

HOUSE BILL No. 2183

AN ACT concerning state agencies; relating to interpretation of statutes, rules and regulations and documents with the force and effect of law; prohibiting deference to the agency's interpretation by a state court or an administrative hearing officer hearing an administrative action.

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

Section 1. (a) In interpreting a state statute, rule and regulation or document that has the force and effect of law, a state court or an administrative hearing officer hearing an administrative action may consider but shall not defer to a state agency's interpretation of such statute, rule and regulation or document and shall interpret the meaning and effect of such statute, rule and regulation or document *de novo*.

(b) In an action brought by or against a state agency, after applying all customary tools of interpretation and rules of statutory construction pursuant to law, a state court or an administrative hearing officer hearing an administrative action shall exercise any remaining doubt in a way that is consistent with an individual's fundamental constitutional rights.

(c) As used in this section, "rule and regulation" and "state agency" mean the same as defined in K.S.A. 77-602, and amendments thereto.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.

I hereby certify that the above BILL originated in the  
HOUSE, and was adopted by that body

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HOUSE adopted  
Conference Committee Report\_\_\_\_\_

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*Speaker of the House.*

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*Chief Clerk of the House.*

Passed the SENATE  
as amended \_\_\_\_\_

SENATE adopted  
Conference Committee Report\_\_\_\_\_

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*President of the Senate.*

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*Secretary of the Senate.*

APPROVED \_\_\_\_\_

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*Governor.*