



KANSAS LEGISLATIVE INSIGHTS NEWSLETTER | FEBRUARY 3, 2025

WEEK FOUR: REMEMBERING FLIGHT 5342, HONORING KANSAS' BIRTHDAY, AND FAST-TRACKING THE "HELP NOT HARM" BILL

Our hearts go out to the victims and families affected by the tragic crash of American Airlines Flight 5342 from Wichita, Kan., to Washington, D.C. We extend our deepest condolences to those who lost loved ones and offer our support to all affected. May they find strength and comfort in this difficult time.

HAPPY BIRTHDAY, KANSAS!

The Statehouse celebrated Kansas' 164th birthday with historical reenactors and the unveiling of a new mural honoring suffragists. Kansas lawmakers felt the need to fast-track legislation by bypassing traditional procedures. As legislative deadlines approach, key debates on taxation, election laws, and public health policies take center stage.

KANSAS DAY AND NEW STATEHOUSE MURAL

Gov. Laura Kelly, legislators, and visitors celebrated Kansas' 164th birthday on Jan. 29 at the State Capitol. The event featured 1800s period reenactors, a singing of "Happy Birthday" and "Home on the Range," and specially decorated cakes honoring statehood and Kansas symbols.

As part of the celebration, officials unveiled a new Statehouse mural on the first floor. The League of Women Voters of Kansas, Gov. Kelly, and artist Phyllis J. Garibay-Coon of Manhattan presented the artwork, which honors Kansas suffragists' fight for women's voting rights and the passage of the 19th Amendment.

Legislation passed in 2022 directed the Capitol Preservation Committee to approve plans for a permanent memorial to Kansas suffragists. The committee oversees all renovations of the Capitol, Visitor Center, and surrounding grounds to preserve historical integrity and ensure artistic displays are historically significant.

No public funds were used for the mural. The League of Women Voters of Kansas raised the necessary funding.

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Photo from Anna Kaminski, Kansas Reflector

'HELP NOT HARM' BILL ON FAST TRACK

In an unprecedented sprint, the Kansas Legislature pushed Senate Bill 63 from introduction to final approval in just three days, setting up a high-stakes showdown with Gov. Kelly.

Timeline of the Fast-Tracked Bill

- **Jan. 28, 2025 (Tuesday)**
The Senate and House Public Health and Welfare committees held hearings on similar bills.
- **Jan. 29, 2025 (Wednesday)**
The Senate Public Health and Welfare Committee recommended the bill's passage with amendments. Later that day, the Senate passed the bill 32-8, immediately adopting the committee report and advancing it to final action — an emergency procedure used to expedite legislation.
- **Jan. 30, 2025 (Thursday)**
The House received the bill and referred it directly to the Committee of the Whole, bypassing standard committee review. After more than two hours of debate, House Republicans rejected eight Democratic amendments and moved the bill to final action.
- **Jan. 31, 2025 (Friday)**
???The House approved the bill 83-35 on final action, falling one vote short of a veto-proof supermajority because four Republican members were absent.

Lawmakers bypassed traditional procedures to accelerate SB 63's passage. Instead of a House committee review, they sent the bill directly to the Committee of the Whole, ensuring a floor debate within 24 hours. The bill swiftly cleared both chambers, fueling controversy over the legislative process.

The bill now heads to Gov. Kelly, who vetoed a similar measure in 2024. While the Senate has enough votes to override a veto, the House needs one more. Republican leaders may attempt an override vote if all members are present.

With this swift action, Kansas joins a growing number of states enacting restrictions on gender-affirming care. Currently, 27 states have laws limiting access.

UPCOMING WEEK: FEBRUARY 3-7, 2025

Monday, Feb. 3

Last day for non-exempt committees to request bill drafts

- House Financial Institutions and Pensions Committee
 - Hearing on HB 2152 — Authorizing financial institutions to secure governmental unit deposits in excess of the amount insured or guaranteed by the FDIC by utilizing public moneys pooled method of securities.
- Senate Federal and State Affairs Committee
 - Hearing on SCR 1604 — Making application to the United States Congress to call a convention of the states for the purpose of proposing amendments to the U.S. Constitution to limit the federal government.
- Senate Judiciary Committee
 - Hearing on SB 70 — Providing for reasonable fees for electronic copies of records under the Open Records Act.
- House Child Welfare and Foster Care Committee

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- Presentation: Texas Miranda-Style Rights Legislation, Andrew C. Brown, JD, Texas Public Policy Foundation.
- House Commerce Labor and Economic and Labor Committee
 - Hearing on HB 2117 — Modifying certain business filing and fee requirements for business trusts, foreign corporations, and limited partnerships; authorizing professional corporations or limited liability companies.
 - Hearing on HB 2118 — Requiring any person who solicits a fee for filing or retrieving certain documents from the federal government, the state, a state agency or a local government to give certain notices to consumers.
- House Judiciary
 - Hearing on HB 2166 — Continuing in existence certain exceptions to the disclosure of public records under the Open Records Act.
 - Hearing on HB 2134 — Amending the Kansas Open Records Act regarding charges for records in the state executive branch and other public agencies other than the state legislative and judicial branches.
 - Hearing on HCR 5008 — Proposing a constitutional amendment to provide for legislative oversight of rules and regulations adopted by executive branch agencies.
- House Taxation
 - Hearing on HB 2096 — Providing for transferability of Kansas housing investor tax credit from the year that the credit was originally issued.

Tuesday, Feb. 4

- House Appropriations Committee
 - Hearing on HB 2007 — Making and concerning supplemental appropriations for fiscal year 2025 appropriations for fiscal years 2026 and 2027 for various state agencies.
- House Energy, Utilities and Communication Committee
 - Hearing on HB 2032 — Authorizing the state corporation commission to increase or decrease an electric public utility's return on equity based on whether such utility's all-in average retail rate has increased or decreased.
 - Hearing on HB 2109 — Authorizing public utilities and law enforcement agencies to enter into utility pole attachment agreements for the installation of law enforcement equipment on structures located in the public right-of-way and exempting public utilities from liability relating thereto.
 - Final action on HB 2040 — Extending the time in which the state corporation commission shall make a final order on a transmission line siting application.
- Senate Assessment and Taxation Committee
 - Hearing on SB 109 — Providing a remittance credit to retailers for the collection of sales and compensating use tax.
- Senate Financial and Insurance Committee
 - Hearing on SB 32 — Reducing insurance company premium tax rates and discontinuing remittance and crediting of a portion of the premium tax to the Insurance Department Service Regulation Fund.
- Senate Government Efficiency Committee
 - Hearing on SB 79 — Directing the Secretary for Children and Families to request a waiver from Supplemental Nutrition Assistance Program rules that would allow the state to prohibit the purchase of candy and soft drinks with food assistance.
- Senate Federal and State Affairs Committee
 - Overview of Kansas elections: Scott Schwab, Kansas Secretary of State.

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- Senate Utilities
 - Presentation on hydrogen development in the state of Kansas: Dr. Jay Kelbas, Kansas Geological Survey.
 - Presentation on small-scale nuclear reactors: Brian Meadors, Excel Service.
- House Commerce, Labor and Economic Development Committee
 - Presentation on housing.
- House Agriculture Committee
 - Presentation on abandoned wells: Ryan A. Hoffman, Director, Conservation Division, Kansas Corporation Commission.
- House Social Services Budget Committee
 - Recommendations for the Kansas Department of Aging and Disability Services.
- House Elections Committee
 - Hearing on HB 2106 — Banning contributions from foreign nationals for the support or defeat of proposed amendment to the Kansas constitution.

Wednesday, Feb. 5

Last day for individual bill introduction in House and Senate

- Senate Agriculture Committee
 - Confirmation hearing continued: Christopher Kennedy, Secretary of Department of Wildlife and Parks.
- Senate Public and Health Committee
 - Hearing on SB 19 — Enacting the Conscientious Right to Refuse Act to prohibit discrimination against individuals who refuse certain types of vaccinations and other types of medical care and creating a civil cause of action.
- House Federal and State Affairs Committee
 - Hearing on HCR 5006 — Proposing a constitutional amendment to amend Section 4 of the Bill of Rights to recognize the right to bear arms as a fundamental right that includes the possession and use of ammunition, firearm accessories and firearm components, and that restrictions on such right are subject to strict scrutiny standards.
- House Financial Institutions and Pensions Committee
 - Hearing on HB 2086 — Adjusting the KPERS 3 dividend interest credit by lowering the dividend interest credit threshold to 5% and increasing the dividend share to 80%.
 - Hearing on HB 2129 — Transferring teachers from the KPERS 3 cash balance plan to the KPERS 2 plan and defining teachers for purposes of KPERS.
- Senate Government Efficiency Committee
 - Hearing on SB 77 — Requiring state agencies to provide notice of revocation of administrative rules and regulations to the public and removing abolished and inactive state agencies from the agency review requirement.
- Senate Commerce Committee
 - Update on STAR Bond program – Kansas Department of Commerce.

Thursday, Feb. 6

- Senate Transportation Committee

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- Presentation: Trucking 101.
- Senate Assessment and Taxation Committee
 - Hearing on SB 69 — Extending by five years the loan repayment program and income tax credit for Rural Opportunity Zones.
 - Hearing on SB 73 — Modifying deadlines for mailing property tax statements to taxpayers certification of tax levies to the director of property valuation.
- House Energy, Utilities and Telecommunications Committee
 - Presentation: Overview of Southwest Power Pool, Mike Ross, Sr, VP, External Affairs & Stakeholder Relations.
- Senate Federal and State Affairs Committee
 - Hearing on SB 65 — Specifying when boards of directors for irrigation districts of 35,000 or more acres may conduct board member elections by mail ballot and establishing the terms for such members.
- Senate Ways and Means Committee
 - Hearing on SB 86 — Establishing the Intercity Passenger Rail Service Program making transfers annually to the Passenger Rail Service Revolving Fund.
- Senate Judiciary Committee
 - Hearing on SB 129 — Raising the mandatory retirement age for magistrate judges regularly admitted to practice law who serve in counties with a population of 10,000 or fewer people.
- Senate Commerce Committee
 - Update on Kansas Water Plan and economic development for the state.
- House Commerce Committee
 - Hearing on HB 2119 — Eliminating the Kansas Affordable Housing Tax Credit Act effective July 1, 2025.
- Senate Utilities Committee
 - Presentation: Overview of Southwest Power Pool, Mike Ross, Sr. VP, External Affairs & Stakeholder Relations.
- House Agriculture and Natural Resources Budget Committee
 - Budget hearing on World Cup 2025.
- House Health and Humans Service
 - Presentation: Kansas Behavioral Health Center of Excellence.

BILL INTRODUCTIONS

SENATE BILLS

Agriculture

SB 89: Agriculture/Poultry Disease Control. This bill, sponsored by the Committee on Agriculture and Natural Resources chaired by Sen. Virgil Peck (R-Havana), would authorize the Animal Health Commissioner to adopt rules for establishing fees related to the Poultry Disease Control Act; would prohibit the shipment of poultry into Kansas unless such poultry meet plan requirements; would establish an annual participation fee for the National Poultry Improvement Plan, a certification fee for persons performing testing and diagnostic services and a fee for providing testing or diagnostic services related to pullorum-typhoid; and authorize the commissioner to revoke plan participation for failure to pay the annual plan participation fee within a 60-day grace period. This bill has been referred to the Committee on Agriculture and Natural Resources.

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SB 130: Agriculture/Kansas Pet Animal Act. This bill, sponsored by the Committee on Agriculture and Natural Resources chaired by Sen. Virgil Peck (R-Havana), would update provisions for operating an animal shelter or pound; would make changes to certain defined terms; would modify authority pertaining to refusal to issue or renew and the modification, limitation, suspension or revocation of any license or permit; would provide for making immediate actions to protect the public interest; requiring the posting of a cash or security bond to pay for the costs of caring for a seized or impounded pet animal; would require certain licensees that cease to engage in licensed activity to notify the commissioner at least 10 days prior to ceasing business, or if extenuating circumstances exist, not later than the date such activity ceases; would require a closing inspection to confirm that licensed activity has ceased prior to expiration of the license period; would require certain additional rules and regulations; would increase the maximum amount of certain fees; would clarify the conditions required for a licensed veterinarian to act as or be a boarding or training kennel operator; and would change the date during which a licensee or permit holder that is in the process of ceasing to do business may be issued a temporary closing permit. This bill has been referred to the Committee on Agriculture and Natural Resources.

Banking, Financial Institutions and Insurance

SB 115: Precious Metals/Gold and Silver Bullion and Specie (Coins). This bill, sponsored by the Committee on Federal and State Affairs chaired by Sen. Mike Thompson (R-Shawnee), would enact the Kansas Bullion Depository Act, which would authorize the Treasurer to establish, administer or contract for the administration of bullion depositories; and would allow state moneys to be deposited in such bullion depositories and invested in specie legal tender. This bill has been referred to the Committee on Financial Institutions and Insurance chaired by Sen. Brenda Dietrich (R-Topeka).

SB 121: Insurance/Regulation. This bill, sponsored by the Committee on Financial Institutions and Insurance chaired by Sen. Brenda Dietrich (R-Topeka), would authorize the Commissioner of Insurance to select and announce the version of certain instructions, calculations and documents in effect for the upcoming calendar year and cause such announcement to be published in the Kansas Register; would allow certain life insurers to follow health financial reports; and would adopt certain provisions from the National Association of Insurance Commissioners Holding Company System Regulatory Act relating to group capital calculations and liquidity stress testing. This bill has been referred to the Committee on Financial Institutions and Insurance.

Commerce

SB 117: Aviation/Economic Development. This bill, sponsored by the Committee on Commerce chaired by Sen. Larry Alley (R-Winfield), would expand the property tax exemption for Strother Field airport property. This bill has been referred to the Committee on Commerce.

Education

SB 114: Education/Ancillary School District Activities. This bill, sponsored by the Committee on Education chaired by Sen. Renee Erickson (R-Wichita), would authorize nonpublic school students and virtual school students to participate in activities and ancillary activities offered by a school district that are regulated, supervised, promoted, and developed by the activities association and include ancillary activities defined by law; and would make it unlawful for a school district or the State High School Activities Association to discriminate against such students based on enrollment status. This bill has been referred to the Committee on Education.

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SB 134: Education/Teacher Employment Files. This bill, sponsored by the Committee on Education chaired by Sen. Renee Erickson (R-Wichita), would authorize school districts to request and receive an applicant teacher's employment files from another school district if such teacher was previously employed by such other school district; and would establish which school district is responsible for and the custodian of teacher employment files under the Kansas Open Records Act. This bill has been referred to the Committee on Education.

Elections

SB 83: City Elections. This bill, requested for introduction by Sen. Tory Marie Blew (R-Great Bend) and sponsored by the Committee on Federal and State Affairs chaired by Sen. Mike Thompson (R-Shawnee), would extend voter franchise to qualified electors living in areas subject to extraterritorial zoning or subdivision regulations. This bill has been referred to the Committee on Federal and State Affairs.

SB 105: Elections/Vacancies in the Office of the United States Senator; State Treasurer; and the Commissioner of Insurance. This bill, sponsored by the Committee on Federal and State Affairs chaired by Sen. Mike Thompson (R-Shawnee), would require the appointment of a person of the same political party as the incumbent; would require the legislature to nominate three persons for consideration for such appointment and that the governor must appoint one of the nominated persons; and would establish the Joint Committee on Vacancy Appointments. This bill is parallel to HB 2057. This bill has been referred to the Committee on Federal and State Affairs.

Housing

SB 100: Housing/Denial of Housing on the Basis of Past Evictions. This bill, sponsored by the Committee on Federal and State Affairs chaired by Sen. Mike Thompson (R-Shawnee), would prohibit the reporting of evictions or rental arrears information by consumer reporting agencies or the use of such information by landlords for adverse action against tenants after three years from the date of the evictions or rental arrears; requiring consumer reporting agencies to provide an opportunity for individuals to explain any record of evictions or rental arrears; and would enact the Kansas Fair Chance Housing and Homelessness Reduction Act. This bill has been referred to the Committee on Federal and State Affairs.

Judiciary

SB 127: Rules of Evidence/Hearsay. This bill, sponsored by the Committee on Judiciary chaired by Sen. Kellie Warren (R-Leawood), would expand the exception to the hearsay rule for statements made to a physician to other health care providers. This bill has been referred to the Committee on Judiciary.

SB 128: Social Workers/Attorney Client Privilege. This bill, sponsored by the Committee on Judiciary chaired by Sen. Kellie Warren (R-Leawood), would create an exception to certain mandatory reporting obligations for licensed social workers when working under the supervision of an attorney; and would permit attorneys to require certain licensed social workers to keep ethical obligations of attorney-client privilege when working under the supervision of such attorney. This bill has been referred to the Committee on Judiciary.

SB 129: Judges/Retirement Age. This bill, sponsored by the Committee on Judiciary chaired by Sen. Kellie Warren (R-Leawood), would raise the retirement age from 75 to 78 of district magistrate judges regularly admitted to practice law in Kansas serving in counties with 10,000 or fewer people. This bill has been referred to the Committee on Judiciary.

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SB 133: Crimes/Punishment and Criminal Procedure/Firearms. This bill, sponsored by Sen. Cindy Holscher (D-Overland Park), would enact the Responsible Gun Ownership Act; would create the crime of unlawful storage of a firearm; and would provide for penalties for violations thereof. This bill has been referred to the Committee on Federal and State Affairs chaired by Sen. Mike Thompson (R-Shawnee).

Local Government

SB 112: Cities & Counties/Issuance of Building Permits. This bill, sponsored by the Committee on Local Government, Transparency and Ethics chaired by Sen. Elaine Bowers (R-Concordia), would prohibit cities and counties from requiring land as part of a right-of-way as a condition for issuing a building permit unless the property owner consents and is paid fair compensation. This bill has been referred to the Committee on Local Government, Transparency and Ethics.

SB 120: Cities/Kansas Municipal Employee Whistleblower Act. This bill, sponsored by Sen. Tim Shallenburger (R-Baxter Springs), would enact the Kansas Municipal Employee Whistleblower Act, which would establish legal protections for certain municipal employees who report or disclose unlawful or dangerous conduct. This bill is parallel to HB 2160 and has been referred to the Committee on Local Government, Transparency and Ethics chaired by Sen. Elaine Bowers (R-Concordia).

SB 124: Cities/Unilateral Annexations. This bill, sponsored by the Committee on Local Government, Transparency and Ethics chaired by Sen. Elaine Bowers (R-Concordia), would impose restrictions on unilateral annexations; and would expand the causes of actions for landowners to challenge such annexations. This bill has been referred to the Committee on Local Government, Transparency and Ethics.

Public Health & Welfare

SB 126: Healing Arts/Physicians Assistants. This bill, sponsored by the Committee on Public Health and Welfare chaired by Sen. Beverly Gossage (R-Eudora), would enact the Physician Assistant Licensure Act which would provide interstate practice privileges. This bill has been referred to the Committee on Public Health and Welfare.

SB 132: Child Care. Licensure of Day Care Facilities, etc. This bill, sponsored by the Committee on Federal and State Affairs chaired by Sen. Mike Thompson (R-Shawnee), would reduce license fees and training requirements; would create a process for day care facility licensees to apply for a temporary waiver of certain statutory requirements; would authorize the Secretary of Health and Environment to develop and operate pilot programs to increase child care facility availability and capacity; would establish the Kansas Office of Early Childhood; would transfer administration of day care licensing, parent education programs, and the Child Care Subsidy Program to the Kansas Office of Early Childhood; would create the Day Care Facilities and Child Care Resource and Referral Agencies Licensing Fee Fund and the Day Care Criminal Background and Fingerprinting Fund; defining youth development programs. This bill has been referred to the Committee on Public Health and Welfare chaired by Sen. Beverly Gossage (R-Eudora).

Public Utilities

SB 81: Corporation Commission/Economic Development Electric Rates. This bill, requested for introduction by Paul Snider on behalf of Kansans for Lower Electric Rates and sponsored by the Committee on Utilities chaired by Sen. Michael Fagg (R-El Dorado), would prohibit large facilities receiving certain tariffs or failing to meet workforce and electric demand requirements from qualifying for economic development electric rates. This bill has been referred to the Committee on Utilities.

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SB 92: Corporation Commission/Electric Transmission Line Siting Permits. This bill, sponsored by the Committee on Utilities chaired by Sen. Michael Fagg (R-El Dorado), would extend the time from 120 to 180 days by which the Commission shall make a final order in an electric transmission line siting application. This bill is parallel to HB 2040 and this bill has been referred to the Committee on Utilities.

SB 93: Corporation Commission/Statewide Elections. This bill, sponsored by the Committee on Utilities chaired by Sen. Michael Fagg (R-El Dorado), would provide for the statewide election of the commissioners of the Kansas Corporation Commission; would establish an election schedule for the election of such commissioners; and would authorize gubernatorial appointment until commissioners are elected. This bill has been referred to the Committee on Utilities.

SB 131: Energy/Corporation Commission. This bill, sponsored by the Committee on Utilities chaired by Sen. Michael Fagg (R-El Dorado), would require the Kansas Corporation Commission to establish and enforce a code of conduct and agricultural mitigation protocols for the development, construction, operation, and decommissioning of certain large energy facilities in rural areas of the state. This bill is parallel to HB 2108 and has been referred to the Committee on Utilities.

Taxation

SB 90: Property Taxation/Exemptions. This bill, sponsored by Sen. Patrick Schmidt (D-Topeka), would provide for a property tax exemption from local government levies to the extent of the first \$100,000 of appraised value for certain owner-occupied homes; would authorize local government to propose a ballot question to opt out of such property tax exemption and to exclude such local government's levy from all or two of the exemptions if approved by the electors. This bill has been referred to the Committee on Assessment and Taxation chaired by Sen. Caryn Tyson (R-Parker).

SB 103: Income Tax. This bill, sponsored by the Committee on Assessment and Taxation chaired by Sen. Caryn Tyson (R-Parker), would authorize cities and counties to propose an earnings tax for a ballot question and to levy such tax upon nonresidents of the city or county if approved by the electors of a city or county; would require resubmission of the question, if approved, to the electors every 10 years thereafter; allowing certain credits and exemptions against such tax; providing for the deduction by public and private employers of such tax from employee earnings; and would provide for revenue to be pledged for certain purposes. This bill has been referred to the Committee on Assessment and Taxation.

SB 108: County Earnings Tax. This bill, sponsored by Sen. David Haley (D-Kansas City), would authorize counties to impose an earnings tax. This bill has been referred to the Committee on Assessment and Taxation chaired by Sen. Caryn Tyson (R-Parker).

SB 109: Sales and Compensating Use Tax. This bill, sponsored by the Committee on Assessment and Taxation chaired by Sen. Caryn Tyson (R-Parker), would provide credit to retailers in the amount of 1.5% up to \$300 for the retailer's sales tax and the Kansas Compensating Tax Acts required to be made by the retailer. This bill has been referred to the Committee on Assessment and Taxation.

Transportation

SB 86: Passenger Rail Service Program. This bill, sponsored by the Committee on Transportation chaired by Sen. Mike Peterson (R-Wichita), would establish the Intercity Passenger Rail Service Program and would make annual transfers to the Passenger Rail Service Fund. This bill has been referred to the Committee on Transportation.

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SB 97: Motor Vehicles/Nonhighway Vehicles. This bill, sponsored by the Committee on Transportation chaired by Sen. Mike Peterson (R-Wichita), would grant purchasers of non-highway vehicles the option to obtain a non-highway certificate of title. This bill has been referred to the Committee on Transportation.

SB 113: Traffic Regulations/Reckless Driving. This bill, sponsored by the Committee on Transportation chaired by Sen. Mike Peterson (R-Wichita), would include the action of operating a motor vehicle at a speed of 100 miles per hour or more and 35 miles per hour over the posted speed limit under the crime of reckless driving. This bill has been referred to the Committee on Transportation.

SB 122: Traffic Regulations. This bill, sponsored by Sen. Cindy Holscher (D-Overland Park), would prohibit the use of an electronic communications device while operating a motor vehicle; and would provide a penalty for unlawful use of an electronic communications device. This bill has been referred to the Committee on Transportation chaired by Sen. Mike Peterson (R-Wichita).

Veterans

SB 106: Veterans/Form of Identification. This bill, sponsored by the Committee on Federal and State Affairs chaired by Sen. Mike Thompson (R-Shawnee), would permit homeless veterans to use alternative forms of proof of identity and residency when applying for nondriver identification cards; eliminating fees for homeless veterans to obtain birth certificates for purposes of nondriver identification card applications. This bill has been referred to the Senate Select Committee on Veterans Affairs chaired by Sen. Mike Thompson (R-Shawnee).

Senate Concurrent Resolutions

SCR 1607: U.S. Constitution. This concurrent resolution, sponsored by the Committee on Federal and State Affairs Sen. Mike Thompson (R-Shawnee), would make an application to the Congress of the United States for a limited national convention for the exclusive purpose of proposing an amendment to the Constitution of the United States establishing term limits for members of Congress. This concurrent resolution is parallel to HCR 5001. This concurrent resolution has been referred to the Committee on Federal and State Affairs.

SCR 1608: Kansas Constitution. This concurrent resolution, introduced by Sen. J.R. Claeys (R-Salina), and others would amend Section 1 of Article 5 of the Kansas Constitution to require individuals to be citizens of the United States, at least 18 years of age, and a resident of the voting area in which such person seeks to vote in order to vote in this state. This concurrent resolution is parallel to HCR 5004. This concurrent resolution has been referred to the Committee on Federal and State Affairs chaired by Sen. Mike Thompson (R-Shawnee).

HOUSE BILLS

Agriculture

HB 2153: Water/Irrigation District Board of Director Elections. This bill, requested for introduction by Rep. Scott Hill (R-Abilene) and sponsored by the Committee on Water chaired by Rep. Jim Minnix (R-Scott City), would specify when irrigation district board of director elections may be conducted by mail ballot; would authorize the board of directors to set the term for such elected members; would define the meaning of the term dam for both agricultural and nonagricultural use; and would clarify structures that are water obstructions; providing a civil penalty for violations. This bill has been referred to the Committee on Agriculture and Natural Resources chaired by Rep. Ken Rahjes (R-Agra).

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HB 2172: Water. This bill, sponsored by the Committee on Agriculture and Natural Resources chaired by Rep. Ken Rahjes (R-Agra), would establish the Water Program Task Force to evaluate the state's water program and funding for such program; and would require a report thereon to the legislature and the governor. This bill is referred to the Committee on Agriculture and Natural Resource.

Banking/Financial Institutions

HB 2152: Public Monies/Deposit and Investment. This bill, requested for introduction by Rep. Nick Hoheisel (R-Wichita) on behalf of the 2024 Special Committee on Centralized Pooled Collateral and PMIB Modernization and sponsored by the Committee on Financial Institutions and Pensions chaired by Rep. Hoheisel, would authorize financial institutions designated as public depositaries to secure governmental unit deposits in excess of the amount insured or guaranteed by the Federal Deposit Insurance Corporation by utilizing a public moneys pooled method of securities; would direct the state treasurer to establish procedures therefore; would require financial institutions to make certain reports upon the request of a governmental unit; would prohibit investment advisers that execute bids for the investment of public moneys from engaging in a principal transaction with a governmental unit directly related to such public moneys; would allow municipal bond proceeds and governmental unit deposits to be invested in a financial institution at a rate agreed upon by the governmental unit and the financial institution; would equalize the bank investment rate with the municipal investment pool rate; would require certification from governmental units that deposits in the municipal investment pool fund were first offered to a bank, savings and loan association or savings bank in the preceding year; would allow eligible financial institutions to file a complaint with the state treasurer upon the failure of a governmental unit to comply with such certification; and would establish the investment rate for the pooled money investment board bank certificate of deposit program. This bill has been referred to the Committee on Financial Institutions and Pensions and will be heard Monday, Feb. 3 at 9:00 a.m.

Business Entities

HB 2117: Various Entities. This bill requested for introduction by the Secretary of State and sponsored by the Committee on Commerce, Labor and Economic Development chaired by Rep. Sean Tarwater (R-Stillwell) would require a business trust to file a certificate of dissolution or withdrawal with the Secretary of State and pay associated fees when surrendering authority to transact business in Kansas; would require a foreign corporation to use a form prescribed by the secretary of state when filing merger or consolidation information or amendments to such corporation's articles of incorporation; authorizing professional corporations or limited liability companies formed or organized to render a professional service to participate in transactions under the business entity transactions act; would make certain information provided by registered agents a public record; and would modify filing requirements and associated fees for limited partnerships. This bill has been referred to the Committee on Commerce, Labor and Economic Development and will be heard Monday, Feb. 3 at 1 :30 p.m.

Education

HB 2141: Education/School Districts. This bill, sponsored by the Committee on Education chaired by Rep. Susan Estes (R-Wichita), would require policies allowing parents to object to educational materials and activities that are not included in approved curriculum or standards or that impair a parent's beliefs, values or principles. This bill has been referred to the Committee on Education.

HB 2176: Education/State High School Activities Association. This bill, sponsored by the Committee on Education chaired by Rep. Susan Estes (R-Wichita), would require the Kansas State High School Activities

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Association to use a multiplier factor to adjust a private school's student attendance for purposes of classification of such school. This bill has been referred to the Committee on Education.

Elections

HB 2091: Elections/Voter Registration. This bill, introduced by Rep. Stephanie Sawyer Clayton (D-Overland Park), would require that discharged inmates be offered the opportunity to register to vote; and would require the Secretary of State to develop a voter registration program that offers voter registration services through certain state agencies and at each accredited high school. This bill has been referred to the Committee on Elections chaired by Rep. Pat Proctor (R-Fort Leavenworth).

HB 2106: Campaign Finance/Foreign National Contributions. This bill, introduced by the Committee on Elections chaired by Rep. Pat Proctor (R-Fort Leavenworth), would ban foreign nationals from making contributions to any activity promoting or opposing the adoption or repeal of any provisions of the Kansas Constitution. This bill has been referred to the Committee on Elections and will be heard Tuesday, Feb. 4 at 3:30 p.m.

Judiciary

HB 2166: Open Records Act/Public Records. This bill, sponsored by the Committee on Judiciary chaired by Rep. Susan Humphries (R-Wichita), would continue in existence certain exceptions to the disclosure thereof. This bill has been referred to the Committee on Judiciary and will be heard Monday, Feb. 3 at 3:30 p.m.

HB 2171: Abortion. This bill, sponsored by Rep. Samantha Poetter Parshall (R-Paola) and others, would create the Abolish Abortion Kansas Act, which would make all abortions subject to criminal prosecution for violation of Alexa's Law; would remove certain exceptions to wrongful death cause of action for the death of an unborn child when such death is caused by an abortion. This bill has been referred to the Committee on Federal and State Affairs chaired by Rep. Tom Kessler (R-Wichita).

HB 2174: Attorneys at Law/Rural Kansas. This bill, sponsored by the Committee on Agriculture and Natural Resources chaired by Rep. Ken Rahjes (R-Agra), would enact the Attorney Training Program for Rural Kansas Act, which would provide financial assistance to attorneys and law students who practice law in rural areas of the state; and would establish the Attorney Training Program for Rural Kansas Fund. This bill has been referred to the Committee on Judiciary chaired by Rep. Susan Humphries (R-Wichita).

Labor & Employment

HB 2092: Labor and Employment/Professional Employer Organizations. This bill, requested for introduction by Clay Barker on behalf of the Secretary of State and sponsored by the Committee on Commerce, Labor and Economic Development chaired by Rep. Sean Tarwater (R-Stilwell), would provide that registrations of professional employer organizations with the Secretary of State shall expire on Oct. 15 following issuance; would provide an exception therefrom for registrations issued on or after Jan. 1, 2025, that shall expire on Oct. 15, 2026; would make the time for filing annual audits by such organizations coincide with the time of renewing of registrations; would limit the means of providing surety by a professional employer organization with insufficient working capital to the provision of a bond and eliminating the market value measure of the sufficiency of such bond. This bill has been referred to the Committee on Commerce, Labor and Economic Development and was heard on Tuesday, Jan. 28 at 1:30 p.m.

HB 2151: Minimum Wage Increase. This bill, introduced and sponsored by Rep. Brandon Woodward (D-Lenexa) and others, would increase the minimum wage to \$15 an hour. This bill has been referred to the Committee on

Commerce, Labor and Economic Development chaired by Rep. Sean Tarwater (R-Stilwell)

Local Government

HB 2099: Private Rental Housing/Code Inspections. This bill, requested for introduction by the City of Topeka and sponsored by the Committee on Local Government chaired by Rep. Emil Bergquist (R-Wichita), would require landlords of government-subsidized housing to submit to code inspection by cities or counties. This bill has been referred to the Committee on Local Government and will be heard Wednesday, Feb. 5 at 9:00 a.m.

HB 2160: Cities/Kansas Municipal Employee Whistleblower Act. This bill, requested by Rep. Carrie Barth (R-Baldwin City) and sponsored by the Committee on Local Government chaired by Rep. Emil Bergquist (R-Wichita), would enact the Kansas Municipal Employee Whistleblower Act, which would establish legal protections for certain municipal employees who report or disclose unlawful or dangerous conduct. This bill is parallel to SB 120 and has been referred to the Committee on Local Government.

Public Health and Welfare

HB 2144: Supported Decision-Making Act. This bill, sponsored by Rep. Bill Rhiley (R-Wellington), would enact the Supported Decision-Making Agreements Act that would authorize an adult to enter a supported decision-making agreement whereby the adult will receive decision-making assistance with their affairs from other adults in relation to making, communicating, and obtaining information (including protected health information) related to decisions of the principal as defined in the agreement; the Act would impose upon the supporters a fiduciary duty with respect to the agreement, and third parties may rely on decisions communicated by the supporters. This bill has been referred to the Committee on Judiciary chaired by Rep. Susan Humphries (R-Wichita).

HB 2159: Law Enforcement/Emergency Opioid Antagonist. This bill, introduced by Rep. Pat Proctor (R-Fort Leavenworth) and others, would create the Emergency Opioid Antagonists Assistance Grant Fund to assist law enforcement agencies with purchasing emergency opioid antagonists; and would maintain immunity for law enforcement agencies and officers for damages resulting from administering an emergency opioid antagonist; and would remove law enforcement agencies and officers from the state board of pharmacy's statewide opioid antagonist protocol. This bill has been referred to the Committee on Health and Human Services chaired by Rep. Will Carpenter (R-El Dorado).

Public Utilities

HB 2107: Liability for Fire Event Damages. This bill, requested for introduction by Laura Lutz on behalf of Evergy and sponsored by the Committee on Energy, Utilities and Telecommunications chaired by Rep. Leo Delperdang (R-Wichita), would provide for claims and recovery for economic damages; would calculate recovery for such damages; and would require the Corporation Commission to provide training on wildfire risk and mitigation. This bill has been referred to the Committee on Energy, Utilities and Telecommunications.

HB 2108: Corporation Commission/Large Energy Facilities in Rural Areas. This bill, requested for introduction by Claudia Hissong on behalf of the Kansas Farm Bureau and sponsored by the Committee on Energy, Utilities and Telecommunications chaired by Rep. Leo Delperdang (R-Wichita), would require the Corporation Commission to establish and enforce a code of conduct and agricultural mitigations protocols for the development, construction, operation, and decommissioning of certain large energy facilities in rural areas of the state. This bill is parallel to SB 131 and has been referred to the Committee on Energy, Utilities and Telecommunications.

HB 2109: Public Right-of-Way/Law Enforcement Equipment. This bill, requested for introduction by Rep. Nick Hoheisel (R-Wichita), and sponsored by the Committee on Energy, Utilities and Telecommunications chaired by Rep. Leo Delperdang (R-Wichita), would authorize law enforcement agencies to attach and operate law enforcement equipment on utility poles in the public right-of-way; and would exempt public utilities from civil liability related thereto. This bill has been referred to the Committee on Energy, Utilities and Telecommunications.

HB 2148: Corporation Commission/Electric Transmission Lines. This bill, introduced and sponsored by Rep. Troy Waymaster (R-Bunker Hill) and Rep. Lisa Moser (R-Wheaton), would prohibit the permitting of transmission lines located within any territory designated by the United States Department of Energy as a national interest electric transmission corridor; and would prohibit the exercise of eminent domain in any such territory except under limited circumstances. This bill has been referred to the Committee on Energy, Utilities and Telecommunications chaired by Rep. Leo Delperdang (R-Wichita).

HB 2149: Distributed Energy Resource. This bill, requested for introduction by Jessica Lucas on behalf of the Clean Energy Business Council and sponsored by the Committee on Energy, Utilities and Telecommunications chaired by Rep. Leo Delperdang (R-Wichita), would require distributed energy system retailers to disclose certain information to customers who will finance a distributed energy system; would require electric public utilities to disclose certain information to distributed energy retailers; would relate to parallel generation and net metering; providing criteria to determine appropriate system size for a customer's renewable energy system subject to parallel generation; establishing requirements for interconnection and operation of a renewable energy system subject to parallel generation; increasing the total capacity limitation for an electric public utility's provision of parallel generation service; would establish powers and limitations relating thereto; and would establish notification requirements for when a system is no longer producing energy or the customer seeks to repair or rebuild a facility. This bill has been referred to the Committee on Energy, Utilities and Telecommunications.

Taxation

HB 2096: Income Taxation/Housing Investor Tax Credit. This bill, requested by Reily Goyne on behalf of the Friends of Historic Preservation and sponsored by the Committee on Taxation chaired by Rep. Adam Smith (R-Weskan), would provide for the transferability of credits from the year that the credit was originally issued. This bill has been referred to the Committee on Taxation.

HB 2098: Sales Taxation/Community Theaters. This bill, sponsored by the Committee on Taxation chaired by Rep. Adam Smith (R-Weskan), would provide for sales tax exemption for not-for-profit corporations operating a community theater. This bill has been referred to the Committee on Taxation and was heard on Thursday, Jan. 30 at 3:30 p.m.

HB 2154: Property Tax/Rental and Leased Vehicles. This bill, requested by Katherine Starr on behalf of Turo and sponsored by the Committee on Taxation by Rep. Adam Smith (R-Weskan), would impose property tax on rental and leased vehicles and would discontinue the excise tax on the rental or lease thereof. This bill has been referred to the Committee on Taxation.

HB 2161: Income Tax/Biodiesel and Renewable Diesel Blends. This bill, sponsored by the Committee on Taxation chaired by Rep. Adam Smith (R-Weskan), would provide a tax credit for the sale and distribution of biodiesel and renewable diesel blends for motor vehicle fuels. This bill has been referred to the Committee on Agriculture and Natural Resources chaired by Rep. Ken Rahjes (R-Agra).

HB 2162: Sales Tax/Taxation of Services. This bill, requested by Scott Schneider on behalf of the Associated General Contractors and sponsored by the Committee on Taxation chaired by Rep. Adam Smith (R-Weskan), would exclude from taxation the service of installing or applying tangible personal property for the reconstruction,

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restoration, remodeling, renovation, repair, or replacement of a building or facility. This bill has been referred to the Committee on Taxation.

HB 2163: Income Tax/Credits. This bill, requested by Rep. Cyndi Howerton (R-Wichita) and sponsored by the Committee on Taxation chaired by Rep. Adam Smith (R-Weskan), would provide for the Preceptor Income Tax Incentive Act, which would establish a credit for nursing home administrators, registered nurses, and registered dietitians that serve as community-based faculty preceptors in adult care homes and medical care facilities by providing personalized instruction, training, and supervision for students. This bill has been referred to the Committee on Taxation.

Water

HB 2095: Department of Health and Environment/Pump Installation Contractor License and Qualifications. This bill, requested by Rep. Lindsay Vaughn (D-Overland) on behalf of the Kansas Groundwater Association and sponsored by the Committee on Water chaired by Rep. Jim Minnix (R-Scott City), would establish a pump installation contractor license and qualifications for applicants therefore; and would allow applicants for water well contractor and pump installation contractor licenses to take examinations online; would add additional qualifications for applicants of water well contractor licenses; would modify the license terms under the act to begin on July 1 of even-numbered years and end on June 30 of the following even-numbered year; requiring additional information to be included in the water well record as required by the secretary; would require a water well contractor to provide a water quality analysis to the secretary upon request within 60 days of well completion or within an extended timeframe granted by the secretary; would require the water quality analysis to be conducted by a Kansas certified laboratory; would require pump installation contractors to keep a record of each pump installed and submit the record to the secretary within 30 days; would require the pump installation record to include certain data as required by the secretary; and would require the entire amount of any penalty fine collected under the act to be deposited in the water program fund instead of the state general fund. This bill has been referred to the Committee on Agriculture and Natural Resources chaired by Rep. Ken Rahjes (R-Agra).

House Concurrent Resolutions

HCR 5007: Kansas Constitution/Elections. This concurrent resolution, introduced by Rep. Sawyer Clayton (D-Overland Park), would amend Section 1, Article 5 of the Kansas Constitution to lower the minimum age of qualified electors to vote from 18 to 16 years. This bill has been referred to the Committee on Elections chaired by Rep. Pat Proctor (R-Leavenworth).

BILL TRACKING HISTORY

A history of the bills we are tracking as of Feb. 3, 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 cwatson@foulston.com. Learn more about the authors below:

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