



KANSAS LEGISLATIVE INSIGHTS NEWSLETTER | MARCH 3, 2023

WEEK 8 REVIEW

Legislators returned on Wednesday for Week 8 of the session. This week has been slow contrasted with the pace of turnaround week. Upon Wednesday's return, committee chairs began to assess the bills passed by the other chamber. Thursday, the House debated several alcohol bills and raising the age to 21 to use tobacco products. During the floor debate, an interesting amendment to extend the no-smoking ban to casinos was ruled nongermane. The final vote on HB 2269 was 68-53. The debate calendar also included HB 2124, amending the Kansas Cereal Malt Beverage Act. It removes the 30 percent food sales requirement for Sunday sales. The vote was 97-25.

Both House and Senate tax committees continued hearings on tax bills. The House Appropriations and Senate Ways and Means Committees continued deliberations on agency budgets. Thursday, the Senate Ways and Means Committee added a budget proviso blocking public post-secondary institutions from asking questions or seeking oaths about diversity, equity, and inclusion. The rationale was those questions were part of a radical attempt at reverse discrimination.

FEBRUARY REVENUE

The February Revenue estimates were \$17.5 million, or 3.5%, above the estimate. This marks the 30th time in the last 31 months where estimates exceeded the predictions. Looking at Fiscal Year 2023 through eight months, revenue is \$6.13 billion, or 3%, above the Consensus Revenue Estimating Group (CREG) projections.

ECONOMIC DEVELOPMENT AWARD

Wednesday, Gov. Kelly reported that *Site Selection* magazine has selected Kansas as the recipient of the Governor's Cup, recognizing the highest level of private business investment per capita. The award recognizes only properties with at least \$1 million in capital investment creating a minimum of 20 new jobs and 20,000 square feet of new construction. This is the second consecutive year Kansas has received this economic development award.

NEXT WEEK

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ATTORNEYS AT LAW

Next week's House agenda includes committee hearings on abortion, budget, elections, and taxes. The House Elections Committee will hear three Senate bills on restricting the number of remote ballot boxes (SB 208), write-in candidacy affidavits (SB 221), and requiring all advance voting ballots be returned by 7 p.m. on election day (SB 209). The House Commerce, Labor, and Economic Development Committee will be briefed on the impact of the Attracting Powerful Economic Expansion Act (APEX) on the state budget. The House Health and Human Services Committee will hold hearings on SB 180, establishing the women's bill of rights, and HB 2313, creating the born-alive infants protection act to provide legal protections for infants who are born alive.

The Senate Education Committee will hear HB 2238, creating the Fairness in Women's Sports Act to require that female student athletic teams only include members who are biologically female, and HB 2236, establishing parents' right to direct the education, upbringing, and moral or religious training of their children.

BILL INTRODUCTIONS AND NOTABLE DEVELOPMENTS

COURTS, LAWS, AND REGULATIONS

HB 2446 – Would prohibit the regulation of plastic and other containers designed for the consumption, transportation, or protection of merchandise, food, or beverages. Referred to the House Committee on Federal and State Affairs, Rep. Will Carpenter, Chair.

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 nonrefundable income tax credits for qualifying film production activities and establish educational and economic development programs to incentivize and promote the growth of film and digital media production and industry in Kansas. The bill passed on emergency final action as amended; Yea: 28; Nay: 7. The bill has been referred to the House Committee on Taxation, Rep. Adam Smith, Chair.

SB 282 – Would approve rules applicable to licensure of childcare facilities; day care homes and childcare centers by, among other things, establishing license capacity and controlling staff-to-child ratios. Referred to the Senate Committee on Commerce, Sen. Renee Erickson, Chair.

SB 283 – Would prohibit the conveyance of real property parcels of 10 or more acres to foreign adversaries as determined by federal regulation. Criminal penalties are established for violators. Referred to the Senate Committee on Federal and State Affairs, Sen. Mike Thompson, Chair.

Taxation

HB 2445 – Would revise income tax law by providing for additional income tax rate brackets. Referred to the House Committee on Taxation, Rep. Adam Smith, Chair.

SB 83 – As amended by the Senate Committee of the Whole, would increase student eligibility in the low-income student scholarship program and increase tax credits for contributions to the program. The bill passed on emergency final action as amended; Yea: 22; Nay: 16. The bill has been referred to the House Committee on K-12 Education Budget, Rep. Kristey Williams, Chair.

HEALTHCARE AND INSURANCE

SB 281 – Would create a dementia services coordinator position in the Kansas Department for Aging and Disability services. Referred to the Senate Committee on Public Health and Welfare, Sen. Beverly Gossage, Chair.

UTILITIES

SB 284 – Would establish the Blind Information Access Act which, among other things, would require the state librarian to contract with an organization to provide on-demand information access services to the blind and visually impaired. Referred to the Senate Committee on Utilities, Sen. Robert Olson, 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:

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PRACTICE AREAS

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