

Journal of the House

NINETEENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, February 7, 2025, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tempore Carpenter in the chair.

The roll was called with 114 members present.

Reps. Huebert, Poetter Parshall and Winn were excused on verified illness.

Reps. Barth, Droge, Haskins, Hoffman, Ohaebosim, Reavis, Roth and L. Williams were excused on excused absence by the Speaker.

Excused later: Reps. James, Oropeza and Wilborn.

Prayer by Chaplain Holmes:

Dear Father.

You alone are all knowing, and we are not.

We need your divine intercession today as we try to do our best

for those who have chosen us to this place of debate and truth seeking.

Your word says, "you shall know the truth and the truth shall make you free."

Help us to pursue truth in every action and inter-action we meet today.

Give us freedom in our spirits to speak truth in all debate and decision making.

Free us from any self-condemnation imposed by others.

Your Word says, "a new commandment I give to you, that you love one another, even as I have loved you, that you also love one another.

" Father, there are times when it is difficult to love some people. Their actions and sometimes questionable attitudes just make us want to push them away and ignore them. Help us to be big enough to look beyond their actions and attitudes and see someone You created and love. And when our actions and attitudes are less than stellar, might we experience people that extend grace and love to us.

Perhaps that is what You meant when You said, "as you sow so shall you reap."

Make us good sowers of the things that make life,
vibrant, alive and an adventure to live.

We pray today for those who are homeless and at times even helpless.

Give us eyes of The Master as we meet these
who have not been as blessed as we have been.

Help us to see them, and at the very least offer a smile and a kind word.

And if You want us to do more, make that clear to us also.

Bless our families as we are away from them today.

I pray this in Jesus Name. Amen.

The Pledge of Allegiance was led by Rep. King.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2321, AN ACT concerning victims of crime; providing that certain legal violations relating to victims of crime are not grounds for appeal in a criminal case; amending K.S.A. 74-7333 and repealing the existing section, by Committee on Judiciary.

HB 2322, AN ACT concerning law enforcement; relating to motorcyclists; prohibiting motorcycle profiling and requiring law enforcement agencies to adopt a policy relating to motorcycle profiling; requiring the course of law enforcement training adopted by the director of police training to include training on motorcycle profiling; amending K.S.A. 74-5604a and repealing the existing section, by Committee on Judiciary.

HB 2323, AN ACT concerning fraudulent insurance acts; establishing procedures for a civil action instituted by the commissioner of insurance and authorizing civil penalties, restitution and other relief; providing that expunged criminal records will be disclosed in any application for licensure as an insurance producer or public adjuster if the arrest, conviction or diversion is for a fraudulent insurance act; including automobile assigned claims plans in provisions related to fraudulent insurance acts; amending K.S.A. 21-6614, 40-2,118 and 40-2,119 and repealing the existing sections, by Committee on Judiciary.

HB 2324, AN ACT concerning crimes, punishment and criminal procedure; relating to crimes against the public safety; increasing the criminal penalty for possessing or refusing to surrender a firearm in or on any school property or grounds; amending K.S.A. 21-6301 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2325, AN ACT concerning children and minors; relating to the revised Kansas juvenile justice code; authorizing judges to commit juvenile offenders to detention for technical violations of probation; increasing the cumulative detention limit for juvenile offenders and criminal penalties for juvenile offenders who use a firearm in the commission of an offense or who are repeat offenders; amending K.S.A. 38-2361, 38-2369 and 75-7023 and K.S.A. 2024 Supp. 38-2391 and 38-2392 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

HB 2326, AN ACT concerning crimes, punishment and criminal procedure; relating to sentencing; adding consideration of whether the offender has physical custody of such offender's minor child or is a legal guardian or custodian with physical custody of a minor child to the factors considered for a dispositional departure; adding such consideration to the factors considered for a diversion; amending K.S.A. 21-6815 and 22-2908 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

HB 2327, AN ACT concerning the secretary of corrections; relating to releasing inmates; requiring the secretary to issue a certificate of employability to certain inmates; authorizing such certificates to be used as evidence in negligent hiring actions, by Committee on Corrections and Juvenile Justice.

HB 2328, AN ACT concerning the secretary of corrections; relating to the prison-made goods act; providing an exception to restrictions on prison-made housing units to allow the secretary of corrections to establish a program for delivering such units into designated areas; amending K.S.A. 75-5275a and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2329, AN ACT concerning children and minors; relating to the revised Kansas juvenile justice code; providing for increased placement of juvenile offenders in non-foster home beds in youth residential facilities; requiring the secretary of corrections to pay for the costs associated with such placements; authorizing the secretary to make expenditures from the evidence-based programs account of the state general fund moneys to contract for such beds in youth residential facilities; amending K.S.A. 38-2361, 38-2365, 38-2369 and 38-2399 and K.S.A. 2024 Supp. 75-52,164 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

HB 2330, AN ACT concerning days of commemoration; designating November 14 of each year as Ruby Bridges walk to school day in the state of Kansas, by Committee on Appropriations.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Child Welfare and Foster Care: **HB 2311**.

Commerce, Labor and Economic Development: **HB 2310**.

Corrections and Juvenile Justice: **HB 2312**.

Elections: **SB 4, SB 6**.

Health and Human Services: **HB 2315, HB 2316, HB 2317**.

K-12 Education Budget: **HB 2320**.

Legislative Modernization: **HB 2313**.

Social Services Budget: **HB 2314**.

Taxation: **HB 2318**.

Transportation: **HB 2319**.

MESSAGES FROM THE SENATE

Announcing passage of **SB 8, SB 9, SB 14**.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bills were thereupon introduced and read by title:

SB 8, SB 9, SB 14.

CONSENT CALENDAR

No objection was made to **HB 2044, HB 2045** appearing on the Consent Calendar for the third day. The bill was advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2044, AN ACT concerning insurance; requiring that third party administrators maintain separate fiduciary accounts for individual payors and not contain funds collected or held on behalf of multiple payors and disclose to the commissioner of

insurance any bankruptcy petition filed by or on behalf of such administrator pursuant to chapter 9 or chapter 11 of the United States bankruptcy code; amending K.S.A. 40-3807 and 40-3809 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 105; Nays 9; Present but not voting: 0; Absent or not voting: 11.

Yeas: Alcalá, Amyx, Anderson, Averkamp, Ballard, Barrett, Bergkamp, Bergquist, Blex, Bloom, Bohi, Borjon, Brantley, Bryce, Buehler, Butler, Carlin, B. Carpenter, W. Carpenter, Chauncey, Collins, Corbet, Croft, Curtis, Delperdang, Ellis, Esau, Essex, Estes, Fairchild, Featherston, Francis, Gardner, Goddard, Goetz, Hawkins, Helgerson, Helwig, Hill, Hoheisel, Howe, Howell, Howerton, Hoye, Humphries, James, T. Johnson, Kessler, King, Lewis, Long, McDonald, McNorton, Miller, S., Minnix, Moser, Neelly, Neighbor, Osman, Penn, Pickert, Pishny, Poskin, Proctor, Rahjes, Resman, Rhiley, Roeser, Ruiz, S., Sanders, Sawyer, Clayton, Schlingensiepen, Schmoë, Schreiber, Schwertfeger, Seiwert, Simmons, Smith, A., Smith, C., Steele, Stiens, Stogsdill, Sutton, Sweely, Tarwater, Thompson, Turk, Turner, VanHouden, Vaughn, Waggoner, Ward, Wasinger, Waymaster, Weigel, White, Wikle, Wilborn, Willcott, Williams, K., Wolf, Woodard, Xu.

Nays: Carmichael, Carr, Martinez, Melton, Meyer, Mosley, Oropeza, Ousley, Ruiz, L..

Present but not voting: None.

Absent or not voting: Barth, Droge, Haskins, Hoffman, Huebert, Ohaebosim, Poetter, Reavis, Roth, Williams, L., Winn.

The bill passed.

HB 2045, AN ACT concerning insurance; reducing the number of board members appointed by the commissioner on certain insurance-related boards and the frequency of the meetings of the committee on surety bonds and insurance; amending K.S.A. 40-2102, 40-2109, 40-3116, 40-3413 and 75-4101 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 104; Nays 10; Present but not voting: 0; Absent or not voting: 11.

Yeas: Alcalá, Amyx, Anderson, Averkamp, Ballard, Barrett, Bergkamp, Bergquist, Blex, Bloom, Bohi, Borjon, Brantley, Bryce, Buehler, Butler, Carlin, B. Carpenter, W. Carpenter, Chauncey, Collins, Corbet, Croft, Curtis, Delperdang, Ellis, Esau, Essex, Estes, Fairchild, Featherston, Francis, Gardner, Goddard, Goetz, Hawkins, Helgerson, Helwig, Hill, Hoheisel, Howe, Howell, Howerton, Hoye, Humphries, James, T. Johnson, Kessler, King, Lewis, Long, McDonald, McNorton, Miller, S., Minnix, Moser, Neelly, Neighbor, Penn, Pickert, Pishny, Poskin, Proctor, Rahjes, Resman, Rhiley, Roeser, Ruiz, L., Ruiz, S., Sanders, Sawyer, Clayton, Schlingensiepen, Schmoë, Schreiber, Schwertfeger, Seiwert, Simmons, Smith, A., Smith, C., Steele, Stiens, Stogsdill, Sutton, Sweely, Tarwater, Thompson, Turk, Turner, VanHouden, Vaughn, Waggoner, Ward, Wasinger, Waymaster, Weigel, White, Wikle, Wilborn, Willcott, Williams, K., Wolf, Woodard, Xu.

Nays: Paige, Carmichael, Carr, Martinez, Melton, Meyer, Mosley, Oropeza, Osman, Ousley.

Present but not voting: None.

Absent or not voting: Barth, Droge, Haskins, Hoffman, Huebert, Ohaebosim, Poetter, Reavis, Roth, Williams, L., Winn.

The bill passed.

HB 2049, AN ACT concerning insurance; relating to licensing requirements for insurance agents and public adjusters; pertaining to suspension, revocation, denial of licensure and licensure renewal; amending K.S.A. 40-5510 and K.S.A. 2024 Supp. 40-4909 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 114; Nays 0; Present but not voting: 0; Absent or not voting: 11.

Yeas: Alcalá, Amyx, Anderson, Awerkamp, Ballard, Barrett, Bergkamp, Bergquist, Blex, Bloom, Bohi, Borjon, Brantley, Paige, Bryce, Buehler, Butler, Carlin, Carmichael, B. Carpenter, W. Carpenter, Carr, Chauncey, Collins, Corbet, Croft, Curtis, Delperdang, Ellis, Esau, Essex, Estes, Fairchild, Featherston, Francis, Gardner, Goddard, Goetz, Hawkins, Helgerson, Helwig, Hill, Hoheisel, Howe, Howell, Howerton, Hoyer, Humphries, James, T. Johnson, Kessler, King, Lewis, Long, Martinez, McDonald, McNorton, Melton, Meyer, Miller, S., Minnix, Moser, Mosley, Neelly, Neighbor, Oropeza, Osman, Ousley, Penn, Pickert, Pishny, Poskin, Proctor, Rahjes, Resman, Rhiley, Roeser, Ruiz, L., Ruiz, S., Sanders, Sawyer, Clayton, Schlingensiepen, Schmoë, Schreiber, Schwertfeger, Seiwert, Simmons, Smith, A., Smith, C., Steele, Stiens, Stogsdill, Sutton, Sweely, Tarwater, Thompson, Turk, Turner, VanHouden, Vaughn, Waggoner, Ward, Wasinger, Waymaster, Weigel, White, Wickle, Wilborn, Willcott, Williams, K., Wolf, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Barth, Droge, Haskins, Hoffman, Huebert, Ohaebosim, Poetter, Reavis, Roth, Williams, L., Winn.

The bill passed, as amended.

HB 2050, AN ACT concerning insurance; relating to the powers, duties and responsibilities of the commissioner of insurance; authorizing the commissioner of insurance to set the amount of certain fees; requiring the publication of certain fees in the Kansas register; amending K.S.A. 40-205a, 40-218, 40-252, 40-2133, 40-504, 40-956, 40-22a04, 40-2604, 40-2702, 40-3213, 40-3304, 40-3812, 40-3813, 40-3814, 40-4103, 40-4116, 40-4323, 40-4334, 40-4503, 40-5003 and 40-5509 and K.S.A. 2024 Supp. 40-3823, 40-3824, 40-4209, 40-4302 and 40-4903 and repealing the existing sections; also repealing K.S.A. 40-3217, was considered on final action.

On roll call, the vote was: Yeas 114; Nays 0; Present but not voting: 0; Absent or not voting: 11.

Yeas: Alcalá, Amyx, Anderson, Awerkamp, Ballard, Barrett, Bergkamp, Bergquist, Blex, Bloom, Bohi, Borjon, Brantley, Paige, Bryce, Buehler, Butler, Carlin, Carmichael, B. Carpenter, W. Carpenter, Carr, Chauncey, Collins, Corbet, Croft, Curtis, Delperdang, Ellis, Esau, Essex, Estes, Fairchild, Featherston, Francis, Gardner, Goddard, Goetz, Hawkins, Helgerson, Helwig, Hill, Hoheisel, Howe, Howell, Howerton, Hoyer, Humphries, James, T. Johnson, Kessler, King, Lewis, Long, Martinez, McDonald, McNorton, Melton, Meyer, Miller, S., Minnix, Moser, Mosley, Neelly, Neighbor, Oropeza, Osman, Ousley, Penn, Pickert, Pishny, Poskin, Proctor, Rahjes, Resman, Rhiley, Roeser, Ruiz, L., Ruiz, S., Sanders, Sawyer, Clayton, Schlingensiepen, Schmoë,

Schreiber, Schwertfeger, Seiwert, Simmons, Smith, A., Smith, C., Steele, Stiens, Stogsdill, Sutton, Sweely, Tarwater, Thompson, Turk, Turner, VanHouden, Vaughn, Waggoner, Ward, Wasinger, Waymaster, Weigel, White, Wikle, Wilborn, Willcott, Williams, K., Wolf, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Barth, Droge, Haskins, Hoffman, Huebert, Ohaebosim, Poetter, Reavis, Roth, Williams, L., Winn.

The bill passed, as amended.

On motion of Rep. Croft, the House resolved into the Committee of the Whole, with Rep. Sanders in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Sanders, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2029** be passed over and retain a place on the calendar.

Committee report to **HB 2042** be adopted; and the bill be passed as amended.

Committee report to **HB 2043** be adopted; and the bill be passed as amended.

Committee report to **HB 2029** be adopted.

Also, on motion of Rep. Carr to amend **HB 2029**, Rep. Hoheisel requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane; and the bill be passed as amended.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Croft pursuant to House Rule 2311, **HB 2029**, **HB 2042** and **HB 2043** were advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2042, AN ACT concerning insurance; relating to title insurance; requiring title agents to make their audit reports available for inspection upon request of the commissioner of insurance instead of submitting such reports annually; requiring the amount of surety bonds filed with the commissioner to be \$100,000; eliminating the controlled business exemption in certain counties; amending K.S.A. 40-1139 and K.S.A. 2024 Supp. 40-1137 and 40-2404 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 103; Nays 8; Present but not voting: 0; Absent or not voting: 14.

Yeas: Alcalá, Amyx, Anderson, Awerkamp, Ballard, Barrett, Bergkamp, Bergquist, Blex, Bloom, Bohi, Borjon, Brantley, Bryce, Buehler, Butler, Carlin, B. Carpenter, W. Carpenter, Chauncey, Collins, Corbet, Croft, Curtis, Delperdang, Ellis, Esau, Essex, Estes, Featherston, Francis, Gardner, Goddard, Goetz, Hawkins, Helgerson, Helwig, Hill, Hoheisel, Howe, Howell, Howerton, Hoye, Humphries, T. Johnson, Kessler, King, Lewis, Long, McDonald, McNorton, Miller, S., Minnix, Moser, Mosley, Neely, Neighbor, Osman, Penn, Pickert, Pishny, Poskin, Proctor, Rahjes, Resman, Rhiley, Roeser, Ruiz, L., Ruiz, S., Sanders, Sawyer, Clayton, Schlingensiepen, Schmoie, Schreiber, Schwertfeger, Seiwert, Simmons, Smith, A., Smith, C., Steele, Stiens,

Stogsdill, Sutton, Sweely, Tarwater, Thompson, Turk, Turner, VanHouden, Vaughn, Waggoner, Ward, Wasinger, Waymaster, Weigel, White, Wikle, Willcott, Williams, K., Wolf, Woodard, Xu.

Nays: Paige, Carmichael, Carr, Fairchild, Martinez, Melton, Meyer, Ousley.

Present but not voting: None.

Absent or not voting: Barth, Droge, Haskins, Hoffman, Huebert, James, Ohaebosim, Oropeza, Poetter, Reavis, Roth, Wilborn, Williams, L., Winn.

The bill passed, as amended.

EXPLANATION OF VOTE

Mr. Speaker: I vote no on HB 2042. This bill increases the surety bond amount for title insurance agents to \$100,000. Currently, in counties that have a population of 20,000 or less, the surety bond amount is \$25,000. Generally, insurance agents have to pay 3% of the total bond amount in order to be able to do business in our state. This would mean that for the small counties, insurance agents would have to pay a fee of \$750 to do business. Under this bill, insurance agents in small counties would have to pay a fee of \$3000. In my opinion this is a significant fee increase. – Brett Fairchild

HB 2043, AN ACT concerning insurance; relating to unfair and deceptive acts or practices; requiring agents and insurers to respond to inquiries from the commissioner of insurance within 14 calendar days; authorizing certain rebate pilot programs to exceed one year in duration; amending K.S.A. 2024 Supp. 40-2404 and 40-4909 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 97; Nays 14; Present but not voting: 0; Absent or not voting: 14.

Yeas: Alcalá, Amyx, Anderson, Awerkamp, Ballard, Barrett, Bergkamp, Bergquist, Blex, Bloom, Bohi, Borjon, Brantley, Bryce, Buehler, Butler, Carlin, B. Carpenter, W. Carpenter, Chauncey, Collins, Corbet, Croft, Curtis, Delperdang, Ellis, Esau, Essex, Estes, Fairchild, Featherston, Francis, Gardner, Goddard, Goetz, Hawkins, Helwig, Hill, Hoheisel, Howe, Howell, Howerton, Hoye, Humphries, T. Johnson, Kessler, King, Lewis, Long, McDonald, McNorton, Miller, S., Minnix, Moser, Neelly, Neighbor, Osman, Penn, Pickert, Pishny, Poskin, Proctor, Rahjes, Resman, Rhiley, Roeser, Sanders, Sawyer, Clayton, Schmoë, Schreiber, Schwertfeger, Seiwert, Smith, A., Smith, C., Steele, Stiens, Sutton, Sweely, Tarwater, Thompson, Turk, Turner, VanHouden, Vaughn, Waggoner, Ward, Wasinger, Waymaster, Weigel, White, Wikle, Willcott, Williams, K., Wolf, Woodard, Xu.

Nays: Paige, Carmichael, Carr, Helgerson, Martinez, Melton, Meyer, Mosley, Ousley, Ruiz, L., Ruiz, S., Schlingensiepen, Simmons, Stogsdill.

Present but not voting: None.

Absent or not voting: Barth, Droge, Haskins, Hoffman, Huebert, James, Ohaebosim, Oropeza, Poetter, Reavis, Roth, Wilborn, Williams, L., Winn.

The bill passed, as amended.

HB 2029, AN ACT concerning roads and highways; designating a portion of K-5 highway as the Rep Marvin S Robinson memorial highway; redesignating a current portion of the Harry Darby memorial highway for interstate highway 635; amending K.S.A. 68-1037 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 111; Nays 0; Present but not voting: 0; Absent or not voting: 14.

Yeas: Alcalá, Amyx, Anderson, Awerkamp, Ballard, Barrett, Bergkamp, Bergquist, Blex, Bloom, Bohi, Borjon, Brantley, Paige, Bryce, Buehler, Butler, Carlin, Carmichael, B. Carpenter, W. Carpenter, Carr, Chauncey, Collins, Corbet, Croft, Curtis, Delperdang, Ellis, Esau, Essex, Estes, Fairchild, Featherston, Francis, Gardner, Goddard, Goetz, Hawkins, Helgerson, Helwig, Hill, Hoheisel, Howe, Howell, Howerton, Hoyer, Humphries, T. Johnson, Kessler, King, Lewis, Long, Martinez, McDonald, McNorton, Melton, Meyer, Miller, S., Minnix, Moser, Mosley, Neelly, Neighbor, Osman, Ousley, Penn, Pickert, Pishny, Poskin, Proctor, Rahjes, Resman, Rhiley, Roeser, Ruiz, L., Ruiz, S., Sanders, Sawyer, Clayton, Schlingensiepen, Schmoë, Schreiber, Schwertfeger, Seiwert, Simmons, Smith, A., Smith, C., Steele, Stiens, Stogsdill, Sutton, Sweely, Tarwater, Thompson, Turk, Turner, VanHouden, Vaughn, Waggoner, Ward, Wasinger, Wymaster, Weigel, White, Wikle, Willcott, Williams, K., Wolf, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Barth, Droge, Haskins, Hoffman, Huebert, James, Ohaebosim, Oropeza, Poetter, Reavis, Roth, Wilborn, Williams, L., Winn.

The bill passed, as amended.

EXPLANATION OF VOTE

MR. SPEAKER: I vote Yes on **HB 2029**. Rep. Marvin Robinson is one of the finest members to have ever served in the Kansas Legislature – SUSAN ESTES, SUSAN HUMPHRIES, PATRICK PENN

REPORTS OF STANDING COMMITTEES

Committee on **Commerce, Labor and Economic Development** recommends **HB 2117**, **HB 2118** be passed.

Committee on **Commerce, Labor and Economic Development** recommends **HB 2035** be amended on page 1, following line 6, by inserting:

"Section 1. K.S.A. 2024 Supp. 32-1432 is hereby amended to read as follows: 32-1432. As used in K.S.A. 32-1430 through 32-1438, and amendments thereto:

(a) "Agritourism activity" means any activity which allows members of the general public, for recreational, entertainment or educational purposes, to view or enjoy rural activities, including, but not limited to, farming activities, ranching activities to include trail rides or historic, cultural or natural attractions. An activity may be an agritourism activity whether or not the participant pays to participate in the activity. An activity is not an agritourism activity if the participant is paid to participate in the activity.

(b) "Inherent risks of a registered agritourism activity" means those dangers or conditions which are an integral part of such agritourism activity including, but not limited to, certain hazards such as surface and subsurface conditions; natural conditions of land, vegetation, and waters; the behavior of wild or domestic animals; and ordinary dangers of structures or equipment ordinarily used in farming or ranching operations. "Inherent risks of a registered agritourism activity" also includes the potential of a participant to act in a negligent manner that may contribute to injury to the participant or others, such as failing to follow instructions given by the registered agritourism

operator or failing to exercise reasonable caution while engaging in the registered agritourism activity.

(c) "Participant" means any person who engages in a registered agritourism activity.

(d) "Registered agritourism activity" means any agritourism activity registered with the secretary pursuant to K.S.A. 32-1433, and amendments thereto.

(e) "Registered agritourism location" means a specific parcel of land which is registered with the secretary pursuant to K.S.A. 32-1433, and amendments thereto, and where a registered agritourism operator engages in registered agritourism activities.

(f) "Registered agritourism operator" means any person who is engaged in the business of providing one or more agritourism activities and is registered with the secretary pursuant to K.S.A. 32-1433, and amendments thereto.

(g) "Secretary" means the secretary of commerce.;

On page 4, in line 22, after "Supp." by inserting "32-1432 and"; also in line 22, by striking "is" and inserting "are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "property taxation" and inserting "agritourism"; also in line 1, by striking all after the semicolon; in line 2, by striking all before "including"; in line 3, after the semicolon by inserting "classifying such land as used for agritourism for purposes of property tax valuation as agricultural land;"; also in line 3, after "Supp." by inserting "32-1432 and"; in line 4, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Energy, Utilities and Telecommunications** recommends **HB 2109** be passed.

Committee on **Health and Human Services** recommends **HB 2069** be amended on page 6, in line 16, by striking "LICESURE" and inserting "LICENSURE";

On page 13, by striking all in line 20 and inserting "ENFORCEMENT"; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2070** be amended on page 2, in line 5, after "as" by inserting "revocation, suspension, probation, monitoring of the licensee, limitation on the licensee's"; also in line 5, by striking the comma;

On page 6, in line 17, by striking all after the period; by striking all in lines 18 through 23; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2166** be passed.

Committee on **Judiciary** recommends **HB 2182** be amended on page 1, in line 19, after "thereto" by inserting ", or a similar proceeding based on the laws of another jurisdiction";

Also on page 1, in the title, in line 4, after "act" by inserting "and similar proceedings based on the laws of other jurisdictions"; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2124** be amended on page 1, in line 9, by striking "8-10,114" and inserting "68-10,114"; also on page 1, following line 12, by inserting:

"Sec. 2. The portion of United States highway 77 from its junction with interstate 70, then north on United States highway 77 in Geary county to its western junction with United States highway 24 in Riley county, then north on United States highway 77 from

its eastern junction with United States highway 24 to the junction with K-16 highway is hereby designated as the POW MIA memorial highway. Upon compliance with K.S.A. 68-10,114, and amendments thereto, the secretary of transportation shall place suitable signs along the highway right-of-way at proper intervals to indicate that the highway is the POW MIA memorial highway.

Sec. 3. Bridge No. 82-14-6.88 (026) located on K-82 highway in Clay county is hereby designated as the POW MIA memorial bridge. Upon compliance with K.S.A. 68-10,114, and amendments thereto, the secretary of transportation shall place suitable signs to indicate that such bridge is the POW MIA memorial bridge.";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 3, after "highway" by inserting ", a portion of United States highway 77 as the POW MIA memorial highway and bridge No. 82-14-6.88 (026) in Clay county as the POW MIA memorial bridge"; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2031** be amended on page 1, in line 29, by striking "except as otherwise provided in subsection (b),"; in line 30, after "Kansas" by striking "drivers'" and inserting "driver's"; also in line 30, after "license" by inserting "or driver's license issued by any other state";

Also on page 1, in the title, in line 1, by striking "motorcycle" and inserting "driving"; in line 2, after "instructors" by inserting "and motorcycle instructors"; also in line 2, after "a" by inserting "driver's license or"; and the bill be passed as amended.

REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

Request No. 1, Representative Bill Rhiley congratulating the Cowley College Lady Tigers Volleyball team for winning a second straight NJCAA D2 National Championship;

Request No. 2, Representative Patrick Penn, in memory of Marvin S. Robinson death. He was the 35th District Representative. Graduate of Emporia State University and served with distinction in the U.S. Navy;

Request No. 3, Representatives Brad Barrett and Duane Droge commending the Southern Lyon County USD 252 Honor Flight Program.;

Request No. 4, Representative Alexis Simmons, commending Malachi Delgado, Senior at Topeka High School, dedication in shaping a better Kansas through work in Animal Science;

Request No. 5, Representative Alexis Simmons commending Madyson Fulsom, Junior at Topeka High School, for her dedication to excellence in shaping a better Kansas through her work in Teaching and Training;

Request No. 6, Representative Alexis Simmons, commending Makynzie Murray, Senior at Topeka High School, for dedication to excellence in shaping a healthier Kansas through her work as a CNA and in Phlebotomy;

Request No. 7 Representative Alexis Simmons, commending Butch Graham, Senior at Topeka West High School, for his dedication to excellence in Law and Public Safety;

Request No. 8 Representative Alexis Simmons, commending Gabriella Rogers, Junior at Topeka High School, dedication to excellence in making a healthier future for Kansans through her work in Sports Medicine;

Request No. 9, Representative Pat Proctor commending the Leavenworth High School JROTC Raiders;

Request No. 10, Representative Sydney Carlin, Oliver Brown Elementary School, Manhattan, KS, celebrating the grand opening of the elementary school in remembrance of the landmark decision, Brown vs. Board of Education of Topeka in 1954;

Request No. 11, Representative Kristey Williams, congratulating Garfield Elementary School, Augusta-USD 402, 2024 National Blue Ribbon School. This honor is based on exemplary academic performance narrowing achievement gaps between different groups;

Request No. 12, Representatives Nathan Butler and Shawn Chauncey congratulating Lincoln Elementary School, Geary Co., Junction City, recognized for 2024 Blue Ribbon achievement in academic excellence;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Representative Croft the committee report was adopted.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2331, AN ACT concerning coroners; authorizing the disposition of the unclaimed remains of deceased persons by district coroners; providing exemptions from liability for actions taken to dispose of such remains; amending K.S.A. 22a-215 and repealing the existing section, by Committee on Federal and State Affairs.

HB 2332, AN ACT concerning the legislature; establishing a seal for the house of representatives; providing for the custody and use thereof, by Committee on Federal and State Affairs.

HB 2333, AN ACT concerning insurance; renaming the Kansas insurance department as the Kansas department of insurance; renaming the office of the securities commissioner of Kansas as the department of insurance, securities division; renaming the securities commissioner as the department of insurance assistant commissioner, securities division; eliminating the requirement that the senate confirm the department of insurance assistant commissioner, securities division appointee; amending K.S.A. 2024 Supp. 40-102 and 75-6301 and repealing the existing sections; also repealing K.S.A. 75-6302, 75-6303, 75-6304, 75-6305, 75-6306 and 75-6307, by Committee on Insurance.

HB 2334, AN ACT concerning insurance; relating to captive insurance companies; providing for incorporated cell captive insurance companies and protected cell captive insurance companies; enacting the Kansas protected cell captive insurance company act; providing for a provisional certificate of authority; expanding the types of insurance that a captive insurance company may provide; extending the period of time in-between

financial examinations conducted by the commissioner; amending K.S.A. 40-4304, 40-4312 and 40-4314 and K.S.A. 2024 Supp. 40-4302 and 40-4308 and repealing the existing sections, by Committee on Insurance.

HB 2335, AN ACT concerning insurance; relating to the healthcare provider insurance availability act; adding maternity center to the definition of healthcare provider; amending K.S.A. 40-3401 and repealing the existing section, by Committee on Insurance.

HB 2336, AN ACT concerning taxation; relating to income and privilege taxes; providing for the apportionment of business income by the single sales factor and the apportionment of financial institution income by the receipts factor; establishing deductions from income when using the single sales factor and receipts factor; providing for the decrease in corporate income tax rates; determining when sales other than tangible personal property are made in the state; excluding sales of a unitary business group of electric and natural gas public utilities; amending K.S.A. 79-1129, 79-3271, 79-3279 and 79-3287 and K.S.A. 2024 Supp. 79-32,110 and 79-32,113 and repealing the existing sections, by Committee on Taxation.

HB 2337, AN ACT concerning money transmission; imposing a fee on each international transaction by a money transmitter by wire; establishing an income tax credit for fees paid; allowing the state bank commissioner to assess penalties for the nonpayment of such fees; providing for the distribution of such fee and penalty moneys; establishing the criminal litigation fund, wire transfer fee fund and prosecutor and law enforcement grant fund; creating a misdemeanor crime of unlawful transmission of a wire transfer and providing criminal penalties therefor; amending K.S.A. 2024 Supp. 9-555 and 75-5133 and repealing the existing sections, by Committee on Financial Institutions and Pensions.

HB 2338, AN ACT concerning the practice of cosmetology; relating to demonstration permits; authorizing the Kansas state board of cosmetology to issue temporary location permits and temporary guest body artist permits; establishing criteria to issue such permits; amending K.S.A. 2024 Supp. 65-1958 and repealing the existing section, by Committee on Commerce, Labor and Economic Development.

HB 2339, AN ACT concerning adult care homes; relating to enhancing adult care home services; providing for adult care home workforce development through scholarships for part-time nursing students; setting minimum education levels for instructors at nursing schools; establishing the intergenerational child care program to enhance the adult care home environment by supporting adult care homes offering child care services through the awarding of grants by the secretary of health and environment; creating the intergenerational child care fund; authorizing the secretary to administer the fund; amending K.S.A. 65-1119 and K.S.A. 2024 Supp. 74-3293 and repealing the existing sections, by Committee on Commerce, Labor and Economic Development.

HB 2340, AN ACT concerning hazardous materials; relating to responsibility for costs associated with application of commercial pesticides; providing an exemption from remediation costs or other liability for owners of certain property located in Johnson county; amending K.S.A. 65-3453 and 65-3455 and repealing the existing sections, by Committee on Commerce, Labor and Economic Development.

HB 2341, AN ACT concerning contractor's and other liens on property; relating to bonds posted by property owners against such liens for the purpose of securing payment of the claims and clearing such liens; requiring that sureties for such bonds be licensed

to do business in Kansas; providing that district courts award attorney fees and costs to successful claimants that demanded payment of the principal and surety prior to filing suit and did not receive payment; requiring a pretrial hearing for the purpose of a preliminary finding by the court of whether the surety should pay the amount of the claim to the claimant or alternatively pay such amount into an account to be held by the court; amending K.S.A. 60-1110 and repealing the existing section, by Committee on Commerce, Labor and Economic Development.

HB 2342, AN ACT concerning the secretary of commerce; relating to employment with the department of commerce; authorizing national criminal history background checks for final applicants for certain sensitive positions and employees in such positions; authorizing the secretary of commerce to request the Kansas bureau of investigation to conduct the background checks and provide the results to the secretary; amending K.S.A. 2024 Supp. 22-4714 and repealing the existing section, by Committee on Commerce, Labor and Economic Development.

HB 2343, AN ACT concerning economic development; creating the no-impact home-based business fairness act; providing that such businesses shall be a permitted use and prohibiting additional permit or licensing requirements by a municipality; requiring that municipal regulations be narrowly-tailored with respect to such businesses; supporting the development and growth of such business by limiting the regulatory powers of municipalities, by Committee on Commerce, Labor and Economic Development.

HB 2344, AN ACT concerning economic development; relating to international trade; establishing the Kansas-Ireland trade commission to advance, promote and encourage business and other mutually beneficial activities between Kansas and Ireland; creating the Kansas-Ireland trade commission fund, by Committee on Commerce, Labor and Economic Development.

HB 2345, AN ACT concerning natural resources; creating the Kansas office of natural resources within the executive branch of government; establishing the division of water resources, division of conservation and division of water policy and planning therein; transferring certain powers, duties and functions; abolishing the Kansas water office, the Kansas department of agriculture, division of conservation and the Kansas department of agriculture, division of water resources; updating statutory references thereof; amending K.S.A. 2-1903, 2-1904, 2-1907, 2-1915, 2-1930, 2-1933, 12-541, 12-636, 12-761, 12-766, 12-2713, 19-2963, 24-407, 24-418, 24-656, 24-659, 24-1202, 24-1204, 24-1211, 24-1212, 42-701, 42-703, 42-722, 42-722a, 42-725, 68-1414, 68-2203, 74-506b, 74-5, 121, 74-2608, 74-2609, 74-99f04, 82a-301, 82a-301a, 82a-303a, 82a-328, 82a-405, 82a-603, 82a-612, 82a-701, 82a-711, 82a-718, 82a-724, 82a-731, 82a-732, 82a-733, 82a-737, 82a-739, 82a-762, 82a-767, 82a-770, 82a-771, 82a-773, 82a-902, 82a-905, 82a-906, 82a-907, 82a-910, 82a-911, 82a-915, 82a-920, 82a-922, 82a-923, 82a-932, 82a-933, 82a-934, 82a-954, 82a-1021, 82a-1023, 82a-1042, 82a-1301, 82a-1303, 82a-1311a, 82a-1315b, 82a-1315c, 82a-1332, 82a-1333, 82a-1335, 82a-1345, 82a-1347, 82a-1348, 82a-1349, 82a-1360, 82a-1361, 82a-1362, 82a-1363, 82a-1364, 82a-1367, 82a-1368, 82a-1370, 82a-1402, 82a-1502, 82a-1604, 82a-1605, 82a-1606, 82a-1608, 82a-1609, 82a-1703, 82a-1704, 82a-1803, 82a-1804, 82a-1805, 82a-1904, 82a-1905, 82a-1906, 82a-2007, 82a-2101, 82a-2302, 82a-2303, 82a-2304, 82a-2305, 82a-2310, 82a-2311, 82a-2312, 82a-2313, 82a-2314, 82a-2317, 82a-2324, 82a-2402, 82a-2403, 82a-2404, 82a-2406, 82a-2407, 82a-2408, 82a-2411, 82a-2412, 82a-2414,

82a-2415, 82a-2416 and 82a-2419 and K.S.A. 2024 Supp. 32-1403, 49-603, 49-606, 49-611, 49-613, 49-618, 49-620, 49-621, 49-623, 55-153, 74-2622, 75-3036, 75-37,121, 75-5133, 82a-220, 82a-326, 82a-708b, 82a-714, 82a-736, 82a-903, 82a-1038, 82a-1041, 82a-1501, 82a-1602, 82a-1603, 82a-1607 and 82a-1702 and repealing the existing sections; also repealing K.S.A. 74-506a, 74-5,126, 74-5,127, 74-5,128, 74-5,129, 74-5,130, 74-5,131, 74-5,132, 74-5,132a, 74-2613, 82a-738 and 82a-1901, by Committee on Water.

HB 2346, AN ACT concerning economic development; establishing the Kansas sports tourism grant program administered by the secretary of commerce to provide grants to assist communities in developing and continuing sporting events; creating the Kansas sports tourism grant committee to review and determine grant awards; providing for funding of such grants from the state economic development initiatives fund; establishing the Kansas sports tourism program grant fund. , by Committee on Commerce, Labor and Economic Development.

HB 2347, AN ACT concerning crimes, punishment and criminal procedure; relating to theft; changing the culpability required for certain types of theft; increasing the criminal penalty when the property is a motor vehicle; amending K.S.A. 21-5801 and repealing the existing section, by Committee on Judiciary.

HB 2348, AN ACT concerning higher education; providing that tenure at postsecondary educational institutions shall not be defined, awarded or recognized as an entitlement, right or property interest in a faculty member's current, ongoing or future employment by an institution, by Committee on Judiciary.

HB 2349, AN ACT concerning the scrap metal theft reduction act; authorizing law enforcement officers to conduct investigations of violations of the act; establishing criminal penalties for certain violations of the act; permitting municipalities to enact or enforce ordinances, resolutions and regulations relating to scrap metal that are not in conflict with the act; amending K.S.A. 2024 Supp. 50-6,109a, 50-6,109c and 50-6,109f and repealing the existing sections, by Committee on Judiciary.

HB 2350, AN ACT concerning the revised Kansas juvenile justice code; relating to the prosecution of juveniles as adults; providing that no juvenile less than 18 years of age shall be prosecuted as an adult; amending K.S.A. 38-2347 and repealing the existing section, by Committee on Judiciary.

HB 2351, AN ACT concerning arbitration; relating to contracts of insurance; making certain agreements to appraise or arbitrate in contracts of insurance invalid and creating exceptions therefor; amending K.S.A. 5-428 and repealing the existing section, by Committee on Judiciary.

HB 2352, AN ACT concerning children and minors; relating to reporting of certain abuse and neglect; requiring a duly ordained minister of religion to report certain abuse and neglect except when reporting would violate the penitential communication privilege; requiring training for persons obligated to report abuse and neglect. amending K.S.A. 2024 Supp. 38-2223 and repealing the existing section, by Committee on Judiciary.

HB 2353, AN ACT concerning health and healthcare; requiring that certain written information be provided to patients when a physician or healthcare provider administers or prescribes any medicine or drug for the purpose of inducing an abortion, by Committee on Judiciary.

HB 2354, AN ACT concerning crimes, punishment and criminal procedure; relating to unlawful possession of controlled substances; providing an exception for residents of Kansas who possess marijuana and are disabled veterans with a valid medical marijuana card issued by any state; amending K.S.A. 21-5706 and repealing the existing section, by Committee on Judiciary.

HB 2355, AN ACT concerning limited liability companies; relating to series limited liability companies; authorizing a limited liability company and any of its series to elect to consolidate its operations as a single taxpayer and elect to be treated as a single business for certain purposes; permitting operating agreements to impose restrictions, duties and obligations on members; specifying that wrongful transfer of property with intent to hinder, delay or defraud creditors or to defraud shall be deemed void; amending K.S.A. 17-76,143 and repealing the existing section, by Committee on Judiciary.

HB 2356, AN ACT concerning the uniform nonparent visitation act; modifying the evidentiary standard used to determine nonparent visitation rights; amending K.S.A. 2024 Supp. 23-3308 and 23-3309 and repealing the existing sections, by Committee on Judiciary.

HB 2357, AN ACT concerning housing; providing that court records in eviction actions where the underlying rental agreement is governed by the residential landlord and tenant act shall be sealed for certain periods; requiring expungement of certain court records of such eviction actions; providing that certain violations of this act constitute unconscionable acts or practices under the provisions of the Kansas consumer protection act; requiring mediation in eviction actions where the underlying rental agreement is governed by the residential landlord and tenant act unless the court finds that mediation would not aid the parties materially; amending K.S.A. 61-3804 and 61-3806 and K.S.A. 2024 Supp. 60-2617 and 61-3807 and repealing the existing sections, by Committee on Judiciary.

HB 2358, AN ACT concerning public assistance; relating to food assistance; requiring able-bodied adults and work registrants without dependents under six years of age to participate in an employment and training program as a condition of receiving food assistance; amending K.S.A. 2024 Supp. 39-709 and repealing the existing section, by Committee on Welfare Reform.

HB 2359, AN ACT concerning guardians and conservators; enacting the uniform adult guardianship and protective proceedings jurisdiction act and the uniform guardianship, conservatorship and other protective arrangements act; amending K.S.A. 9-1215, 17-2263, 17-2264, 21-5417, 38-2217, 44-513a, 44-1601, 58-662, 58-24a15, 59-1701, 59-2949, 59-2951, 59-2960, 59-29b49, 59-29b51, 73-507, 76-729, 76-12b04 and 77-201 and K.S.A. 2024 Supp. 58-656, 58-4802, 58-4814, 58a-103, 59-2401a, 59-2946, 59-2948, 59-29b46, 59-29b48, 59-29b60, 59-29c03 and 75-652 and repealing the existing sections; also repealing K.S.A. 59-2701, 59-2702, 59-2703, 59-2704, 59-2705, 59-2706, 59-2707, 59-2708, 59-3050, 59-3054, 59-3057, 59-3063, 59-3064, 59-3066, 59-3071, 59-3072, 59-3074, 59-3076, 59-3079, 59-3081, 59-3082, 59-3084, 59-3085, 59-3087, 59-3088, 59-3089, 59-3090, 59-3091, 59-3092, 59-3093, 59-3095 and 59-3096 and K.S.A. 2024 Supp. 59-3051, 59-3052, 59-3053, 59-3055, 59-3056, 59-3058, 59-3059, 59-3060, 59-3061, 59-3062, 59-3065, 59-3067, 59-3068, 59-3069, 59-3070, 59-3073, 59-3075, 59-3077, 59-3078, 59-3080, 59-3083, 59-3086, 59-3094 and 59-3097, by Committee on Judiciary.

HB 2360, AN ACT concerning public assistance; relating to the secretary for children and families and the secretary of health and environment; directing the secretaries to enter into agreements with commercial entities and state agencies for the continuous review and comparison of data for public assistance eligibility; requiring the secretary for children and families to review federal sources to verify such eligibility, by Committee on Welfare Reform.

HB 2361, AN ACT concerning education; relating to scholarship programs; creating the Kansas healthcare service scholarship program; adding part-time students to the list of eligible participants; adding allied health programs and health science programs to the list of eligible programs; transferring funds from the state general fund to the Kansas healthcare service scholarship program; abolishing the nursing scholarship program; amending K.S.A. 74-3291 and K.S.A. 2024 Supp. 74-3292, 74-3293, 74-3294, 74-3295, 74-3296, 74-3297 and 74-3298 and repealing the existing sections, by Committee on Health and Human Services.

HB 2362, AN ACT concerning gambling and gaming; relating to lottery and gambling prize winnings; requiring the department of administration to report identifying information of persons who claim prize winnings in excess of \$5,000 to the department of health and environment to verify if individuals with such winnings are receiving medical assistance under medicaid or related programs; amending K.S.A. 2024 Supp. 39-709 and repealing the existing section, by Committee on Health and Human Services.

HB 2363, AN ACT concerning conservation easements; requiring review by city or county planning commissions and approval by the city or county governing body; amending K.S.A. 58-3811 and repealing the existing section, by Committee on Agriculture and Natural Resources Budget.

HB 2364, AN ACT concerning health insurance; relating to coverage for nonopioid prescription drugs for the treatment of pain; prohibiting certain health insurers from requiring cost-sharing for nonopioid prescription drugs or providing less favorable coverage for such drug than that for opioid or narcotic prescription drugs, by Committee on Health and Human Services.

HB 2365, AN ACT concerning health and healthcare; relating to state hospitals; establishing the south central regional mental health hospital; amending K.S.A. 21-5413, 39-1602, 39-1613, 40-3401, 41-1126, 65-4921, 65-5601, 75-3099, 75-3373, 76-384, 76-12a01, 76-12a31, 76-1407, 76-1409 and 76-1409a and K.S.A. 2024 Supp. 39-1401, 59-2006b, 59-2946, 59-29b46, 59-29b54, 59-29b57, 59-3077, 74-3292, 76-1936 and 76-1958 and repealing the existing sections, by Committee on Health and Human Services.

HB 2366, AN ACT concerning health and healthcare; relating to the practice of naturopathy; licensure and regulation of naturopathic doctors; broadening the scope of practice of naturopathic doctors; amending K.S.A. 65-7201, 65-7207, 65-7208, 65-7209 and 65-7214 and K.S.A. 2022 Supp. 65-1626, 65-4101 and 65-7202 and repealing the existing sections, by Committee on Health and Human Services.

HB 2367, AN ACT concerning health and healthcare; relating to naturopathic doctors; providing naturopathic doctors a certificate of authorization for a business entity to practice medicine; amending K.S.A. 17-2710 and K.S.A. 2024 Supp. 65-28,134 and repealing the existing sections, by Committee on Health and Human Services.

HB 2368, AN ACT enacting the anesthesiologist assistant licensure act; providing for the powers, duties and functions of the state board of healing arts thereunder; amending K.S.A. 65-1163 and 65-28,127 and K.S.A. 2024 Supp. 22-4714 and repealing the existing sections, by Committee on Health and Human Services.

HB 2369, AN ACT concerning health and healthcare; amending the pharmacy act of the state of Kansas; allowing pharmacists to administer vaccines pursuant to a vaccination protocol; amending K.S.A. 2024 Supp. 65-1626a and repealing the existing section, by Committee on Health and Human Services.

HB 2370, AN ACT concerning health and healthcare; relating to assisted living facilities; requiring additional certification for assisted living facilities with dementia care, by Committee on Health and Human Services.

HB 2371, AN ACT concerning business entities; relating to the Kansas revised limited liability company act; providing for document form, signature and delivery options; specifying that a subscription for a limited liability company interest is irrevocable under certain circumstances; modifying requirements related to domestic limited liability company division, certificates of division and certificates of amendment of certificate of division and certificates of merger or consolidation of series; relating to the business entity transactions act; modifying requirements related to certificates of merger, certificates of interest exchange, certificates of conversion and certificates of domestication; relating to the business entity standard treatment act; including certificates of amendment to certificate of designation and certificates of merger or consolidation of series as documents related to limited liability companies to be filed with the secretary of state; specifying circumstances under which changes related to a resident agent shall be deemed a change of name of the person or entity acting as a resident agent; amending K.S.A. 17-7662, 17-7663, 17-7668, 17-7670, 17-7681, 17-7682, 17-7685a, 17-7686, 17-7687, 17-7690, 17-7695, 17-7698, 17-76,143, 17-76,143a, 17-76,145, 17-76,146, 17-76,148, 17-76,149, 17-76,151, 17-76,152, 17-78-205, 17-78-206, 17-78-305, 17-78-306, 17-78-405, 17-78-505, 17-7904, 17-7925, 17-7927 and 17-7929 and K.S.A. 2024 Supp. 17-76,136 and repealing the existing sections; also repealing K.S.A. 17-76,150, by Committee on Judiciary.

HOUSE CONCURRENT RESOLUTION No. **HCR 5011**—

By Committee on Taxation

A PROPOSITION to amend section 1 of article 11 of the constitution of the state of Kansas; relating to property taxation; valuing residential real property based on the fair market value or average fair market value of the residential portion.

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: Section 1 of article 11 of the constitution of the state of Kansas is hereby amended to read as follows:

"§ 1. System of taxation; classification; exemption. (a) The provisions of this subsection shall govern the assessment and taxation of property on and after

January 1, ~~2013~~ 2027, and each year thereafter. Except as otherwise hereinafter specifically provided, the legislature shall provide for a uniform and equal basis of valuation and rate of taxation of all property subject to taxation. The legislature may provide for the classification and the taxation uniformly as to class of recreational vehicles and watercraft, as defined by the legislature, or may exempt such class from property taxation and impose taxes upon another basis in lieu thereof. The provisions of this subsection shall not be applicable to the taxation of motor vehicles, except as otherwise hereinafter specifically provided, mineral products, money, mortgages, notes and other evidence of debt and grain.

The taxable valuation of real property used for residential purposes including multi-family residential real property and real property necessary to accommodate a residential community of mobile or manufactured homes including the real property upon which such homes are located, classified for property tax purposes pursuant to subclass (1) of class 1 shall be determined based on the lesser of the fair market value or the average fair market value of the residential portion, as defined by law. The legislature may provide for and establish by law the number of years in determining the average fair market value of the residential portion and valuation adjustments by law for new construction or improvements, changes in property use, property that is listed as escaped or omitted property, changes to the description of the land, lot or parcel.

Property shall be classified into the following classes for the purpose of assessment and assessed at the percentage of value prescribed therefor:

Class 1 shall consist of real property. Real property shall be further classified into seven subclasses. Such property shall be defined by law for the purpose of subclassification and assessed uniformly as to subclass at the following percentages of value:

- (1) Real property used for residential purposes including multi-family residential real property and real property necessary to accommodate a residential community of mobile or manufactured homes including the real property upon which such homes are located 11½%
- (2) Land devoted to agricultural use which shall be valued upon the basis of its agricultural income or agricultural productivity pursuant to section 12 of article 11 of the constitution 30%
- (3) Vacant lots 12%
- (4) Real property which is owned and operated by a not-for-profit organization not subject to federal income taxation pursuant to section 501 of the federal internal revenue code, and which is included in this subclass by law 12%
- (5) Public utility real property, except railroad real property which shall be assessed at the average rate that all other commercial and industrial property is assessed 33%
- (6) Real property used for commercial and industrial purposes and buildings and other improvements located upon land devoted to agricultural use 25%
- (7) All other urban and rural real property not otherwise specifically subclassified 30%

Class 2 shall consist of tangible personal property. Such tangible personal property shall be further classified into six subclasses, shall be defined by law for the purpose of subclassification and assessed uniformly as to subclass at the following percentages of value:

- (1) Mobile homes used for residential purposes 11½%
 - (2) Mineral leasehold interests except oil leasehold interests the average daily production from which is five barrels or less, and natural gas leasehold interests the average daily production from which is 100 mcf or less, which shall be assessed at 25% 30%
 - (3) Public utility tangible personal property including inventories thereof, except railroad personal property including inventories thereof, which shall be assessed at the average rate all other commercial and industrial property is assessed 33%
 - (4) All categories of motor vehicles not defined and specifically valued and taxed pursuant to law enacted prior to January 1, 1985 30%
 - (5) Commercial and industrial machinery and equipment which, if its economic life is seven years or more, shall be valued at its retail cost when new less seven-year straight-line depreciation, or which, if its economic life is less than seven years, shall be valued at its retail cost when new less straight-line depreciation over its economic life, except that, the value so obtained for such property, notwithstanding its economic life and as long as such property is being used, shall not be less than 20% of the retail cost when new of such property 25%
 - (6) All other tangible personal property not otherwise specifically classified 30%
- (b) All property used exclusively for state, county, municipal, literary, educational, scientific, religious, benevolent and charitable purposes, farm machinery and equipment, merchants' and manufacturers' inventories, other than public utility inventories included in subclass (3) of class 2, livestock, and all household goods and personal effects not used for the production of income, shall be exempted from property taxation."

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

"Explanatory statement. This amendment would value real property used for residential purposes provided under section 1 of article 11 of the Constitution of the State of Kansas in subclass (1) of class 1 based on the lesser of the fair market value or the average fair market value of the residential portion. The amendment would also authorize the legislature to establish by law the number of years in determining the average fair market value of the residential portion and provide valuation adjustments by law in certain circumstances.

"A vote for this proposition would value parcels of real property used for residential purposes including multi-family residential real property and real property necessary to accommodate a residential community of mobile or manufactured homes including the real property upon which such homes are located based on the lesser of the fair market value or the average fair market value of the residential portion. The amendment would also authorize the legislature to establish by law the number of years in determining the average fair market value of the residential portion and

provide valuation adjustments for new construction or improvements, changes in property use, property that is listed as escaped or omitted property, changes to the description of the land, lot or parcel and property that lacks established valuations.

"A vote against this proposition would provide no change to the Kansas Constitution."

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 November 4, 2025, pursuant to section 1 of article 14 of the constitution of the state of Kansas, to be held in conjunction with the general election held on such date.

COMMITTEE ASSIGNMENT CHANGES

Speaker pro tempore Carpenter announced the appointment of Rep. Awerkamp to replace Rep. Wolf on Committee on Education for February 10, 2025.

Also, the appointment of Rep. Ellis to replace Rep. Wolf on Committee on Local Government for February 10, 2025.

Also, the appointment of Rep. Woodard to replace Rep. Hoye on Committee on Appropriations for February 7, 2025 after 5 p.m..

REPORT ON ENGROSSED BILLS

HB 2049, HB 2050 reported correctly engrossed February 7, 2025.

On motion of Rep. Croft the House adjourned pro forma until 11:00 a.m. on Monday, February 10, 2025.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*

