RULES OF THE JOINT COMMITTEE ON SPECIAL CLAIMS AGAINST THE STATE

(Adopted August 12, 2025)

RULE 1 All claims, other than motor-fuel tax refunds, shall be submitted on forms provided by the Committee.

RULE 2 The Committee may determine that before a claim will be considered on its merits a claimant should first exhaust any administrative or judicial remedies that may be available to claimant. Upon such determination, the Committee shall deny the claim without prejudice to it being refiled.

RULE 3

(a) A claim which has been considered on its merits and denied by the Committee shall not be reconsidered unless the Committee determines by the affirmative vote of four members that sufficient new evidence has been presented to warrant reconsideration.

(b) A claim previously denied without prejudice and refiled shall be considered as a new claim.

(c) A claim which has been considered on its merits and recommended favorably by the Committee but rejected by the Legislature shall not be reconsidered or accepted as a new claim unless the Committee agrees to a reconsideration or the submission of a new claim by the affirmative vote of four members.

(d) Any person shall be allowed to utilize one camera and one recording device in a manner which is not disruptive of the orderly conduct of the proceedings of the Committee to provide an account of such proceedings.

RULE 4 A claim by a provider against a state agency for social, medical or other services provided to one or more persons shall be considered by the Committee only after all administrative and judicial procedures for review and appeal have been complied with and exhausted, including but not limited to those under KSA 60-2101 and 75-3306, and amendments to those statutes.

RULE 5

(a) A claim for loss or damage to personal property of an inmate of a correctional institution in an amount of **$750** or less shall be considered by the Committee only after it has been considered and denied or otherwise not fully approved by the Secretary of Corrections as provided by law. **For claims over $750, an inmate shall provide notice to the Secretary of the time, date and place for the claim but failure to provide such notice shall not prevent the Joint Committee from considering such claim**.

(b) Any award for personal injuries to an inmate of a correctional institution shall be determined in accordance with the provisions of the Workers' Compensation Act. The amount awarded to an inmate of a correctional institution may be based on the statutory amount provided for a person injured while performing community service work, but shall not include compensation for time lost from work.

(c) As used in this rule, "correctional institution" means any correctional institution and any honor camp, work release center or similar facility under the jurisdiction of the Secretary of Corrections.

RULE 6

(a) No claim for tax refund for any tax paid to the State of Kansas shall be considered by the Committee if a claim is not filed within three years from the date of payment of the tax.

(b) No claim received on or after October 1,1990, shall be considered for the refund of retailers'

sales taxes paid in conjunction with the constructing, reconstructing, enlarging, remodeling of a business facility or with the purchase and installation of machinery and equipment to be located there at which, if an exemption certificate therefor would have been timely obtained, would have been exempt from payment of such taxes pursuant to subsection (ee) of KSA 79-3606, and amendments thereto.

RULE 7

(a) No claim for the payment of a motor fuel gas tax refund shall be considered if the amount of the tax refund sought does not exceed $15. In making an award on a motor fuel gas tax refund claim, a fee of $15, or 10% of the amount of the tax refund, whichever amount is greater shall be deducted from the amount claimed to cover the cost to the state of processing the claim.

(b) Except as otherwise provided in Rule 6 (b), in making an award for the refund of retailers' sales taxes paid in conjunction with a tax exempt project, a fee of 10% of the amount approved shall be deducted from the amount approved to cover the cost to the state of processing the claim.

RULE 8 Each claimant requesting a hearing in person and the claimant's attorney, if any, shall be notified of the time, place and date of the hearing by certified mail sent to the addresses shown upon the claim form. If the Committee determines that a hearing in person is required, the claimant and the claimant's attorney shall be notified in the same manner. Each state agency directly involved in a claim shall be notified and requested to appear at each such hearing on the claim.

RULE 9 In the event a claim is denied, the claimant and the claimant's attorney, if any, shall be so advised and no reason for the denial need be given.

RULE 10 Any bill authorizing an appropriation for payment of claims against the state shall contain a section which provides that a written release and satisfaction of all claims and rights against the State of Kansas and all officers and employees of the State of Kansas regarding each claim allowed by such bill, other than motor vehicle fuel tax refunds, shall be secured prior to payment of such claim.

RULE 11 No payment shall be made on any claim by a person who is an insurer and who is making the claim as a subrogee for all or part of any amount paid to such person's insured.

RULE 12 The Committee may determine that claims which involve identical issues of fact and law may be consolidated. Upon such determination, such consolidated claims shall constitute one claim for hearing purposes.