



KANSAS LEGISLATIVE INSIGHTS NEWSLETTER | JANUARY 15, 2021

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VIRTUAL LEGISLATIVE SESSION OPENS

The 2021 Kansas Legislature started Monday with the swearing in of legislators. COVID concerns are obvious with new safety protocols throughout the Statehouse and numerous procedural changes. The list of changes includes temperature checks, frequent cleaning of hearing rooms, availability of testing for legislators/staff, virtual committee meetings, electronic voting for House members, and social distancing in committee hearing rooms by limiting public seating. Governor Laura Kelly gave the first virtual State of the State address, and Senate President Ty Masterson gave the virtual Republican response. The House and Senate will initially only meet in their chambers once a week as a safety precaution. There were a significant number of initial technical glitches during the first virtual committee hearings. The logistics of meeting virtually requires patience and time in adjusting to the changes. On Thursday, House members were offered training on how the electronic voting would work on their state-issued laptops. Some House members are seated in the galleries.

COMMITTEE HEARINGS

Legislative committees started hearing bills this week on a variety of issues. Secretary of State Scott Schwab appeared virtually before several committees to provide a November election update and discuss election integrity. He touted the numerous records broken in the Nov. 2020 general election with no controversy. There were a record 1.93 million Kansas registered voters with a record 1.38 votes cast. 800,000 Kansans voted in advance with 460,000 in advance by mail, both record-breaking numbers. Schwab noted the post-election audits by counties showed no unaccounted-for votes. Schwab assured senators there were no problems with Dominion voting machines, despite the rumors to the contrary.

Today, the House Federal and State Affairs Committee is hearing House Concurrent Resolution 5003, amending the Kansas constitution to allow the Kansas Legislature the right to regulate abortion. HCR 5003 amends the bill of rights of the constitution of the state of Kansas to reserve to the people the right to regulate abortion through their elected state representatives and senators.

SENATE PASSES FIRST BILLS OF THE SESSION

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On Thursday afternoon, the Senate debated property taxes. Senate Bill 13 is designed to create a “revenue-neutral” level of taxing for each city and county. Local units of government would be required to hold a public hearing and vote in front of constituents for changes in mill levies. During Senate floor debate, Senate Assessment and Taxation Committee Chair Sen. Caryn Tyson, R-Parker, explained that many taxing units were increasing property valuations to generate more tax revenue while not raising taxes. Sen. Tyson stressed this was an important step for more transparency. SB 13 passed 34-1.

The Senate also debated and passed 34-1 Senate Bill 14, extending COVID-19 emergency rules from Jan. 26 to Mar. 31. SB 14 was essential for Kansas to continue receiving federal funds. The bill maintains most of Gov. Kelly’s short-terms orders.

STATEHOUSE LOCKDOWN

In response to FBI alerts, the governor’s office announced on Thursday safety protocols for the Statehouse from 5:00 p.m. Jan. 15 through Jan. 22, 2021. The access to the Kansas Statehouse will be limited to those with keycard access (elected officials and staff). Visitor access to the State parking garage will be closed and only accessible to legislators and staff with keycards.

SIX-MONTH REPORT CARD

The Kansas Department of Revenue has released the December Kansas tax collections. The State revenue is continuing to outperform the revenue estimates. Total December tax collections were up \$64.5 million or 9.1%. Compared with Dec. 2019, it is a \$13.6 million or 1.8% increase. Individual income December tax collections were \$306 million; an increase of 2.2% or \$6.7 million more than the estimate. This is 3.0% less than Dec. 2019. Corporate income tax collections were \$99.2 million for the month, which is 65.4% more than estimated. Corporate income was \$8.5 million or 9.4% more than last December.

Kansas Legislative Insights is a publication developed by the Governmental Relations & 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 Relations & Public Policy Law practice group leader, James P. Rankin at 785.233.3600 or jrankin@foulston.com.

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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 government relations at the state and federal level.

Gary, a governmental affairs consultant to Foulston Siefkin's Governmental Relations & 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.

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PRACTICE AREAS

- Governmental Affairs & Public Policy Law