

IDENTIFYING THE RULE AND REGULATION							NECESSITY		POTENTIAL FOR REVOCATION			TIES TO FEDERAL PROGRAMS					ADDITIONAL INFORMATION
Number	Article Title	Rule and Regulation Title	Type (new, amended)	Effective Date (history)	Authorizing KSA(s)	Implementing KSA(s)	Is the rule and regulation necessary for the implementation and administration of state law?	Does the rule and regulation serve an identifiable public purpose in support of state law?	Briefly describe how revocation would affect Kansans.	Is the rule and regulation being revoked?	If the rule and regulation is not in active use, would revocation require a change to the authorizing or implementing statute?	Is the rule and regulation federally required for state participation in a federal program or authority?	Is the rule and regulation necessary for federal enforcement authority to the State?	If the rule and regulation is federally required, the state and federal program names and the federal agency name	Could federal moneys be in jeopardy under current law if the rule and regulation were repealed?	If federal moneys could be in jeopardy, the approximate amount received for the most recent fiscal year	Additional information necessary to understanding the necessity of this rule and regulation
							yes/no	yes/no	limited # of characters	yes/no	in active use/ yes/ no	yes/no	yes/no		yes/no		limited # of characters
3-1-1	Article 1.- Disposition of Unclaimed Property	Time limits	Effective	May 1, 1980	1979 Supp. 58-3927; 1994 Supp. 58-3971	1994 Supp. 58-3934 et seq., as amended	Yes	Yes	Revocation would create uncertainty in calculating various timelines under the Disposition of Unclaimed Property Act, increasing the cost of administering and complying with the State of Kansas's unclaimed property laws.	No	In active use	No	No		No		This regulation was originally promulgated under the prior Disposition of Unclaimed Property Act, which was repealed and replaced by L. 1994, ch. 8, § 1, et seq., and subsequent amendments. The regulation remains necessary to implement the state's current unclaimed property laws. However, the State Treasurer's Office intends to issue an amended regulation to update the reference to the authorizing statute (now K.S.A. 58-3971).
3-1-2	Article 1.- Disposition of Unclaimed Property	Definitions	Effective	May 1, 1980	1979 Supp. 58-3927; 1994 Supp. 58-3971	1994 Supp. 58-3934 et seq., as amended	Yes	Yes	Revoking these definitions would create uncertainty in interpreting and administering various provisions of the Unclaimed Property Act, increasing the cost of administering and complying with the State of Kansas's unclaimed property laws.	No	In active use	No	No		No		This regulation was originally promulgated under the prior Disposition of Unclaimed Property Act, which was repealed and replaced by L. 1994, ch. 8, § 1, et seq., and subsequent amendments. The regulation remains necessary to implement the state's current unclaimed property laws. However, the State Treasurer's Office intends to issue an amended regulation to update the reference to the authorizing statute (now K.S.A. 58-3971).
3-1-3	Article 1.- Disposition of Unclaimed Property	Charges by holder	Effective	May 1, 1980	1979 Supp. 58-3927; 1994 Supp. 58-3971	1994 Supp. 58-3950, as amended [INTERNAL NOTE: references to "K.S.A. 1979 Supp. 58-3912" should be to successor statute, K.S.A. 59-3950]	Yes	Yes	Revocation would remove requirements for holders to report certain information regarding: (1) charges deducted from reported unclaimed property, and (2) discontinuance (if applicable) of payment of interest or dividends on property prior to reporting. This would impair the Treasurer's ability to enforce reporting requirements.	No	In active use	No	No		No		This regulation was originally promulgated under the prior Disposition of Unclaimed Property Act, which was repealed and replaced by L. 1994, ch. 8, § 1, et seq., and subsequent amendments. The regulation originally implemented (and refers to) K.S.A. 1979 Supp. 58-3912, which corresponds to the current K.S.A. 58-3950. The regulation remains necessary to implement the state's current unclaimed property laws. However, the State Treasurer's Office intends to issue an amended regulation to update the reference to the current version of the statute being implemented, and to update the reference to the authorizing statute (now K.S.A. 58-3971).
3-1-4	Article 1.- Disposition of Unclaimed Property	Action by holder	Effective	May 1, 1980	1979 Supp. 58-3927; 1994 Supp. 58-3971	1994 Supp. 58-3936, as amended	Yes	Yes	Revocation would create uncertainty regarding the circumstances under which the act of a holder would delay or terminate the presumption of abandonment, increasing the cost of administering and complying with the State of Kansas's unclaimed property laws and potentially resulting in fewer properties being remitted to the custody of the State Treasurer.	No	In active use	No	No		No		This regulation was originally promulgated under the prior Disposition of Unclaimed Property Act, which was repealed and replaced by L. 1994, ch. 8, § 1, et seq., and subsequent amendments. The regulation remains necessary to implement the state's current unclaimed property laws. However, the State Treasurer's Office intends to issue an amended regulation to update the reference to the authorizing statute (now K.S.A. 58-3971).

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3-2-1	Article 2.-	Kansas Postsecondary Education Savings Program	No guarantee of principal or earnings; required statement	Effective	June 30, 2000	1999 Supp. 75-644 and 75-647	1999 Supp. 75-647	Yes	Yes	Revocation would remove express requirements to provide certain financial disclosures related to the Kansas Postsecondary Education Savings Program, increasing risk of inadvertent non-disclosure and uncertainty among program participants.	No	In active use	No	No		No		
3-2-2	Article 2.-	Kansas Postsecondary Education Savings Program	Excess contributions	Amended	Dec. 6, 2002	2001 Supp. 75-644 and 75-646, as amended by L. 2002, Ch. 104, Sec. 2	2001 Supp. 75-646, as amended by L. 2002, Ch. 104, Sec. 2	Yes	Yes	This regulation establishes safeguards to prevent excess contributions, as required of qualified tuition programs by 26 U.S.C. § 529. Revocation would imperil the Kansas Postsecondary Education Savings Program's status as a qualified tuition program under federal law, resulting in a higher federal tax burden to investors in the Kansas program.	No	In active use	Yes	No	K.S.A. 75-642 et seq. (Kansas Postsecondary Education Savings Program); 26 USC § 529 (qualified tuition programs), U.S. Department of the Treasury	Yes	Unknown	To clarify with respect to columns Q and R: revocation of this regulation would not jeopardize federal funds accruing to the State of Kansas. However, this program's status as a "qualified tuition program" under 26 U.S.C. § 529 results in federal tax benefits accruing to Kansas taxpayers. The agency is unable to estimate the amount of such tax benefits received by Kansas taxpayers. Among the § 529 qualifications are that the Kansas program must provide safeguards to prevent contributions in excess of specified limits; this regulation establishes these safeguards, thus ensuring qualification under the federal program. This regulation also satisfies the express requirements of K.S.A. 75-646(j) that the agency implement rules and regulations regarding excess contributions.
3-2-3	Article 2.-	Kansas Postsecondary Education Savings Program	Withdrawals	Amended	Dec. 6, 2002	2001 Supp. 75-644 and 75-646, as amended by L. 2002, Ch. 104, Sec. 2	2001 Supp. 75-646, as amended by L. 2002, Ch. 104, Sec. 2	Yes	Yes	Revocation would extend the notice required to withdraw all or part of the balance of a Kansas Postsecondary Education Savings account to 60 days (the default period under K.S.A. 75-646(f)(2)) and create uncertainty regarding withdrawal procedures; thus increasing the cost of administering and participating in the Kansas Postsecondary Education Savings Program, inconveniencing account owners, and making the Kansas program relatively unattractive compared to other states' 529 programs.	No	In active use	No	No		No		

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3-3-2	Article 3.- Linked Deposit Loan Programs	Kansas housing loans	Amended	Jan. 21, 2011	2009 Supp. 75-4278	2009 Supp. 75-4277(e), as amended by L. 2010, ch. 113, sec. 1(e), and K.S.A. 2009 Supp. 75-4279(g), as amended by L. 2010, ch. 113, sec. 2(g)	Yes	Yes	Revocation would preclude the issuance of loans for houses under the Kansas Housing Loan Deposit Program, as the appraised value requirements set forth herein are required to be promulgated by regulation pursuant to K.S.A. 75-4277(e), and the appraised values are integral to determining borrower qualifications under the statute.	No	In active use	No	No		No		This regulation is statutorily required pursuant to K.S.A. 75-4277(e), and remains necessary to implementing the Kansas Housing Loan Deposit Program. In light of current federal regulations and published "safe harbor" values in connection with 26 U.S.C. § 143(e), and in accordance with statutory authority under K.S.A. 75-4277(e) and K.S.A. 75-4278, the State Treasurer's Office intends to issue an amended regulation updating appraised value requirements based on the current safe harbor values. We anticipate that the amended regulation will significantly increase the appraised value caps, with the effect of expanding eligibility for the Kansas Housing Loan Deposit Program.
3-4-1	Article 4.-Low-Income Family Postsecondary Savings Accounts Incentive Program	Definitions	Amended	Jan. 1, 2010	2008 Supp. 75-650, as amended by L. 2009, ch. 113, sec. 1	2008 Supp. 75-650, as amended by L. 2009, ch. 113, sec. 1	Yes	Yes	Revoking these definitions would create uncertainty in interpreting and administering various provisions of K.S.A. 75-650 et seq. (regarding the Low-Income Family Postsecondary Savings Accounts Incentive Program), increasing the cost of administering the Program.	No	In active use	No	No		No		
3-4-2	Article 4.-Low-Income Family Postsecondary Savings Accounts Incentive Program	Eligibility requirements	Amended	Jan. 1, 2010	2008 Supp. 75-650, as amended by 2009 SB 225, sec. 1	2008 Supp. 75-650, as amended by 2009 SB 225, sec. 1	Yes	Yes	Revocation would create uncertainty regarding eligibility for participation in the Low-Income Family Postsecondary Savings Account Incentive Program.	No	In active use	No	No		No		



