



KANSAS LEGISLATIVE INSIGHTS NEWSLETTER | FEBRUARY 24, 2023

TURNAROUND WEEK

Turnaround Week started with two days of committee meetings finalizing action on non-exempt bills. After two days of floor action, the week ended at 10 p.m. Thursday evening with the Senate's adjournment. A wide range of bills were approved, ranging from abortion-related measures, ballot drop boxes, education, healthcare, and Senate action on multiple tax bills, to water conservation. There were roughly 40 bills blessed that remain alive for possible consideration later in the 2023 session. Wednesday and Thursday, both chambers were on the floor. Legislators will return on March 1 to begin the second half of the session.

ELECTION BILLS

Thursday, the Kansas House and Senate approved bills reversing a 2017 law allowing voters a three-day grace period for mail ballots to arrive at election offices. Despite no evidence of widespread voter fraud in Kansas, advocates say the change is needed to instill voter confidence in state elections. The House vote was 77-45 and the measure passed the Senate 21-19. Neither margin would override a governor's veto. Ironically, the 2017 bill passed the House 123-1 and unanimously in the Senate.

Thursday, the Kansas Senate rejected 24-16 a bill allowing candidates in nonpartisan elections to designate their political party. The bill would have applied to nonpartisan elections such as city council and school board elections. Opponents successfully argued it would invalidate local non-partisan election ordinances, keep federal employees from participating in partisan elections, plus potentially broaden local elections to national issues.

SB 209 would ban remote ballot drop boxes. During the Senate Elections Committee hearing, Attorney General Kris Kobach, former Secretary of State, argued against the drop boxes to prevent "ballot harvesting." Republican Secretary of State Scott Schwab argued they are more secure and reliable than the postal service. During the 2022 general election, there were 167 mail drop boxes. The largest numbers were in urban counties; Sedgwick County had the highest number at 14. The bill passed 21-19.

THE SENATE AND TAXES

FOULSTON

ATTORNEYS AT LAW

Thursday, the Senate had the first major tax policy debates of the session. SB 169, authorizing a 4.75% flat tax income tax rate, passed 22-17 after considerable debate. The measure creates \$400 million in annual tax cuts. The Senate approved SB 33, exempting Social Security benefits from income tax. Sen. Mike Thompson, R-Shawnee, added an amendment expanding deductibility to all retirement plans at a cost of \$260 million. The bill passed 36-3 with potentially \$400 million in lost revenue. The measure is intended to keep retirees in Kansas. Thursday evening, Sen. Mike Peterson, R-Wichita, successfully amended SB 248 to eliminate the sales tax on food by Jan. 1, 2024. It passed 22-16. During the floor debate, several senators acknowledged that some of these measures were more than the state could afford and unlikely to pass. It could provide the foundation for an interesting tax conference committee late in the session.

SB 83, as amended, would increase student eligibility in the low-income student scholarship program and increase tax credits for contributions to the program. The bill expands state tax credits for donations to private-school scholarships. As amended, the Senate increased the tax credit from 70% to 75% (the House version is 100%). The bill also reduces credit for contributions from \$500,000 to \$100,000. SB 83 passed the Senate 22-16. The program would be open to any student enrolled in any public school, not just those eligible for free and reduced lunches.

HEALTHCARE

Wednesday, the Kansas Senate advanced a bill to final action banning the prescription of abortion-inducing drugs by telemedicine. SB 5 would also prohibit the governor from changing the law in a disaster emergency declaration. It passed 27-12.

Thursday, SB 6 was approved by the Kansas Senate 22-18. The bill restricts the authority of the Secretary of Health and Environment and local health departments when attempting to prevent the spread of infectious and contagious diseases. Schools would no longer be required to report outbreaks of the flu and other contagious diseases.

TRANSGENDER

Wednesday, the House and Senate debated and advanced three bills that opponents claim are an attack on transgender Kansans. In the House, the Fairness in Women Sports Act (HB 2238) bans transgender female athletes from participation in sports for girls or women at any public school or postsecondary educational institution. The bill passed 82-40 with three absents or not voting. A House veto override requires 84 votes.

The Senate approved 26-11, SB 233, allowing lawsuits against physicians who perform gender reassignment services to children. SB 233 would require the Board of Healing Arts to revoke the license of a physician who performs childhood gender reassignment services. The Senate also approved the Women's Bill of Rights, establishing that an individual's sex means either male or female at birth.

UTILITIES AND WATER

SB 49 was passed by the Senate Utilities Committee. The bill requires wind turbines of a certain number and height to have light-mitigation technology installed if approved by the FAA both on future projects and retroactively on projects after Jan. 1, 2026, upon the initiation of a new power purchase agreement. The bill was approved on final action by the full Senate 39-1 this week, with only one floor amendment to explicitly allow counties to do what they already have the ability to do with respect to using their bonding authority to install light-mitigation technology.

Wednesday, the Kansas House debated and passed several water bills to address looming water shortages. HB 2279 requires annual written reports by the Groundwater Management Districts and action plans. HB 2302 provides funding for the State Water Plan Fund. Rep. Ken Rahjes noted it was a historic day.

LIGHTS, CAMERA, ACTION

FOULSTON

ATTORNEYS AT LAW

Thursday night, the Senate approved SB 91, creating the Kansas Film and Digital Media Production Development Act administered by the Department of Commerce. The Act would create a sales tax exemption and nonrefundable income tax credits for qualifying film production. The measure is hoped to incentivize the growth of film and digital media production in Kansas. The bill would establish the Kansas Film and Digital Media Industry Development Program to be administered by the Secretary of Commerce in consultation with the Kansas Creative Arts Industries Commission. Eligible projects would include new films, videos, or digital projects. The Senate vote was 28-7.

NEXT WEEK

The Legislature returns Wed., March 1, from the turnaround break. Committees will begin hearing bills from the other chamber. The House Taxation Committee will be hearing property and sales tax bills. The Senate Federal and State Affairs Committee will hold informational hearings on the Multi-State Impact Data on the Legalization of Marijuana.

BILL INTRODUCTIONS AND NOTABLE DEVELOPMENTS

COURTS, LAWS, AND REGULATIONS

HB 2083 – As amended by the House Committee on Local Government, Rep. Emil Bergquist, Chair, would establish the Kansas Vacant Property Act and prohibit city and county governments from taking certain actions against a property based solely on the property being vacant.

HB 2138 – As amended by the House Committee of the Whole, would establish the Career Technical Education Credential and Transition Incentive for Employee Success Act. The Act would provide state aid, subject to appropriations, for the reimbursement of school districts, community colleges, and technical colleges for the cost of administering career technical education (CTE) credentials to high school students enrolled in CTE programs. The bill passed on emergency final action as amended; Yea: 121; Nay: 0.

HB 2147 – As amended by the House Committee of the Whole, would require a person providing wrecker or towing service or agency to provide a certification of compliance to a purchaser upon the sale and transfer of an abandoned or towed vehicle. The bill passed on emergency final action as amended; Yea: 122; Nay: 0.

HB 2197 – As amended by the House Committee of the Whole, would amend provisions in the First-Time Home Buyer Savings Account Act to, among other things, clarify the process for the designation and determination of an account holder's payable-on-death beneficiary. The bill passed on final action as amended; Yea: 121; Nay: 1.

HB 2291 – As further amended by the House Committee of the Whole, would modify law related to microbreweries and food establishments. The bill passed on final action as amended; Yea: 108; Nay: 14.

HB 2335 – As amended by the House Committee on Transportation, Rep. Shannon Francis, Chair, would authorize the Rail Service Improvement Fund to be used for qualified track maintenance and would increase transfers from the State Highway Fund to the Rail Service Improvement Fund from \$5.0 million to \$10.0 million annually, starting July 1, 2023. The House Committee of the Whole passed the bill on emergency final action as amended; Yea: 117; Nay: 5.

HB 2336 – As recommended by the House Committee on Commerce, Labor, and Economic Development, Rep. Sean Tarwater, Chair, would increase the amount of general obligation bonds that may be issued by the board of directors of airport authorities enacted under the Surplus Property and Public Airport Authority Act without an election from \$1.0 million to \$10.0 million. The House Committee of the Whole passed the bill on emergency final action; Yea: 91; Nay: 30.

HB 2376 – As amended by the House Committee on Local Government, Rep. Emil Bergquist, Chair, would prohibit the recording of unlawful restrictive covenants on real property and authorize the removal of unlawful restrictive

FOULSTON

ATTORNEYS AT LAW

covenants in violation of the Kansas Acts against Discrimination (KAAD). The House Committee of the Whole passed the bill on emergency final action as amended; Yea: 121; Nay: 0.

HB 2388 – As amended by the House Committee on Commerce, Labor, and Economic Development, Rep. Sean Tarwater, Chair, would require multiple licensing bodies to provide verified electronic credentials, in addition to paper-based credentials, to all credential holders and utilize a central electronic record system. Referred to the House Committee on Appropriations, Rep. Troy Waymaster, Chair.

HB 2395 – As recommended by the House Committee on Judiciary, Rep. Fred Patton, Chair, would continue in existence the ten exceptions to the Kansas Open Records Act (KORA). The House Committee of the Whole passed the bill on emergency final action; Yea: 121; Nay: 0.

HB 2400 – As amended by the House Committee on Commerce, Labor, and Economic Development, Rep. Sean Tarwater, Chair, would create the Kansas Adult Learner Grant Act and a workforce retention incentive tax credit and would establish the Kansas Adult Learner Grant Program Fund. The Act would provide grants to eligible students enrolled in eligible programs at eligible postsecondary educational institutions. The Act would also provide a tax credit to individuals who received a grant and meet certain conditions. The bill has now been referred to the House Committee on Appropriations, Rep. Troy Waymaster, Chair.

HB 2431 – Would allow vessels that operate on the Perry reservoir to be licensed as clubs or drinking establishments notwithstanding any zoning regulation or other regulation of any city, township, or county. Referred to the House Committee on Federal and State Affairs, Rep. Will Carpenter, Chair.

HB 2435 – Would reduce the rate of tax, further reduce the rate of tax on sales of food and food ingredients, provide an exemption for sales of children's diapers and feminine hygiene products, establish the STAR Bonds Food Sales Tax Revenue Replacement Fund, and provide certain transfers thereto. Referred to the House Committee on Taxation, Rep. Adam Smith, Chair.

HB 2436 – Would enact the Kansas Public Investments and Contracts Protection Act, prohibiting the state or a political subdivision from giving preferential treatment to or discriminating against companies based on environmental, social, and governance criteria in procuring or letting contracts, and require fiduciaries of the Kansas Public Employees Retirement System to act solely in the financial interest of participants and beneficiaries. Referred to the House Committee on Financial Institutions and Pensions, Rep. Nick Hoheisel, Chair.

HB 2437 – Would update certain terms, requirements, and fees contained in the Kansas Pet Animal Act. Referred to the House Committee on Federal and State Affairs, Rep. Will Carpenter, Chair.

SB 114 – As recommended by the Senate Committee on Commerce, Sen. Renee Erickson, Chair, would define advanced recycling and related terms and provide exemptions to solid waste management system and similar terms. The bill has now been referred to the Senate Committee on Ways and Means, Sen. Rick Billinger, Chair.

SB 269 – Would exempt prizes of alcoholic liquor and cereal malt beverages from the Kansas Liquor Control Act, the Club and Drinking Establishment Act, and the Kansas Cereal Malt Beverage Act. Referred to the Senate Committee on Federal and State Affairs, Sen. Mike Thompson, Chair.

SB 272 – Would increase the transfer from the State Highway Fund to the Public Use General Aviation Airport Development Fund. Referred to the Senate Committee on Ways and Means, Sen. Rick Billinger, Chair.

TAXATION

HB 2109 – As amended by the House Committee on Taxation, Rep. Adam Smith, Chair, would phase out income taxation on all Social Security benefits over four years.

FOULSTON

ATTORNEYS AT LAW

HB 2229 – As recommended by the House Committee on Taxation, Rep. Adam Smith, Chair, would provide, for purposes of retail sales and compensating use tax, for a deduction from the sales price of the purchase of a new or used motor vehicle in the amount of the proceeds from the sale of a used motor vehicle sold by the purchaser within 180 days before or after the purchase. If proceeds from the sale exceeded the purchase price, the purchaser would not owe any sales or use tax.

HB 2292 – As amended by the House Committee of the Whole, would create the Kansas Apprenticeship Act, which would establish a tax credit and grant incentive program for apprenticeships. The bill passed on final action as amended; Yea: 115; Nay: 7.

HB 2387 – As amended by the House Committee on Commerce, Labor, and Economic Development, Rep. Sean Tarwater, Chair, would amend law related to Sales Tax and Revenue (STAR) bonds. The bill would provide for state revenue to replace lost sales tax proceeds attributable to reductions in the state sales tax rate on food, expand eligible uses of STAR bonds to historic theaters and major amusement parks, extend the deadline for the submission of the annual STAR bonds report, and increase the amount of project costs that may be financed in certain rural redevelopment projects without the issuance of special obligation bonds. The House Committee of the Whole passed the bill on emergency final action as amended; Yea: 72; Nay: 49.

HB 2433 – As recommended by the House Committee on Taxation, Rep. Adam Smith, Chair, would allow a taxpayer to elect the taxable year in which a subtraction modification for contributions to a qualified tuition program would be applied.

HB 2434 – As recommended by the House Committee on Taxation, Rep. Adam Smith, Chair, would credit tax revenue generated to the Horse Breeding Development Fund and the Horse Fair Racing Benefit Fund.

SB 8 – As amended by the Senate Committee on Assessment and Taxation, Sen. Caryn Tyson, Chair, would limit the instances in which a taxpayer must file statements regarding tangible personal property for tax purposes, reduce penalties for late filings and specify circumstances in which extensions of time for filing such statements, and abatements of penalties would be provided. The Senate Committee of the Whole passed the bill on emergency final action as amended; Yea: 39; Nay: 0.

SB 33 – As amended by the Senate Committee of the Whole, would make changes to income taxes. The bill would provide for a cost-of-living adjustment for the standard deduction amounts, expand the exemption of Social Security benefits, create an exemption for retirement plan income, make changes to the Homestead Property Tax Refund Program, and create subtraction modifications related to net operating losses and certain federal tax credit disallowances. The bill passed on emergency final action as amended; Yea: 36; Nay: 3.

SB 80 – As amended by the Senate Committee on Assessment and Taxation, Sen. Caryn Tyson, Chair, would make changes to the refund option, providing for a refund of the amount of tax in excess of the base year amount under the Homestead Property Tax Refund Act.

SB 91 – As amended by the Senate Committee of the Whole, would enact the Kansas Film and Digital Media Production Development Act. The Act would create a sales tax exemption and income tax credits for qualifying film production activities. The bill passed on emergency final action, as amended; Yea: 28; Nay: 7.

SB 97 – As recommended by the Senate Committee on Assessment and Taxation, Sen. Caryn Tyson, Chair, would increase, beginning in tax year 2023, the amount of residential property exempt from the statewide uniform 20-mill school finance levy from \$40,000 to \$65,000 of appraised value.

SB 126 – As amended by the Senate Committee on Assessment and Taxation, Sen. Caryn Tyson, Chair, would create an income tax credit for certain residential clean energy expenditures and provide for income tax subtraction modifications associated with certain net operating losses and federal tax credit disallowances.

FOULSTON

ATTORNEYS AT LAW

SB 169 – As recommended by the Senate Committee on Assessment and Taxation, Sen. Caryn Tyson, Chair, would provide, beginning in tax year 2024, for a single individual income tax rate of 4.75 percent to be applied to all Kansas taxable income in excess of \$10,450 for married individuals filing joint returns and \$5,225 for all other individuals. Kansas taxable income less than those amounts would not be taxed. The Senate Committee of the Whole passed the bill on emergency final action; Yea: 22; Nay: 17.

SB 248 – As amended by the Senate Committee of the Whole, would create, effective Jan. 1, 2024, a sales tax exemption for certain food and food ingredients and a sales tax exemption for purchases for the construction or repair of buildings used for human habitation by the Kansas state schools for the blind and the deaf, and would repeal the existing schedule of reduced state sales tax rates for food and food ingredients. The bill passed on emergency final action, as amended; Yea: 22; Nay: 16.

SB 252 – As amended by the Senate Committee on Assessment and Taxation, Sen. Caryn Tyson, Chair, would create property and sales tax exemptions for certain businesses located in cities where a facility owned or operated by a governmental entity competes against the business. Businesses qualifying for the exemptions would be limited to childcare centers, entertainment businesses, exercise businesses, health clubs, recreation businesses, or restaurants.

SB 273 – Would eliminate the authority of a city to adopt planning and zoning regulations for land located outside of such city. Referred to the Senate Committee on Local Government, Sen. Carolyn McGinn, Chair.

HEALTHCARE AND INSURANCE

HB 2340 – As amended by the House Committee of the Whole, would modify several requirements for some of the professions licensed by the Behavioral Science Regulatory Board, add new temporary licensure categories, and establish requirements for an expedited application process. The bill passed on emergency final action, as amended; Yea: 118; Nay: 3.

HB 2408 – As recommended by the House Committee on Health and Human Services, Rep. Brenda Landwehr, Chair, would exempt adult care homes from statutes governing barbering and cosmetology facilities. The House Committee of the Whole passed the bill on emergency final action; Yea: 120; Nay: 1.

HB 2438 – Would eliminate the designation and certification of medical services instructor-coordinators. Referred to the House Committee on Federal and State Affairs, Rep. Will Carpenter, Chair.

HB 2439 – Would require certain notifications for patients under the Woman's Right-to-Know Act. Referred to the House Committee on Health and Human Services, Rep. Brenda Landwehr, Chair.

SB 5 – As recommended by the Senate Committee on Public Health and Welfare, Sen. Beverly Gossage, Chair, would amend the Kansas Telemedicine Act to prevent the prescribing of drugs intended to induce an abortion via telemedicine. The Senate Committee of the Whole passed the bill on final action; Yea: 27; Nay: 12.

SB 6 – As recommended by the Senate Committee on Public Health and Welfare, Sen. Beverly Gossage, Chair, would restrict the duties and authority of the Secretary of Health and Environment and local health officers regarding infectious and contagious diseases. The Senate Committee of the Whole passed the bill on final action; Yea: 22; Nay: 18.

SB 24 – As recommended by the Senate Committee on Financial Institutions and Insurance, Sen. Jeff Longbine, Chair, would amend the definitions of "small employer" and "large employer" in a statute pertaining to insurance coverage for autism spectrum disorder. The Senate Committee of the Whole passed the bill on emergency final action; Yea: 38; Nay: 1.

SB 27 – As recommended by the Senate Committee on Financial Institutions and Insurance, Sen. Jeff Longbine, Chair, would amend provisions in the Uniform Insurance Agents Licensure Act and Public Adjusters Licensing Act

FOULSTON

ATTORNEYS AT LAW

to allow the Commissioner of Insurance to set fees in an amount lower than the maximum amount of the fees established in law. The bill would also amend fingerprinting criteria for resident agents. The Senate Committee of the Whole passed the bill on final action; Yea: 38; Nay: 2.

SB 98 – As amended by the Senate Committee on Education, Sen. Molly Baumgardner, Chair, would include medical residency training programs in obstetrics and gynecology (OBGYN) as part of the postgraduate medical residency programs a person could enter into in order to qualify for state medical student and medical residency loan assistance. The Senate Committee of the Whole passed the bill on emergency final action as amended; Yea: 39; Nay: 0.

SB 104 – As amended by the Senate Committee on Financial Institutions and Insurance, Rep. Jeff Longbine, Chair, would require notification to consumers of debit and credit card surcharges. The bill has now been referred to the Senate Committee on Ways and Means, Sen. Rick Billinger, Chair.

SB 112 – As recommended by Senate Committee on Public Health and Welfare, Sen. Beverly Gossage, Chair, would permit a registered nurse anesthetist (CRNA) to practice as an independent advanced registered nurse to the full extent of the scope of the licensee's education and qualifications except for the performance of surgery for the purpose of implantation of medication reservoirs for drug-delivery devices. The bill has now been referred to the Senate Committee on Ways and Means, Sen. Rick Billinger, Chair.

SB 113 – As recommended by the Senate Committee on Public Health and Welfare, Sen. Beverly Gossage, Chair, would amend the Professional Corporation Law of Kansas to allow naturopathic doctors to engage in the corporate practice of medicine. The Senate Committee of the Whole passed the bill on final action; Yea: 38; Nay: 1.

Sub. SB 131 – As recommended by the Senate Committee on Public Health and Welfare, Sen. Beverly Gossage, Chair, would authorize certain healthcare professions licensed in a home state other than Kansas and traveling with a sports team to practice their profession within Kansas for a short period of time during certain sporting events under a sports waiver issued by the State Board of Healing Arts. The Senate Committee of the Whole passed the bill on emergency final action; Yea: 39; Nay: 0.

SB 180 – As recommended by the Senate Committee on Public Health and Welfare, Sen. Beverly Gossage, Chair, would establish the Women's Bill of Rights and provide a meaning of biological sex for purposes of statutory construction. The Senate Committee of the Whole passed the bill on final action; Yea: 26; Nay: 0.

SB 194 – As amended by the Senate Committee of the Whole, would require members of a hospital board to be qualified electors of either the county where the hospital is located or any county adjacent to such county and own real property within the taxing district of the hospital. The bill would require a majority of the members of the hospital board to be residents of the county in which the hospital is located. The bill passed on final action, as amended; Yea: 38; Nay 2.

SB 219 – As recommended by the Senate Committee on Public Health and Welfare, Sen. Beverly Gossage, Chair, would amend the Health Care Provider Insurance Availability Act to add facilities where elective abortions are performed to the list of entities that are not healthcare providers as defined in the bill, which would make such facilities ineligible to purchase professional liability insurance from the Health Care Stabilization Fund. The Senate Committee of the Whole passed the bill on final action; Yea: 26; Nay: 12.

SB 233 – As recommended by the Senate Committee on Public Health and Welfare, Sen. Beverly Gossage, Chair, would create the Kansas Child Mutilation Prevention Act. The bill would, among other things, allow an individual who had gender reassignment service performed as a child to bring a civil cause of action under the Act against the physician who performed such service. The Senate Committee of the Whole passed the bill on final action; Yea: 26; Nay: 11.

FOULSTON

ATTORNEYS AT LAW

SB 277 – Would provide for the regulation of supplemental nursing services agencies thereby and create the Supplemental Nursing Services Agency Regulation Fund. Referred to the Senate Committee on Public Health and Welfare, Sen. Beverly Gossage, Chair.

UTILITIES

HB 2225 – As recommended by the House Committee on Energy, Utilities, and Telecommunications, Rep. Leo Delperdang, Chair, would amend law authorizing a Kansas Corporation Commission (KCC)-regulated utility to cover costs associated with the transmission of electric power through a transmission delivery charge. The bill would only apply to electrical utility companies that are under KCC jurisdiction. The bill has now been referred to the House Committee on Appropriations, Rep. Troy Waymaster, Chair.

HB 2237 – As amended by the House Committee on Energy, Utilities, and Telecommunications, Rep. Leo Delperdang, Chair, would define the term “municipality” as it relates to law pertaining to video services providers operating in the public right of way to mean a city or county, and make conforming changes throughout statute by replacing the terms city and subdivision with “municipality.”

HB 2279 – As amended by the House Committee on Water, Rep. Jim Minnix, Chair, would amend the Groundwater Management District Act to require groundwater management districts (GMDs) to submit annual reports to the Legislature and conservation and stabilization action plans to the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture (KDA). The House Committee of the Whole passed the bill on final action as amended; Yea: 116; Nay: 6.

HB 2302 – As amended by the House Committee on Water, Rep. Jim Minnix, Chair, would, among other things, establish funding for the State Water Plan and water infrastructure projects, and create the Water Technical Assistance Fund and the Water Projects Grant Fund. The House Committee of the Whole passed the bill on final action as amended; Yea: 119; Nay: 3.

HB 2440 – Would require public utilities to report information regarding customer assistance programs, account delinquencies and disconnections, requiring monthly, annual, and historical reporting of such information. Referred to the House Committee on Energy, Utilities and Telecommunications, Rep. Leo Delperdang, Chair.

SB 49 – As amended by the Senate Committee of the Whole, would require the installation of a light-mitigating technology system (lighting system) in new and existing wind energy conversion systems (wind turbines) upon approval from the Federal Aviation Administration (FAA). The bill passed on final action, as amended; Yea: 39; Nay: 1.

SB 144 – As recommended by the Senate Committee on Utilities, Sen. Robert Olson, Chair, would amend the definition of “video service” in the Video Competition Act. The Senate Committee of the Whole passed the bill on final action; Yea: 32; Nay: 6. The bill has now been referred to the House Committee on Energy, Utilities and Telecommunications, Rep. Leo Delperdang, Chair.

SB 166 – As amended by the Senate Committee on Utilities, Sen. Robert Olson, Chair, would, among other things, require the Kansas Corporation Commission, upon and after the filing of an application for a siting permit of an electric transmission line, to disclose and allow public inspection of any application, including any application filed prior to July 1, 2023. The bill has now been referred to the Senate Committee on Ways and Means, Sen. Rick Billinger, Chair.

SB 278 – Would require public utilities to report information regarding customer assistance programs, account delinquencies and disconnections, requiring monthly, annual, and historical reporting of such information. Referred to the Senate Committee on Utilities, Sen. Robert Olson, Chair.

AGRICULTURE

FOULSTON

ATTORNEYS AT LAW

HB 2386 – As amended by the House Committee on Agriculture and Natural Resources Budget, Rep. Ken Corbet, Chair, would prohibit government officials or employees of any state agency, county, or city acting within the scope of such employee's duties from entering or remaining on private property, and conducting aerial surveillance on the property, except under specified conditions.

SB 120 – As recommended by the Senate Committee on Agriculture and Natural Resources, Sen. Dan Kerschen, Chair, would authorize the Secretary of Health and Environment to adopt certain rules and regulations regarding public water supply systems and would increase the amount of time a municipality would have to repay a loan from the Kansas Water Pollution Control Revolving Fund. The Senate Committee of the Whole passed the bill on final action; Yea: 37; Nay: 3.

SB 205 – As amended by the Senate Committee on Agriculture and Natural Resources, Sen. Dan Kerschen, Chair, would amend law concerning water rights, the establishment of multi-year flex accounts, and participation in a water bank. The Senate Committee of the Whole passed the bill on emergency final action as amended; Yea: 39; Nay: 0.

SB 276 – Would specify the delta-9 tetrahydrocannabinol concentration for final hemp products and allow certain hemp products to be manufactured, marketed, sold, and distributed. Referred to the Senate Committee on Federal and State Affairs, Sen. Mike Thompson, Chair.

Kansas Legislative Insights is a publication developed by the Governmental Affairs & Public Policy Law practice group of Foulston Siefkin LLP. It is designed to inform business executives, human resources and governmental relations professionals, and general counsel about current developments occurring in current Kansas legislation. Published regularly during the Kansas legislative session, it focuses on issues involving Healthcare, Insurance, public finance, Taxation, financial institutions, business & economic development, Energy, Real Estate & Construction, environmental, Agribusiness, employment, and workers compensation. Bill summaries are by necessity brief, however, for additional information on any issue before the Kansas Legislature, contact Foulston Siefkin's Governmental Affairs & Public Policy Law practice group leader, James P. Rankin at 785.233.3600 or jrankin@foulston.com. Learn more about the authors below:

James (Jim) P. Rankin

Co-Editor and Governmental Affairs & Public Policy Law Team Leader
785.233.3600
jrankin@foulston.com | [View Bio](#)

As a partner at Foulston Siefkin, Jim's practice focuses on employee benefits law relating to public, private, governmental, and tax-exempt organizations. A large part of his work involves Insurance Regulatory and compliance issues in many industries, including Healthcare. Jim has been selected by his peers for inclusion in *The Best Lawyers in America*[®] and the *Missouri & Kansas Super Lawyers*[®] list. He is the firm's representative with State Law Resources, Inc., a national network of independent law firms selected for their expertise in administrative, regulatory, and governmental relations at the state and federal level.

Gary L. Robbins

Co-Editor and Governmental Affairs Consultant
785.640.2651
garyrobbinsconsulting@gmail.com | [View bio](#)

FOULSTON

ATTORNEYS AT LAW

Gary, a governmental affairs consultant to Foulston Siefkin's Governmental Affairs & Public Policy practice group, provides legislative monitoring and lobbying services for Foulston's governmental relations clients. He holds a bachelor of science degree in history and political science from Southwestern College and a master's degree in labor economics from Wichita State University. Throughout his extensive career, Gary has served as CLE Director to the Kansas Bar Association and as Executive Director of the Kansas Optometric Association.

Eric L. Sexton, PhD

Contributing Author and Governmental Affairs Consultant

316.371.7553

esexton@foulston.com | [View bio](#)

Eric, a governmental affairs consultant to Foulston Siefkin's Governmental Affairs & Public Policy practice group, has nearly 30 years' experience providing strategic direction and governmental relations services. As Wichita State University's governmental relations leader for 18 years, Eric developed lasting relationships at the local, state, and federal Government level around Kansas. Eric holds a doctorate in political science from the University of Kansas and a masters in public administration from Wichita State University, complementing his undergraduate business degree from Wichita State.

C. Edward Watson, II

Contributing Author and Governmental Affairs & Public Policy Law Partner

316.291.9589

[cewatson@foulston.com](mailto:cwatson@foulston.com) | [View Bio](#)

As a partner at Foulston Siefkin, Eddie represents clients in matters before state regulatory commissions, courts, and local governmental bodies. He has built and maintained relationships with key individuals – including lobbyists, elected and appointed officials, and staff members – that prove valuable in advancing clients' interests and issues. Drawing on his experience as a regional governmental affairs attorney for AT&T in Chicago, he helps clients navigate the maze of federal policies and agencies, advises on how processes work in Washington, and provides introductions to those who can help them accomplish their goals.

This update has been prepared by Foulston Siefkin LLP for informational purposes only. It is not a legal opinion; it does not provide legal advice for any purpose; and it neither creates nor constitutes evidence of an attorney-client relationship.

PRACTICE AREAS

- Government Affairs & Public Policy Law