

Appeal Process pursuant to K.S.A. 12-5363

The 911 Coordinating Council's Operations Committee reviews PSAP annual reports to ensure that 911 monies are spent in accordance with Kansas law. The specific requirements for spending 911 fees are set out in KSA 12-5375. The Operations Committee requests the PSAP return the 911 monies to the PSAP's 911 fund in cases where the expenditure appears to fall outside of the statutory requirements. If the two parties cannot reach reconciliation, the 911 Council turns to the formal process outlined in statute.

KSA 12-5375(b) requires the 911 Council to issue an order requesting return of the 911 fees to the state grant fund, plus a 10% penalty, when it determines that the fees were used for a purpose other than those authorized under the statute. Once an order is issued by the Council, the PSAP has two courses of action: 1. Pay the 911 fees spent inappropriately plus the 10% penalty, which monies goes to the state grant fund or 2. Give notice within 15 days that it is appealing the decision of the Council through the Kansas Administrative Procedures Act. The appeals process will allow a PSAP to appear before the 911 Council and present its arguments and request a different outcome. If the PSAP does not agree with the decision of the Council, it may seek a remedy in court under the Kansas Judicial Review Act.

The following flow diagram depicts the process.

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