



KANSAS LEGISLATIVE INSIGHTS NEWSLETTER | JANUARY 17, 2020

2020 LEGISLATURE OPENS

The 2020 Legislature had a full agenda as both chambers gavelled into session on Monday afternoon. The session opened slowly with organizational matters, the State of the State Address by Gov. Laura Kelly, and introduction of pre-filed bills and interim proposals. On Thursday, the House Appropriations Committee and Senate Ways and Means Committee had a joint meeting as the Governor's budget was unveiled. The state's improving financial picture will make funding new programs like Medicaid expansion an option along with the potential of some tax cuts.

The Medicaid expansion compromise agreement between Gov. Kelly and Senate Majority Leader Sen. Jim Denning will improve chances for passage in the Senate despite concerns and opposition by some Republican Senators. House Republican leaders are still opposed and likely to try blocking consideration on the House floor despite support for expansion by a majority of House members. The Senate Public Health and Welfare Committee is holding hearings on SB 252 (see our reference to SB 252 and 246 below). Proponents will be heard on Jan. 23-24, and opponents will be heard on Jan. 27-28.

STATE OF THE STATE ADDRESS

On Wednesday, Jan. 14, Gov. Kelly delivered her second State of the State address. Her areas of emphasis included funding education and the need to expand Medicaid. She wants Kansas to become the 37th state to do so. Among other areas highlighted were the need to address a comprehensive transportation plan, fiscal stability, modest tax cuts in specific areas, and a continued need to improve the social safety net. Gov. Kelly noted this is the first time in Kansas history that women have headed all three branches of government, referring to Senate President Susan Wagle and Chief Justice Marla Luckert. She noted the improving Kansas economy and the lowest unemployment rate in 40 years.

The Republican response by House Speaker Ron Ryckman, R-Olathe, stressed financial restraint and frustration with court mandates that undermine the stability of the state budget. Ryckman urged civil discourse while avoiding overspending and election-year posturing. Senate President Susan Wagle said the state shouldn't extend

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healthcare under Medicaid to able-bodied adults without children while the state continued to have people with disabilities on the waiting list for services. President Wagle acknowledged that Medicaid expansion would likely pass the Senate but indicated a desire to see amendments.

KANSAS DEPARTMENT OF REVENUE RELEASES SIX-MONTH REVENUE REPORT

On Jan. 2, a Kansas Department of Revenue press release noted that Kansas is seeing consistent growth in total tax receipts as it goes into the second half of Fiscal Year 2020. The Kansas total tax collection for December was \$756.6 million, or \$38.6 million (5.4%) above the estimate. These numbers are 10.1% more than December of Fiscal Year 2019.

SENATOR PILCHER-COOK RESIGNS

Sen. Mary Pilcher-Cook, R-Shawnee, resigned effective Jan. 16 from the Kansas Senate. On Jan. 11, Johnson County precinct committee men and women selected retired Kansas City meteorologist Mike Thompson to replace her.

KEY DEADLINES

Feb. 14 is the final day for non-exempt committee bill introductions. Feb. 27 is the last day to consider non-exempt bills in the House of Origin. March 31 is the last day to consider non-exempt bills. First legislative adjournment is scheduled for April 3. The veto session opens on April 27, which is the 74th day of the 2020 session. The 90th day would be May 13.

UPCOMING HOLIDAY

There is no session on Monday, Jan. 20, 2020, in observance of Martin Luther King, Jr. Day.

PRE-FILED HOUSE AND SENATE BILLS

These are a sample of bills from those pre-filed by individual members of the House and Senate.

LAWS, COURTS, AND REGULATIONS

SB 243 – An act concerning cities, counties, and property owners' associations; prohibiting the regulation of lemonade or other nonalcoholic beverage stands operated by minors in certain areas. Referred to the Senate Committee on Ethics, Elections, and Local Government, Sen. Elaine Bowers, Chair.

SB 250 – An act amending the definition of "race" in the Kansas Act Against Discrimination to include traits historically associated with race, including hair texture and protective hairstyles. Withdrawn from Senate Committee on Judiciary; Referred to Senate Committee on Federal and State Affairs, Sen. Bud Estes, Chair.

HB 2422 – An act establishing daylight saving time as the permanent standard time for the State of Kansas. Referred to House Committee on Federal and State Affairs, Rep. John Barker, Chair.

HB 2433 – An act designating the watermelon as the state fruit of Kansas. Referred to the House Committee on Federal and State Affairs, Rep. John Barker, Chair.

INSURANCE

SB 249 – An act concerning insurance; relating to coverage of mental illness and substance use disorders; limiting utilization review under certain circumstances; enacting the Kristi L. Bennett Mental Health Parity Act. Referred to the Senate Committee on Financial Institutions and Insurance, Sen. Robert Olson, Chair.

AGRICULTURE

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HB 2437 – An act concerning agriculture; relating to the labeling of certain foods; prohibiting the use of identifiable meat terms on labels or in advertisements of meat analogs without use of proper qualifying language. Referred to the House Committee on Agriculture, Rep. Ron Highland, Chair. A hearing has been scheduled for this on Jan. 23, 2020.

HEALTHCARE

SB 252 – An act concerning health and healthcare; relating to health insurance coverage; expanding medical assistance eligibility; implementing a health insurance plan reinsurance program; directing the Department of Health and Environment to study certain Medicaid expansion topics; adding meeting days to the Robert G. (Bob) Bethell Joint Committee on Home and Community Based Services and KanCare Oversight to monitor implementation; making and concerning appropriations for the fiscal years ending June 30, 2020, June 30, 2021, and June 30, 2022; amending K.S.A. 65-6207, 65-6208, 65-6209, 65-6210, 65-6211, 65-6212, 65-6217, and 65-6218 and K.S.A. 2019 Supp. 39-7,160, and 40-3213, and repealing the existing sections. Referred to the Senate Committee on Public Health and Welfare, Sen. Gene Sullentrop, Chair. A hearing has been scheduled for this on Jan. 23, 2020.

SB 246 – An act expanding Medicaid eligibility by enacting the KanCare Bridge to a Health Kansas Program. Referred to the Senate Committee on Public Health and Welfare, Sen. Gene Sullentrop, Chair.

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 health care, 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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PRACTICE AREAS

- Governmental Affairs & Public Policy Law