

# Journal of the House

## ELEVENTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Tuesday, January 28, 2025, 11:00 a.m.

The House met pursuant to adjournment with Speaker Hawkins in the chair.

The roll was called with 114 members present.

Reps. Collins, Droge, Helgerson, Mosley, Neelly, Osman, Schmoe, Stogsdill and Weigel were excused on verified illness.

Reps. Haskins and Resman were excused on excused absence by the Speaker.

Prayer by guest chaplain, Pastor Con Howerton, Temple Baptist Church, Wichita, and guest of Rep. Howerton.

Our Great God in Heaven,

Thank You for bringing us together today in this place. We are grateful for this assembly and for the men and women who serve here with dedication and purpose. Lord, we ask for Your blessings upon them—upon their work, their families, and the people they represent across this great state of Kansas.

Father, we pray that You would fill these leaders with Your wisdom and grace. Guide them as they make decisions that improve lives, protect freedoms, and honor the values we hold dear. Bless the leadership, the legislation, the committees, and every person who works so hard within these walls to serve the people of Kansas.

Lord, we humbly ask for Your help: that these legislators may seek to honor You in all they do. Remind them of the sacred trust placed in them by We the People of the great State of Kansas, and strengthen them as they strive to lead with integrity and compassion.

We thank You that Your throne of grace is open to us all. May Your will be done in this place, and may Your presence guide every word, decision, and action.

In Jesus' name, we pray. Amen.

The Pledge of Allegiance was recited by the body.

**INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills and concurrent resolution were introduced and read by title:

**HB 2102**, AN ACT concerning education; relating to school districts; providing for the advance enrollment of military students whose parent or person acting as parent will be stationed in this state; amending K.S.A. 2024 Supp. 72-3128 and repealing the existing section, by Committee on Education.

**HB 2103**, AN ACT concerning education; relating to school attendance; including participation in certain learning experiences and agricultural science activities as a valid excuse for absence from school; authorizing school boards to make rules therefor; amending K.S.A. 72-3121 and repealing the existing section, by Committee on Education.

**HB 2104**, AN ACT concerning education; relating to firearms; standardizing firearm safety education training programs in school districts, by Representative Penn.

**HB 2105**, AN ACT concerning roads and highways; designating a portion of United States highway 77 as the POW MIA memorial highway; designating bridge No. 82-14-6.88 (026) in Clay county as the POW MIA memorial bridge, by Committee on Veterans and Military.

**HB 2106**, AN ACT concerning campaign finance; relating to support for or opposition to proposed amendments to the Kansas constitution; banning contributions from foreign nationals; amending K.S.A. 25-4180 and repealing the existing section, by Committee on Elections.

**HB 2107**, AN ACT concerning utilities; relating to liability for fire event damages; providing for claims and recovery for economic damages; calculating recovery for such damages; requiring the state corporation commission to provide trainings on wildfire risk and mitigation, by Committee on Energy, Utilities and Telecommunications.

**HB 2108**, AN ACT concerning energy; relating to the state corporation commission; requiring the 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, by Committee on Energy, Utilities and Telecommunications.

**HB 2109**, AN ACT concerning law enforcement; relating to public utilities; authorizing law enforcement agencies to attach and operate law enforcement equipment on utility poles in the public right-of-way; exempting public utilities from civil liability relating thereto, by Committee on Energy, Utilities and Telecommunications.

**HB 2110**, AN ACT concerning emergency communication services; relating to the Kansas 911 act; eliminating the requirement that the state 911 board shall contract with a local collection point administrator for services; rescheduling the date on which the state 911 operations fund, state 911 grant fund and state 911 fund shall be established in the state treasury; rescheduling the date on which all moneys collected pursuant to the Kansas 911 act are to be transferred to the state treasury; requiring certain transfers to be made to the state 911 operations fund; authorizing the state 911 board to transfer annually any unencumbered moneys of the state 911 operations fund to the state 911 grant fund; amending K.S.A. 12-5363, as amended by section 11 of chapter 53 of the 2024 Session Laws of Kansas, 12-5367, as amended by section 15 of chapter 53 of the 2024 Session Laws of Kansas, 12-5368, as amended by section 18 of chapter 53 of the 2024 Session Laws of Kansas, 12-5369, as amended by section 19 of chapter 53 of the

2024 Session Laws of Kansas, 12-5370, as amended by section 20 of chapter 53 of the 2024 Session Laws of Kansas, 12-5372, as amended by section 22 of chapter 53 of the 2024 Session Laws of Kansas, 12-5374, as amended by section 25 of chapter 53 of the 2024 Session Laws of Kansas, and 12-5375, as amended by section 28 of chapter 53 of the 2024 Session Laws of Kansas, and K.S.A. 2024 Supp. 12-5377, 12-5387, 12-5388, 12-5389 and 12-5390 and repealing the existing sections, by Committee on Energy, Utilities and Telecommunications.

**HB 2111**, AN ACT concerning water; relating to the Kansas conservation reserve enhancement program; increasing the acreage cap for CREPs from 40,000 to 60,000 acres; clarifying the county acreage cap for CREPs and that the last eligible offer for enrollment exceeding applicable acreage caps may be approved; removing the limitation on acres eligible for CREP enrollment based on expired federal contracts; adding a general ineligibility criterion based on federal ineligibility; allowing CREP contracts for dryland farming or limited irrigation for water quantity goals; removing the prohibition on participation in CREP for government-owned water rights; clarifying current CREP criteria related to water right usage, sanctions and reporting; allowing exceptions to eligibility criteria based on factors such as location in high-priority water conservation areas, high-flow capacity wells, circumstances like bankruptcy or probate and enrollment in other water conservation programs; modifying the reporting requirements to cover the preceding five years; amending K.S.A. 2-1933 and repealing the existing section, by Committee on Water.

**HB 2112**, AN ACT concerning water; relating to the certification of operators of water supply systems and wastewater treatment facilities; requiring fees for operator certification examinations to not exceed the cost of such examinations; eliminating the ability of the secretary of health and environment to certify operators through a correspondence course rather than classroom instruction; amending K.S.A. 65-4513 and repealing the existing section; also repealing K.S.A. 65-4506, by Committee on Water.

**HB 2113**, AN ACT concerning water; relating to conservation districts; transferring \$5,000,000 each July 1 to match federal funding for conservation districts; requiring conservation districts to provide water quality sampling and the resulting aggregate data to the state geological survey; relating to funding for the state water plan and water infrastructure projects; making and concerning appropriations for fiscal years 2026, 2027 and 2028 for the state treasurer; providing for the enhanced transfer of moneys from the state general fund to the state water plan fund; requiring the Kansas water office to transfer appropriations for the water technical assistance fund, the water projects grant fund and the Kansas matching grant fund; matching grant funds to individuals and entities within water conservation areas and local enhanced management areas for new water technology adoption; amending K.S.A. 2024 Supp. 82a-955 and repealing the existing section, by Committee on Water.

**HB 2114**, AN ACT concerning water; relating to dams, levees and other water obstructions; clarifying which structures shall be considered water obstructions and not a dam; increasing application fees for a permit to construct, modify or add to a dam; requiring preconstruction permit fees to construct, modify or add to a water obstruction or to change or diminish the course, current or cross section of a stream; requiring any licensed professional engineer who conducts inspections required by the act to be approved by the chief engineer; adding a civil penalty of not less than \$100 nor more than \$1,000 per violation; remitting civil penalty amounts to the water structures fund;

amending K.S.A. 82a-301, 82a-302, 82a-303b, 82a-305a and 82a-328 and repealing the existing sections, by Committee on Water.

**HB 2115**, AN ACT concerning firearms; relating to the personal and family protection act; authorizing municipalities to prohibit employees of such municipality from carrying concealed handguns in municipal buildings; amending K.S.A. 75-7c20 and repealing the existing section, by Committee on Local Government.

**HB 2116**, AN ACT concerning municipalities; relating to the authority of certain cities and counties to enter into contracts; requiring that certain contractual provisions be incorporated into all such contracts, including the provisions of department of administration form DA-146a; providing certain exceptions, by Committee on Local Government.

**HB 2117**, AN ACT concerning business entities; requiring 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; requiring 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; making certain information provided by registered agents a public record; modifying filing requirements and associated fees for limited partnerships; amending K.S.A. 17-2037, 17-7302, 17-78-110 and 17-7929 and K.S.A. 2024 Supp. 56-1a151 and 56-1a605 and repealing the existing sections, by Committee on Commerce, Labor and Economic Development.

**HB 2118**, AN ACT concerning consumer protection; 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; providing that violation of such requirements is a deceptive act or practice subject to penalties under the Kansas consumer protection act, by Committee on Commerce, Labor and Economic Development.

**HB 2119**, AN ACT concerning taxation; relating to the Kansas affordable housing tax credit act; discontinuing such credit effective July 1, 2025; amending K.S.A. 2024 Supp. 79-32,306 and repealing the existing section, by Committee on Commerce, Labor and Economic Development.

**HB 2120**, AN ACT concerning the disposition of state real property; authorizing the state board of regents on behalf of Kansas state university veterinary medical center to sell certain real property in the city of Omaha, Douglas county, Nebraska; authorizing the state board of regents on behalf of Kansas state university to sell certain real property in the city of Manhattan, Riley county, Kansas, by Representative Roeser.

**HB 2121**, AN ACT concerning motor vehicles; relating to annual license fees of electric and electric hybrid passenger vehicles and trucks and electric motorcycles; increasing the annual fee and distributing the fees to the state highway fund and the special city and county highway fund; amending K.S.A. 8-143 and K.S.A. 2024 Supp. 8-145 and repealing the existing sections, by Committee on Transportation.

**HB 2122**, AN ACT concerning motor vehicles; relating to vehicle registrations; modifying the threshold limit for allowing quarterly payments of certain truck and truck tractor annual vehicle registration fees; eliminating the two-quarter grace period for truck or truck tractor owners that have delinquent quarterly payments before certain

penalties apply; amending K.S.A. 8-143a and repealing the existing section, by Committee on Transportation.

**HB 2123**, AN ACT concerning labor and employment; increasing the minimum wage for employees receiving tips and gratuities; amending K.S.A. 44-1203 and repealing the existing section, by Representatives Clayton, Carr, Featherston, Haskins, Hoye, Martinez, McDonald, Melton, Meyer, Miller, S., Mosley, Oropeza, Simmons and Woodard.

**HB 2124**, AN ACT concerning roads and highways; designating a portion of United States highway 160 as the CPL Monte Wayne Forrest memorial highway, by Representative Hoffman.

**HB 2125**, AN ACT concerning sales and compensating use tax; relating to city and countywide retailers' sales tax; providing countywide retailers' sales tax authority for Pawnee county for the purpose of healthcare services and furnishing and equipping county-supported public safety operations; amending K.S.A. 2024 Supp. 12-187, 12-189 and 12-192 and repealing the existing sections, by Committee on Taxation.

**HB 2126**, AN ACT concerning sales taxation; relating to exemptions; providing a sales tax exemption for purchases made by Kansas legal services, inc.; amending K.S.A. 2024 Supp. 79-3606 and repealing the existing section, by Committee on Taxation.

**HB 2127**, AN ACT concerning firearms; relating to municipal regulation thereof; authorizing cities and counties to regulate the sale and purchase of firearms and ammunition within a building owned by such city or county; amending K.S.A. 12-16,124 and repealing the existing section, by Committee on Local Government.

**HB 2128**, AN ACT concerning insurance; relating to the regulation thereof; authorizing 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; allowing certain life insurers to follow health financial reports; adopting certain provisions from the national association of insurance commissioners holding company system regulatory act relating to group capital calculations and liquidity stress testing; amending K.S.A. 40-2d01, 40-3302, 40-3305, 40-3306, 40-3307 and 40-3308 and K.S.A. 2024 Supp. 40-2c01 and repealing the existing sections; also repealing K.S.A. 40-249 and 40-2c29, by Committee on Insurance.

**HB 2129**, AN ACT concerning education; relating to teachers; defining teachers for purposes of the Kansas public employees retirement system; transferring teachers from the Kansas public employees retirement system act of 2015 to the Kansas public employees retirement system act of 2009; amending K.S.A. 74-49,301 and repealing the existing section, by Committee on Financial Institutions and Pensions.

**HB 2130**, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; authorizing retirement and disability benefits to be paid on either a biweekly or monthly basis at the election of a member or recipient; amending K.S.A. 20-2609, 20-2610, 74-4915 and 74-4962 and repealing the existing sections, by Committee on Financial Institutions and Pensions.

**HB 2131**, AN ACT concerning crimes, punishment and criminal procedure; relating to jailhouse witness testimony; requiring prosecutors to disclose their intent to introduce testimony from a jailhouse witness and to forward related information to the Kansas bureau of investigation, by Committee on Corrections and Juvenile Justice.

**HB 2132**, AN ACT concerning children and minors; relating to the revised Kansas code for care of children; modifying the definition of neglect; prohibiting the removal of a child from such child's home due solely to a lack of financial resources; requiring facts of imminent harm due to a lack of financial resources demonstrate more than one fact of such lack of financial resources; allowing the court to consider the participation of parents in services when determining whether a child shall be removed from such child's home; amending K.S.A. 2024 Supp. 38-2202, 38-2234 and 38-2243 and repealing the existing sections, by Committee on Child Welfare and Foster Care.

**HB 2133**, AN ACT concerning property taxation; relating to motor vehicles; providing for a property tax exemption for a motor vehicle for firefighters; amending K.S.A. 2024 Supp. 79-5107 and repealing the existing section, by Representative Schwertfeger.

**HB 2134**, AN ACT concerning the open records act; limiting certain charges for copies of records by the state executive branch and other public agencies excluding the legislative and judicial branch of state government; amending K.S.A. 45-219 and repealing the existing section, by Committee on Judiciary.

**HB 2135**, AN ACT concerning agriculture; relating to industrial hemp; making certain provisions of the commercial industrial hemp act applicable only if the Kansas department of agriculture has submitted a state plan to the federal government for the state monitoring and regulation of industrial hemp within Kansas and such state plan is still active; removing references to the expired hemp research program; amending K.S.A. 2-3903, 2-3905, 2-3908 and 2-3909 and K.S.A. 2024 Supp. 2-3902, 2-3906, 2-3907 and 2-3911 and repealing the existing sections; also repealing K.S.A. 2-3904, by Committee on Agriculture and Natural Resources.

**HB 2136**, AN ACT concerning education; relating to the tax credit for low income student scholarship program; expanding eligibility thereof; eliminating the eligibility requirement that students shall have been previously enrolled in public school; increasing the tax credit for contributions made to such program; providing for aggregate tax credit limit increases under certain conditions; amending K.S.A. 72-4353 and K.S.A. 2024 Supp. 72-4352 and 72-4357 and repealing the existing sections, by Committee on Education.

**HB 2137**, AN ACT concerning school buses; relating to school bus safety; illegal passing of school buses; authorizing the department of education to contract with a private vendor for the installation, operation and maintenance of stop signal arm video recording devices; establishing procedures for violations and civil penalties thereof; requiring an annual report to the legislature, by Committee on Education.

**HB 2138**, AN ACT concerning education; relating to school districts; authorizing school districts to levy an annual tax levy of up to two mills for the purposes of school building safety, security and compliance with the Americans with disabilities act; including such levy in the capital outlay state aid determination for school districts; amending K.S.A. 12-1770a and 72-53,126 and repealing the existing sections, by Committee on Education.

HOUSE CONCURRENT RESOLUTION No. **HCR 5008**—

By Committee on Judiciary

A PROPOSITION to amend article 2 of the constitution of the state of Kansas by adding a new section thereto; providing legislative oversight of rules and regulations

adopted by executive branch agencies and officials.

*Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected (or appointed) and qualified to the House of Representatives and two-thirds of the members elected (or appointed) and qualified to the Senate concurring therein:*

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Article 2 of the constitution of the state of Kansas is hereby amended by adding a new section to read as follows:

**"§ 31. Legislative oversight of administrative rules and regulations.** (a) In accordance with the legislature's power to authorize the adoption of administrative rules and regulations, the legislature shall oversee the adoption of such rules and regulations. The legislature may provide by law for the legislature to approve proposed rules and regulations and proposed amendments to existing rules and regulations prior to their becoming effective.

(b) The legislature may revoke or suspend any rules and regulations, or any portion thereof, by adoption of a concurrent resolution if the legislature finds that such rules and regulations, or any portion thereof, are:

- (1) Obsolete;
- (2) not enforced by the executive branch agency or official charged with such enforcement;
- (3) not in compliance with the legislative intent of the authorizing statute;
- (4) in conflict with state law or with federal law or regulations;
- (5) a cause of harm to public safety or the economy during an emergency;
- (6) overly burdensome;
- (7) an unnecessary infringement on individual rights;
- (8) duplicative of existing requirements under state law or federal law or regulations; or
- (9) in the sole discretion of the legislature, not beneficial to the public good."

Sec. 2. The following statement shall be printed on the ballot with the amendment as a whole:

*"Explanatory statement.* The purpose of this amendment is to protect the people of Kansas from burdensome rules and regulations and to promote accountability and transparency by providing legislative oversight of rules and regulations adopted by executive branch agencies and officials. This amendment authorizes the legislature to provide for legislative approval of rules and regulations and for legislative revocation or suspension of rules and regulations that are unnecessary, burdensome or otherwise not beneficial to the public good.

"A vote for this proposition would authorize the legislature to provide for legislative approval of rules and regulations and for legislative revocation or suspension of rules and regulations that are unnecessary, burdensome or otherwise not beneficial to the public good.

"A vote against this proposition would allow executive branch agencies and

officials to continue adopting rules and regulations that have the force and effect of law without oversight from the elected representatives to directly approve, revoke or suspend such rules and regulations."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the House of Representatives and two-thirds of the members elected (or appointed) and qualified to the Senate, shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at a special election, which is hereby called on August 4, 2026, pursuant to section 1 of article 14 of the constitution of the state of Kansas, to be held in conjunction with the primary election held on such date.

### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Federal and State Affairs: **HB 2094**.

Health and Human Services: **HB 2100**.

Local Government: **HB 2099**.

Taxation: **HB 2096, HB 2097, HB 2098**.

Water: **HB 2095**.

Welfare Reform: **HB 2101**.

### REPORTS OF STANDING COMMITTEES

Committee on **Elections** recommends **HB 2020** be amended on page 1, in line 9, after the second "list" by inserting "of noncitizens"; in line 11, after the second comma by inserting "alien registration numbers,"; in line 13, by striking "delete" and inserting ", after an investigation, direct the county election officer to remove within five business days"; in line 14, by striking "secretary of state" and inserting "county election officer";

Also on page 1, in the title, in line 2, by striking "monthly" and inserting "quarterly"; and the bill be passed as amended.

Committee on **Taxation** recommends **HB 2004** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

### COMMITTEE ASSIGNMENT CHANGES

Speaker Hawkins announced the appointment of Rep. Essex to replace Rep. Francis on Committee on Appropriations for January 31, 2025.

Also, the appointment of Rep. Woodard to replace Rep. Stogsdill on Committee on Taxation for January 28, 2025.

### REPORT ON ENROLLED RESOLUTIONS

**HR 6004** reported correctly enrolled and properly signed on January 28, 2025.

On motion of Rep. Croft, the House adjourned until 11:00 a.m., Wednesday, January 29, 2025.

JENNY HAUGH, JULIA WERNER, *Journal Clerks*.

SUSAN W. KANNARR, *Chief Clerk*.