.S.A. 77-416(b)(1)(B), and amendments thereto; 2) temporary rule(s) and regulation(s) adopted pursuant to K.S.A. 77-422, and amendments thereto; or 3) rules and regulations adopted pursuant to K.S.A. 2-3710 (Kansas Agricultural Remediation Board). Continue to fill out the remaining EIS form to be included with the regulation packet in the review process to the Department of Administration and the Attorney General. The submitted EIS will be independently analyzed by the Division of the Budget for approval.

☒ No If no, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration and the Attorney General. The submitted EIS will be analyzed by the Division of the Budget for approval.

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Section I

Analysis, brief description, and cost and benefit quantification of the proposed rule(s) and regulation(s). If the approach chosen by the Kansas agency to address the policy issue is different from that utilized by agencies of contiguous states or of the federal government, the economic impact statement shall include an explanation of why the Kansas agency's rule and regulation differs.

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This KAR used conjunctive language which required proof that the officer lacked or acted in a manner that was contrary to all five personal traits or qualities in order to be found in violation of Good Moral Conduct. These changes remove the conjunctive language so that any one incident or event that is contrary to any of the traits or qualities can be considered lacking or failing to maintain good moral conduct.

Section II

Explain whether the proposed rule and regulation is mandated by federal law as a requirement for participating in or implementing a federally subsidized or assisted program and whether the proposed rules and regulations exceed the requirements of applicable federal law.

The proposed modification to K.A.R. 106-2-4 is not mandated by federal law.

Section III

Agency analysis specifically addressing the following:

A. The extent to which the rule(s) and regulation(s) will enhance or restrict business activities and growth;

The modifications will have no appreciable effect on business or activities growth

B. The economic effect, including a detailed quantification of implementation and compliance costs, on the specific businesses, sectors, public utility ratepayers, individuals, and local governments that will be affected by the proposed rule(s) and regulation(s) and on the state economy as a whole;

K.A.R. 106-2-4 only applies to law enforcement officers. These modifications will have no appreciable economic impact on local government.

C. Businesses that would be directly affected by the proposed rule(s) and regulation(s);

No businesses would be directly affected by the proposed modifications.

D. Benefits of the proposed rule(s) and regulation(s) compared to the costs;

These modifications clarify the ability of CPOST to take administrative action for certain acts or omissions as they relate the certification of law enforcement officers and codify requirements of existing Statutes into the K.A.R.'s. There will be no appreciable cost associated with these modifications.

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E. Measures taken by the agency to minimize the cost and impact of the proposed rule(s) and regulation(s) on business and economic development within the State of Kansas, local government, and individuals;

K.A.R. 106-2-4 only applies to law enforcement officers. These modifications do not impose any additional cost requirements on local government.

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F. An estimate of the total annual implementation and compliance costs that are reasonably expected to be incurred by or passed along to businesses, local governments, or individuals. *Note: Do not account for any actual or estimated cost savings that may be realized. Implementation and compliance costs determined shall be those additional costs reasonably expected to be incurred and shall be separately identified for the affected businesses, local governmental units, and individuals.*

Costs to Affected Businesses – $0.00

Costs to Local Governmental Units – $0.00

Costs to Individuals – $0.00

Total Annual Costs – $0.00
(sum of above amounts)

Give a detailed statement of the data and methodology used in estimating the above cost estimate.

These modifications are administrative in nature and do not require any additional costs to any of the listed entities.

☐ Yes
☐ No
☒ Not Applicable

If the total implementation and compliance costs exceed $1.0 million or more in implementation and compliance costs over the initial five-year period following adoption of such rule(s) and regulation(s) that are reasonably expected to be incurred by or passed along to businesses, local governmental units and individuals as a result of the proposed rule and regulation, did the agency hold a public hearing to find that the estimated costs have been accurately determined and are necessary for achieving legislative intent? If applicable, document when the public hearing was held, those in attendance, and any pertinent information from the hearing.

If applicable, click here to enter public hearing information.

Provide an estimate to any changes in aggregate state revenues and expenditures for the implementation of the proposed rule(s) and regulation(s), for both the current fiscal year and next fiscal year.

There are no changes in aggregate state revenues and expenditures for the implementation of the proposed modifications for both the current fiscal year and next fiscal year.

Provide an estimate of any immediate or long-range economic impact of the proposed rule(s) and regulation(s) on any individual(s), small employers, and the general public. If no dollar estimate can be given for any individual(s), small employers, and the general public, give specific reasons why no estimate is possible.

K.A.R. 106-2-4 only applies to law enforcement agencies and officers, so there is no immediate or long-range economic impact on any individual(s), small employers, or the general public.

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G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.

These proposed modifications do not increase nor decrease revenues of cities, counties or school districts, nor impose functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability.

H. Describe how the agency consulted and solicited information from businesses, business associations, local governmental units, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s) or may provide relevant information.

The CPOST Commission is comprised of a representative cross-section of Kansas law enforcement agencies and law enforcement associations. These modifications were presented and approved by the Commission.

Section IV

Does the Economic Impact Statement involve any environmental rule(s) and regulation(s)?

☐ Yes If yes, complete the remainder of Section IV.

☒ No If no, skip the remainder of Section IV.

A. Describe the capital and annual costs of compliance with the proposed rule(s) and regulation(s), and the individuals or entities who would bear the costs.

Click here to enter agency response.

B. Describe the initial and annual costs of implementing and enforcing the proposed rule(s) and regulation(s), including the estimated amount of paperwork, and the state agencies, other governmental agencies, or other individuals who will bear the costs.

Click here to enter agency response.

C. Describe the costs that would likely accrue if the proposed rule(s) and regulation(s) are not adopted, the individuals or entities who will bear the costs and who will be affected by the failure to adopt the rule(s) and regulation(s).

Click here to enter agency response.

D. Provide a detailed statement of the data and methodology used in estimating the costs used.

Click here to enter agency response.

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Economic Impact Statement
Public Hearing Certification
(To be completed after the public hearing)

Agency: KSCPOST **Agency Contact:** Mike Brown – Executive Director

Phone Number or Email: 316-832-9006

K.A.R. Number(s): 106-2-4

Public Hearing Date: *Select date*

Public Hearing Time: *Click here to start typing*

Public Hearing Location: 1900 Tigua, Ste B, Kechi, KS 67067

Public Hearing Attendance: *Click here to start typing*

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