



KANSAS LEGISLATIVE INSIGHTS NEWSLETTER | FEBRUARY 17, 2025

NEARING LEGISLATIVE "HALFTIME": KANSAS WINTER STRIKES, PROPOSED CHANGES TO CORPORATE LLC LAW, TENURE BILL BRINGS HEATED DEBATE

As the Kansas Legislature approaches turnaround, committee activities wrapped up last week, setting the stage for key debates as legislation moves to the House and Senate floors. However, legislative proceedings faced an unexpected pause on Wednesday, Feb. 12, when a winter storm brought three to four inches of snow to Topeka, prompting the closure of the legislature and state offices for the day. With schedules adjusted to accommodate the lost time, lawmakers are now set to tackle major policy decisions — including budget debates and other legislative battles — in the coming days. As discussions intensify, pivotal votes will shape the state's direction ahead of the mid-session deadline.

FIREWORKS IN HOUSE JUDICIARY

The House Judiciary Committee convened a series of hearings last week addressing key legislative issues. One hearing focused on amendments to corporate limited liability company (LLC) law (discussed below), a topic that, while technical, has significant implications. Another hearing examined a more contentious issue: tenure at public universities, which is recognized as a property right in Kansas. The intersection of these issues underscores the political factors shaping legislative decision-making this session.

SERIES LLCs

The committee held a hearing on HB 2371, which seeks to modernize the Kansas Revised Limited Liability Company Act (KRLCA) in several respects, including by refining regulations on electronic documentation, signatures, and business transactions, including mergers, consolidations, and divisions. The bill was developed by the Kansas Bar Association's Business Entity Law Study Committee, which includes legal practitioners, academics, and representatives from the Kansas Secretary of State's office. The legislation reflects updates drawn from Delaware business laws, Kansas case law, and input from local businesses and attorneys. Bill Matthews, a partner at Foulston Siefkin LLP, played a key role as a member of the study committee and in providing testimony in support of the original bill.

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The Kansas Chamber, on behalf of one of its members, proposed a modification to the bill that diverges from the Delaware model in its treatment of Series LLCs. Unlike Delaware, the amendments would allow Series LLCs to consolidate operations for tax and regulatory purposes while maintaining separate liability protections. Additionally, the amendment potentially expands governance authority under operating agreements, by enabling Series LLCs to impose fiduciary duties and other restrictions on members, without reference to existing provisions of the KRLCA dealing with those issues.

Competing perspectives between the Kansas Bar Association and the Kansas Chamber came to a head late Friday afternoon when the House Judiciary Committee adopted the amendments proposed by the Kansas Chamber (a modified version of HB 2371) — a notable departure from the Delaware framework — notwithstanding opposition from the Kansas Bar Association’s Study Committee.

TENURE AT UNIVERSITIES

Separately, the House Judiciary Committee held a hearing on HB 2348, which would redefine tenure at public universities, stripping tenure of its status as a property right. Supporters argued that tenure limits financial flexibility and creates excessive long-term liabilities. Opponents warn that weakening tenure would harm higher education, drive away top scholars, and negatively affect the state’s economy.

The bill’s chief advocate, Steven Lovett, general counsel and faculty member at Emporia State University, proposed the legislation as a private citizen, not on behalf of the university. He contends that tenure, in its current form, places an unsustainable financial burden on the state. According to Lovett, the First Amendment guarantees academic freedom, making lifetime job security unnecessary.

Opponents, including university leaders, faculty organizations, and students, strongly oppose the bill, citing potential consequences. The Kansas Board of Regents (KBOR) warns that weakening tenure protections would make Kansas less competitive, as faculty members would seek positions in states with stronger safeguards. Education advocates argue that tenure is critical for academic integrity, shielding professors from political and ideological pressures. Student leaders express concern that reducing tenure protections would make Kansas universities less attractive to top talent, diminishing the quality of instruction and research opportunities.

At its core, HB 2348 raises a fundamental question: Is tenure an economic liability or an essential safeguard for higher education? With strong opposition from university leaders and faculty, the bill faces an uphill battle. However, the debate over faculty job security in Kansas is far from over.

CALENDAR OF ACTIVITY FEBRUARY 17-20

The Kansas Legislature will hit day 39 of a 90-day session on Thursday, Feb. 20, known as Turnaround Day.

Monday, Feb. 17

The final day for all non-exempt House and Senate committees to pass bills out of committee and move to the opposite chamber.

Committee Activity

- House Federal and State Affairs Committee
 - Hearing on HB 2028: Requiring the Kansas Department of Wildlife and Parks to offer discounted resident senior combination hunting and fishing passes to Kansas residents age 65 or older and removing the expiration date for Kansas kids’ lifetime combination hunting and fishing licenses.
 - Hearing on HB 2279: Exempting the Kansas Department of Wildlife and Parks from proposed rule and regulation restrictions on implementation and compliance costs.

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- Hearing on HB 2378: Establishing the Removal of Squatters Act, providing a procedure to remove a squatter from a dwelling unit, requiring owners or agents of dwelling units to provide an affidavit to the county sheriff, requiring notice to vacate by the sheriff, establishing the crime of providing a false affidavit and establishing a civil cause of action for wrongful removal of a person from a dwelling unit, allowing attorney fees and punitive damages.
- Hearing on HB 2372: Designating the existing Fallen Firefighters Memorial within the Kansas Firefighters Museum in Wichita as the official Fallen Firefighters Memorial of the state of Kansas and replacing the Kansas Firefighters Memorial Advisory Committee with the Kansas Firefighter Memorial Council.
- House Financial Institutions and Pensions
 - Hearing on HB 2337: Imposing a fee on each international transaction by a money transmitter by wire, allowing the state bank commissioner to assess penalties for the nonpayment of such fee, providing for the distribution of such fee and penalty moneys, establishing the Criminal Litigation Fund, Wire Transfer Fee Fund, and Prosecutor and Law Enforcement Grant Fund, and creating a misdemeanor crime of unlawful transmission of a wire transfer and providing criminal penalties therefore.
- House Legislative Modernization Committee
 - Presentation on: Kansas judiciary update.
- House Education Committee
 - Discussion and action on HB 2299: Prohibiting discriminatory practices on the basis of religion at public educational institutions and authorizing the attorney general to investigate violations and assess civil penalties under the Kansas Act Against Discrimination.
- House Health and Human Services Committee
 - Hearing on HB 2365: Establishing the South Central Regional Mental Health Hospital.
- House Agriculture and Natural Resources Committee
 - Annual visit from the Kansas Future Farmers of America officers.
- Senate Agriculture Committee
 - Final action on SB 80: Eliminating the authority of the secretary of Kansas Department of Wildlife and Parks to issue nonresident landowner deer permits.
 - Final action on SB 184: Amending the Kansas Dry Cleaner Environmental Response Act to modify the penalties for violations of the act, the required deductible rate for corrective actions, the environmental surcharge rate, the solvent fee, and the delinquency penalty related to environmental surcharges and solvent fees.
- Senate Financial Institutions and Insurance Committee
 - Final action on SB 139: Updating certain definitions, terms, and conditions relating to the state banking code.
- Senate Federal and State Affairs Committee
 - Hearing and possible final action on SB 260: Amending the Kansas Parimutuel Racing Act regarding qualifications for an organization license, the definition of horsemen's associations and horsemen's nonprofit organizations and the distribution of certain tax revenues.
- Senate Commerce Committee
 - Possible final action on SB 197: Extending the sunset date of the STAR Bonds Financing Act to July 1, 2030.

Thursday, Feb. 20

The Legislature will adjourn until Tuesday, Feb. 25.

BILL INTRODUCTIONS

SENATE BILLS

Campaign Finance & Elections

SB 258: Elections/Crime of False Representation. This bill, sponsored by the Committee on Federal and State Affairs chaired by Sen. Mike Thompson (R-Shawnee), would require specific intent of the offender as an element of the criminal offense of false representation of an election official. This bill has been referred to the Committee on Federal and State Affairs.

Gambling

SB 260: Parimutuel Wagering. This bill, sponsored by the Committee on Ways and Means chaired by Sen. Rick Billinger (R-Goodland), would modify the qualifications for an organization license; would redefine horsemen's associations and horsemen's nonprofit organizations; and would change the distribution of certain tax revenues. This bill has been referred to the Committee on Federal and State Affairs and will be heard Monday, Feb. 17 at 10:30 a.m.

Immigration

SB 254: Immigration/State and Local Public Benefits. This bill, sponsored by the Committee on Federal and State Affairs chaired by Sen. Mike Thompson (R-Shawnee), would prohibit aliens who are unlawfully present in the United States from receiving any state or local public benefit in accordance with applicable federal law; would require individuals 18 years of age and older who apply for any state or local public benefit to provide proof of being lawfully present; would prohibit the state or any county or local agency from providing any public benefit to any alien without first verifying that the alien is lawfully present by use of the existing systematic alien verification for entitlements program; would require state and local agencies administering public benefits to cooperate with the United States Department of Homeland Security in achieving verification of an alien's lawful presence; would require as it relates to release prior to a criminal trial any person charged with a crime who is not a citizen or national of the United States to undergo verification of such person's immigration status; and would create a rebuttable presumption that a person determined to be an alien who is unlawfully present is at risk of flight. This bill has been referred to the Committee on Federal and State Affairs and is parallel to HB 2373.

Labor and Employment

SB 256: State Employees/Back to Work Act. This bill, sponsored by the Committee on Ways and Means chaired by Sen. Rick Billinger (R-Goodland), would enact the Back to Work Act, which would require all full-time employees to perform such employees' duties in the assigned office, facility, or field location of such employees; would provide for certain exceptions for agency heads, and would require certain reports regarding such exceptions. This bill has been referred to the Committee on Government Efficiency chaired by Sen. Renee Erickson (R-Wichita).

Local Government

SB 262: Eminent Domain. This bill, sponsored by the Committee on Federal and State Affairs chaired by Sen. Mike Thompson (R-Shawnee), would eliminate the power of the legislature to take private property for economic development; would narrow the definition of public use; would require a good-faith offer of compensation to a property owner prior to filing an eminent domain action; and would provide that if the good-faith offer is greater than the appraiser's award, the greater amount may be subject to appeal only by the property owner. This bill has been

referred to the Committee on the Judiciary chaired by Sen. Kellie Warren (R-Leawood).

Public Health & Welfare

SB 257: Health Insurance Coverage. This bill, sponsored by the Committee on Ways and Means chaired by Sen. Rick Billinger (R-Goodland), would expand medical assistance eligibility; would enact the Healthcare Access for Working Kansans (HAWK) Act; would direct the Department of Health and Environment to study certain Medicaid expansion topics; and would add meeting days to the Robert G. (Bob) Bethell Joint Committee on Home and Community Based Services and KanCare oversight to monitor implementation of expanded medical assistance eligibility. This bill has been referred to the Committee on Public Health and Welfare chaired by Sen. Beverly Gossage (R-Eudora) and is parallel to HB 2375.

Public Utilities

SB 266: Energy/Electric Transmission Development. This bill, requested by Sen. Caryn Tyson (R-Parker) and sponsored by the Committee on Utilities chaired by Sen. Michael Fagg (R-El Dorado), would require legislative approval prior to the construction of high-impact electric transmission lines.

Taxation

SB 259: Income Tax. This bill, sponsored by the Committee on Assessment and Taxation chaired by Sen. Caryn Tyson (R-Parker), would provide that future tax rate decreases be contingent on exceeding revenue estimates.

SB 268: Income Taxation/Adjusted Gross Income. This bill, requested by the Department of Revenue and sponsored by the Committee on Assessment and Taxation chaired by Sen. Caryn Tyson (R-Parker), would clarify modifications for certain business interest expenses and federal net operating loss carrybacks; and would provide a technical change to a statutory cross-reference for recaptured moneys related to adoption savings accounts. This bill has been referred to the Committee on Assessment and Taxation.

SB 269: Taxation/Board of Tax Appeals. This bill, sponsored by the Committee on Assessment and Taxation chaired by Sen. Caryn Tyson (R-Parker), would prohibit a filing fee when a previous appeal remains pending before the Board of Tax Appeals. This bill has been referred to the Committee on Assessment and Taxation.

Senate Concurrent Resolutions

SCR 1611: Kansas Constitutional Amendment/Supreme Court Elections. This concurrent resolution, sponsored by the Committee on Federal and State Affairs chaired by Sen. Mike Thompson (R-Shawnee), would propose an amendment to Sections 5, 8, and 15 of Article 3 of the Kansas Constitution; would provide for direct election of justices; would abolish the Supreme Court Nominating Commission; and would permit justices to make contributions to and hold office in a political party or organization and take part in political campaigns. This concurrent resolution has been referred to the Committee on Federal and State Affairs.

SCR 1612: Kansas Constitutional Amendment/Public Debt and Pledges. This concurrent resolution, sponsored by the Committee on Assessment and Taxation chaired by Sen. Caryn Tyson (R-Parker), would propose an amendment to Article 11 of the Kansas Constitution by adding a new section concerning the power of the legislature to contract public debt and pledges to the payment thereof the full faith, credit, and taxing power of the state. This concurrent resolution has been referred to the Committee on Ways and Means chaired by Sen. Rick Billinger (R-Goodland).

HOUSE BILLS

Agriculture

HB 2345: Natural Resources/Water. This bill, sponsored by the Committee on Water chaired by Rep. Jim Minnix (R-Scott City), would create the Kansas Office of Natural Resources within the executive branch of government; would establish the Division of Water Resources, Division of Conservation, and Division of Water Policy and planning therein; would transfer certain powers, duties and functions; and would abolish the Kansas Water Office, the Kansas Department of Agriculture, Division of Conservation, and the Kansas Department of Agriculture, Division of Water Resources. This bill has been referred to the Committee on Water.

Banking/Financial Institutions & Pensions.

HB 2337: Money Transmission. This bill, requested by the Kansas Bureau of Investigation and sponsored by the Committee on Financial Institutions and Pensions chaired by Rep. Hick Hoheisel (R-Wichita), would impose a fee on each international transaction by a money transmitter by wire; would establish an income tax credit for fees paid; would allow the bank commissioner to assess penalties for the nonpayment of such fees; would provide for the distribution of such fee and penalty moneys; would establish the Criminal Litigation Fund, Wire Transfer Fee Fund, and Prosecutor and Law Enforcement Grant Fund; and would create a misdemeanor crime of unlawful transmission of a wire transfer and provide for criminal penalties therefore. This bill has been referred to the Committee on Financial Institutions and Pensions and will be heard Monday, Feb. 17 at 9:00 a.m.

Education

HB 2348: Higher Education/Tenure. This bill, sponsored by the Committee on Judiciary chaired by Rep. Susan Humphries (R-Wichita), would provide that tenure at postsecondary educational institutions shall not be defined, awarded, or recognized as an entitlement, right, or property interest in a faculty member's current, ongoing, or future employment by an institution. This bill has been referred to the Committee on Judiciary and will be heard on Tuesday, Feb. 11 at 3:30 p.m.

HB 2361: Education/Scholarship Programs. This bill, sponsored by the Committee on Health and Human Services chaired by Rep. Will Carpenter (R-El Dorado), would create the Kansas Healthcare Service Scholarship Program; would add part-time students to the list of eligible participants; would add allied health programs and health science programs to the list of eligible programs; would transfer funds from the state general fund to the Kansas Healthcare Service Scholarship Program; and would abolish the nursing scholarship program. This bill has been referred to the Committee on Health and Human Services.

Immigration

HB 2373: State and Local Public Benefits. This bill, sponsored by the Committee on Federal and State Affairs chaired by Rep. Tom Kessler (R-Wichita), would prohibit aliens who are unlawfully present in the United States from receiving any state or local public benefit in accordance with applicable federal law; would require individuals 18 years of age and older who apply for any state or local public benefit to provide proof of being lawfully present; would prohibit the state or any county or local agency from providing any public benefit to any alien without first verifying that the alien is lawfully present by use of the existing systematic Alien Verification for Entitlements Program; would require state and local agencies administering public benefits to cooperate with the United States Department of Homeland Security in achieving verification of an alien's lawful presence; would require as it relates to release prior to a criminal trial any person charged with a crime who is not a citizen or national of the United States to undergo verification of such person's immigration status; and would create a rebuttable presumption that a person determined to be an alien who is unlawfully present is at risk of flight. This bill is parallel to SB 254. This

bill has been referred to the Committee on Federal and State Affairs and will be heard Monday, Feb. 17 at 9:00 a.m.

Judiciary

HB 2322: Law Enforcement/Motorcyclists. This bill, requested by the National Coalition of Motorcyclists and sponsored by the Committee on Judiciary chaired by Rep. Susan Humphries (R-Wichita), would prohibit motorcycle profiling and require law enforcement agencies to adopt a policy relating to motorcycle profiling; and would require the course of law enforcement training adopted by the director of police training to include training on motorcycle profiling. This bill has been referred to the Committee on Judiciary.

HB 2323: Fraudulent Insurance Acts. This bill, requested by the Kansas Insurance Department and sponsored by the Committee on Judiciary chaired by Rep. Susan Humphries (R-Wichita), would establish procedures for a civil action instituted by the Commissioner of Insurance and authorizing civil penalties, restitution and other relief; would provide that expunged criminal records will be disclosed in any application for licensure as an insurance producer or public adjuster if the arrest, conviction, or diversion is for a fraudulent insurance act; and would include automobile assigned claims plans in provisions related to fraudulent insurance acts. This bill has been referred to the Committee on Judiciary and will be heard on Wednesday, Feb. 12 and 13 at 3:30 p.m.

HB 2354: Crimes Punishment/Unlawful Possession of Controlled Substances. This bill, sponsored by the Committee on Judiciary chaired by Rep. Susan Humphries (R-Wichita), would provide an exception for residents of Kansas who possess marijuana and are disabled veterans with a valid medical marijuana card issued by any state. This bill has been referred to the Committee on Judiciary.

HB 2355: Limited Liability Companies/Series Limited Liability Companies. This bill, requested by the Kansas Chamber of Commerce and sponsored by the Committee on Judiciary chaired by Rep. Susan Humphries (R-Wichita), would authorize a limited liability company and any of its series to elect to consolidate its operations as a single taxpayer and elect to be treated as a single business for certain purposes; would permit operating agreements to impose restrictions, duties and obligations on members; and would specify that wrongful transfer of property with intent to hinder, delay, or defraud creditors or to defraud shall be deemed void. This bill has been referred to the Committee on Judiciary.

HB 2357: Housing/Court Records in Evictions. This bill, requested by Rep. Cyndi Howerton (R-Wichita) and others and sponsored by the Committee on Judiciary chaired by Rep. Susan Humphries (R-Wichita), would provide that court records in eviction actions where the underlying rental agreement is governed by the Residential Landlord and Tenant Act shall be sealed for certain periods; would require expungement of certain court records of such eviction actions; would provide that certain violations of this act constitute unconscionable acts or practices under the provisions of the Kansas Consumer Protection Act; would require mediation in eviction actions where the underlying rental agreement is governed by the Residential Landlord and Tenant Act unless the court finds that mediation would not aid the parties materially. This bill has been referred to the Committee on Judiciary and will be heard Monday, Feb. 10 at 3:30 p.m.

HB 2371: Business Entities/Revised Limited Liability Company Act. This bill, requested by the Kansas Bar Association and sponsored by the Committee on Judiciary, would provide for document form, signature, and delivery options; specifying that a subscription for a limited liability company interest is irrevocable under certain circumstances; would modify requirements related to domestic limited liability company division, certificates of division and certificates of amendment of certificate of division and certificates of merger or consolidation of series; would under the Business Entity Transactions Act modify requirements related to certificates of merger, certificates of interest exchange, certificates of conversion and certificates of domestication; would under the Business Entity

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Standard Treatment Act include certificates of amendment to certificate of designation and certificates of merger or consolidation of series as documents related to limited liability companies to be filed with the secretary of state; and would specify circumstances under which changes related to a resident agent shall be deemed a change of name of the person or entity acting as a resident agent. This bill has been referred to the Committee on Judiciary and will be heard Tuesday, Feb. 11 at 3:30 p.m.

Labor & Employment/Economic Development

HB 2341: Contractor's Liens and other Liens/Bonds Posted by Property Owners. This bill, requested by Rep. Kristey Williams (R-August) and sponsored by the Committee on Commerce, Labor and Economic Development chaired by Rep. Sean Tarwater (R-Stillwell), would require that sureties for such bonds be licensed to do business in Kansas; would provide that district courts award attorney fees and costs to successful claimants that demanded payment of the principal and surety prior to filing suit and did not receive payment; and would require a pretrial hearing for the purpose of a preliminary finding by the court of whether the surety should pay the amount of the claim to the claimant or alternatively pay such amount into an account to be held by the court. This bill has been referred to the Committee on Insurance chaired by Rep. William Sutton (R-Gardner).

HB 2344: Economic Development/International Trade. This bill, sponsored by the Committee on Commerce, Labor and Economic Development chaired by Rep. Sean Tarwater (R-Stillwell), would establish the Kansas-Ireland Trade Commission to advance, promote, and encourage business and other mutually beneficial activities between Kansas and Ireland; and would create the Kansas-Ireland Trade Commission Fund. This bill has been referred to the Committee on Commerce, Labor and Economic Development.

HB 2346: Economic Development/Kansas Sports Tourism Grant. This bill, requested by Top Gun Events and Visit OP and sponsored by the Committee on Commerce, Labor and Economic Development chaired by Rep. Sean Tarwater (R-Stillwell), would establish the Kansas Sports Tourism Grant Program administered by the Secretary of Commerce to provide grants to assist communities in developing and continuing sporting events; would create the Kansas Sports Tourism Grant Committee to review and determine grant awards; would provide for funding of such grants from the State Economic Development Initiatives Fund; and would establish the Kansas Sports Tourism Program Grant Fund. This bill has been referred to the Committee on Commerce, Labor and Economic Development.

Legislature

HB 2332: House of Representatives Seal. This bill, requested by Rep. Susan Estes (R-Wichita) and sponsored by the Committee on Federal and State Affairs chaired by Rep. Tom Kessler (R-Wichita), would establish a seal for the House of Representatives; and would provide for the custody and use thereof. This bill has been referred to the Committee on Federal and State Affairs.

Public Health and Welfare

HB 2358: Public Assistance/Food Assistance. This bill, sponsored by the Committee on Welfare Reform chaired by Rep. Francis Awerkamp (R-St. Marys), would require able-bodied adults and work registrants without dependents under six years of age to participate in an employment and training program as a condition of receiving food assistance. This bill has been referred to the Committee on Welfare Reform.

HB 2362: Gambling and Gaming/Lottery and Gambling Prize Winnings. This bill, requested by the Attorney General and sponsored by the Committee on Health and Human Services chaired by Rep. Will Carpenter (R- El Dorado), would require the Department of Administration to report identifying information of persons who claim

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prize winnings in excess of \$5,000 to the Department of Health and Environment to verify if individuals with such winnings are receiving medical assistance under Medicaid or related programs. This bill has been referred to the Committee on Health and Human Services.

HB 2365: State Hospitals. This bill, sponsored by the Committee on Health and Human Services chaired by Rep. Will Carpenter (R- El Dorado), would establish the South Central Regional Mental Health Hospital. This bill has been referred to the Committee on Health and Human Services and will be heard on Monday, Feb. 17 at 1.30 p.m.

HB 2374: Healthcare Professionals. This bill, requested by the University of Kansas and sponsored by the Committee on Appropriations chaired by Rep. Troy Waymaster (R-Bunker Hill), would create a Specialty Practice Student Loan Program; would establish the Specialty Medical Loan Repayment Fund; would allow for transfers from the Psychiatry Medical Loan Repayment Fund and the OBGYN Medical Loan Repayment Fund to the Specialty Medical Loan Repayment Fund; and would abolish the Psychiatry Medical Loan Repayment Fund and the OBGYN Medical Loan Repayment Fund. This bill has been referred to the Committee on Appropriations.

HB 2375: Health Insurance Coverage. This bill, requested by the Office of the Governor and sponsored by the Committee on Appropriations chaired by Rep. Troy Waymaster (R-Bunker Hill), would expand medical assistance eligibility; would enact the Healthcare Access for Working Kansans (HAWK) Act; would direct the Department of Health and Environment to study certain Medicaid expansion topics; and would add meeting days to the Robert G. (Bob) Bethell Joint Committee on Home and Community Based Services and KanCare oversight to monitor implementation of expanded medical assistance eligibility. This bill is parallel to SB 257. This bill has been referred to the Committee on Health and Human Services chaired by Rep. Will Carpenter (R-El Dorado).

HB 2383: Child Care/Departments of Administration and Health and Environment. This bill, sponsored by the Committee on Appropriations chaired by Rep. Troy Waymaster (R-Bunker Hill), would establish a pilot program to provide health services to child care providers; would make telehealth consultation services available to eligible child care providers; would provide up to \$100 per month in reimbursements for prescription medication costs to child care providers accepted into the health services program; would prohibit cities, counties, or other political subdivisions from regulating licensed child care providers more strictly than state law; would require the Department of Health and Environment to provide a list of licensed child care providers to any city, county, or other political subdivision upon request; would provide any licensed in-home or group-home child care providers that receive a lower tier of reimbursement under the Child and Adult Care Food Program to be matched with the top tier of funding that is otherwise made available to other providers under the program; would develop and provide free orientation and training programs and training materials to child care providers and licensees; would allow orientation and training to count as continuing education hours; and would require the Department of Health and Environment and the Kansas Children's Cabinet to develop a training reimbursement program. This bill has been referred to the Committee on Appropriations.

Taxation

HB 2336: Taxation/Income and Privilege Tax. This bill, requested the Kansas Chamber of Commerce and sponsored by the Committee on Taxation chaired by Rep. Adam Smith (R-Weskan), would provide for the apportionment of business income by the single sales factor and the apportionment of financial institution income by the receipts factor; would establish deductions from income when using the single sales factor and receipts factor; would provide for the decrease in corporate income tax rates; would determine when sales other than tangible personal property are made in the state; and would exclude sales of a unitary business group of electric and natural gas public utilities. This bill has been referred to the Committee on Taxation.

HB 2377: Sales and Compensating Tax/Countywide Retailers' Sales Tax. This bill, requested by Sedgwick County and sponsored by the Committee on Taxation chaired by Rep. Adam Smith (R-Weskan), would provide that

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countywide retailers' sales tax is apportioned based on total assessed valuations of property taxes rather than property taxes levied. This bill has been referred to the Committee on Taxation.

House Resolutions

HCR 5011: Constitutional Amendment/Property Taxation. This concurrent resolution, sponsored by the Committee on Taxation chaired by Rep. Adam Smith (R-Weskan), proposes to amend Section 1 of Article 11 of the Kansas Constitution to value residential real property based on the fair market value or average fair market value of the residential portion. This bill has been referred to the Committee on Taxation and will be heard on Thursday, Feb. 13 at 3:30 p.m.

BILL TRACKING HISTORY

A history of the bills we are tracking as of Feb. 16, 2024, can be found [here](#).

Kansas Legislative Insights is a publication developed by the government affairs & public policy law practice group of Foulston Siefkin LLP. It is designed to inform business executives, human resources and government relations professionals, and general counsel about current developments occurring in current Kansas legislation. Published regularly during the Kansas legislative session and periodically when the legislature is not in session, it focuses on issues involving healthcare, insurance, public finance, taxation, financial institutions, business & economic development, energy, real estate & construction, environmental, agribusiness, and employment. Bill summaries are by necessity brief, however, for additional information on any issue before the Kansas Legislature, contact Foulston Siefkin's government affairs & public policy law practice group leader, C. Edward Watson, II, at 316.291.9589 or cewatson@foulston.com. Learn more about the authors below:

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