

Journal of the House

TWENTY-SECOND DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, February 13, 2025, 11:00 a.m.

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

The roll was called with 121 members present.

Reps. Brownlee Paige, Seiwert and Winn were excused on verified illness.

Rep. Droge was excused on excused absence by the Speaker.

Prayer by Chaplain Holmes:

Dear Father. Your Word proclaims

“This is the day The Lord has made, I will rejoice and be glad in it.”

I know You meant regardless if it was snow and ice,
or warm temperatures and soft breezes,

but if You would give us a little more of the warm breezes
and a bit less of the freezing wind we would be so appreciative!

Regardless, we want to say Thank You for safe travels
and warm comfortable surroundings.

We have joined together for the single purpose of serving
the people of our great State.

Thank you for the opportunities we have received
to make a positive difference in the lives of all our constituents.

Keep us vitally aware of the responsibilities we bear,
as we approach the work of legislation.

Remind us of the Words of Jesus, when He said,

”And I say to you, that every careless word that men (and women) shall speak, they shall render account of it in the day of judgment. For by your words you shall be justified and by your words you shall be condemned.”

Help us to think before we speak, and when we do make proclamations,
remind us, we own our words. Allow our speech to always be
filled with truth, integrity and grace.

Might the dignity of the office we have been placed always be at the forefront
of all the words we speak. Keep careless words from our mouths.

We pray for our loved ones as they manage the responsibilities of the home
while we are away. I pray they are aware of how appreciative we are of them.

I now pray Your blessings upon each Representative,
as they embrace the work set before them

I ask this in Jesus Name, Amen.

The Pledge of Allegiance was led by Rep. Schlingensiepen

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2380, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and system thereunder; providing for a postretirement cost-of-living adjustment for certain retirants who are 85 years of age or older, by Committee on Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were referred to committees as indicated:

Appropriations: **HB 2374**.

Federal and State Affairs: **HB 2372, HB 2373, HB 2376, HB 2378, HB 2379**.

Health and Human Services: **HB 2375**.

Taxation: **HB 2377, SCR 1603**.

CHANGE OF REFERENCE

Speaker Hawkins announced the withdrawal of **HB 2132** from Committee on Federal and State Affairs and referral to Committee on Child Welfare and Foster Care.

MESSAGES FROM THE SENATE

Announcing passage of **SB 5, SB 7, SB 32, SB 36, SB 84, SB 125, SB 135**.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

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

SB 5, SB 7, SB 32, SB 36, SB 84, SB 125, SB 135.

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

COMMITTEE OF THE WHOLE

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

Recommended that **HB 2040, HB 2046, HB 2109** be passed.

Committee report to **HB 2061** be adopted; and the bill be passed as amended.

On motion of Rep. Howe, **HB 2120** be amended on page 2, in line 9, by striking "75-3043a or";

On page 3, in line 28, by striking "75-3043a or" and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Child Welfare and Foster Care** recommends **HB 2075** be amended on page 3, in line 9, by striking "nine" and inserting "six";

On page 1, in the title, in line 4, after "home" by inserting "and subsequent hearings be held every six months thereafter"; and the bill be passed as amended.

Committee on **Commerce, Labor and Economic Development** recommends **HB 2088** be amended on page 1, in line 20, by striking the colon; in line 21, by striking "(1)"; in line 24, by striking the comma and inserting "or"; also in line 24, by striking "or industrial"; in line 25, by striking all after "authority"; in line 26, by striking "(2)" and inserting ". "Application" does not include"; in line 27, by striking all after "appeals"; by striking all in lines 28 through 30; in line 31, by striking "thereto";

On page 2, in line 10, after "(1)" by inserting "(A) Except as provided by subparagraph (B),"; following line 20, by inserting:

"(B) The requirement that the local government approve or deny an application and provide written notice of such decision to the applicant within 60 days of receipt of a complete application pursuant to the provisions of subsections (a) and (b) shall not apply if an applicant agrees in writing to proceed with phased permitting.";

On page 3, in line 16, by striking "notice or application is"; in line 17, after "(1)" by inserting "Notice is"; also in line 17, after "mail" by inserting "by the local government"; in line 18, by striking "or local government"; in line 20, after "(2)" by inserting "application of the applicant is received in the United States mail by the local government";

(3) notice or application is";

Also on page 3, in line 24, before "faxed" by inserting "notice or application is"; in line 26, before "submitted" by inserting "notice or application is";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

Also on page 3, following line 36, by inserting:

"New Sec. 4. Within 45 days of the submittal by an applicant to the department of health and environment of a complete notice of intent to discharge stormwater runoff from construction activities requesting authorization to discharge stormwater runoff from construction activities under the federal national pollutant discharge elimination system general permit or a rainfall erosivity waiver application and including all supporting documentation pursuant to applicable federal or state law, the secretary of health and environment shall issue an authorization, waiver or denial, as determined by the secretary, to the applicant. The provisions of this section shall not be construed to supersede conflicting federal law.";

On page 5, by striking all in lines 29 through 43;

By striking all on pages 6 and 7;

On page 8, by striking all in lines 1 through 4; in line 5, by striking "and 12-759 are" and inserting "is";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after the semicolon by inserting "requiring the secretary of health and environment to issue a decision within 45 days on an application for an authorization to discharge stormwater runoff from construction activities under the federal national pollutant discharge elimination system general permit or a rainfall erosivity waiver"; in line 4, by striking "and 12-759"; in line 5, by striking "sections" and inserting "section"; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **HB 2215** be passed.

Committee on **Education** recommends **HB 2140** be passed.

Committee on **Education** recommends **HB 2185** be amended on page 1, in line 25,

by striking "accredited"; in line 26, by striking all before the period and inserting "any not-for-profit independent institution of higher education that is accredited by an institutional accrediting agency recognized by the United States department of education, is operated independently and not controlled or administered by the state or any agency or subdivision thereof, maintains open enrollment, offers online education and offers, exclusively, competency-based education programs";

On page 2, in line 11, by striking "shall" and inserting "may"; in line 41, by striking all after the comma; in line 42, by striking all before "the" and inserting "the Kansas national guard educational assistance program shall not pay for";

On page 6, in line 19, by striking all after the comma; in line 20, by striking all before "the" and inserting "the EMERGE program shall not pay for"; and the bill be passed as amended.

Committee on **Elections** recommends **HB 2016** be passed.

Committee on **Elections** recommends **HB 2106** be amended on page 1, in line 8, by striking "(1)"; in line 9, after the second "the" by inserting "constitution of the state of"; in line 10, by striking "constitution"; in line 20, after the period by inserting "Each person who submits a report shall certify that:

(1) Such person has not knowingly accepted contributions or expenditures either directly or indirectly from a foreign national; and

(2) each donor named in such report is not a foreign national and has not knowingly accepted contributions or expenditures either directly or indirectly from any foreign national that in the aggregate exceed \$100,000 within the four-year period immediately preceding the date of such donor's contribution or expenditure.";

Also on page 1, by striking all in lines 23 through 26; in line 27, by striking "(B)" and inserting "(b) Each person who accepts contributions or expenditures as described in subsection (a) shall require each donor to certify that such donor is not a foreign national and has not knowingly accepted contributions or expenditures either directly or indirectly from any foreign national that in the aggregate exceed \$100,000 within the four-year period immediately preceding the date of such donor's contribution or expenditure.

(c) Each person making an independent expenditure for any activity promoting or opposing the adoption or repeal of any provision of the constitution of the state of Kansas shall, within 48 hours of making such expenditure, certify to the commission that such person has not knowingly accepted any moneys either directly or indirectly from any foreign national that in the aggregate exceed \$100,000 within the four-year period immediately preceding the date of such person's expenditure and shall not accept any such moneys during the remainder of the calendar year in which the question of amending the constitution of the state of Kansas is on the ballot.

(d) (1) No person shall accept, directly or indirectly, any contribution or expenditure from a foreign national made for any activity promoting or opposing the adoption or repeal of any provision of the constitution of the state of Kansas.

(2) The attorney general may prosecute any person who violates this subsection. Any person who believes the provisions of this subsection have been violated may file a complaint with the attorney general.

(3) In any civil action brought by the commission or the attorney general against a person who violates this subsection, the court may award injunctive relief sufficient to

prevent any subsequent violations of this subsection by such person and statutory damages of not to exceed an amount that is twice the amount of the prohibited contribution or expenditure.

(e) As used in this section,";

Also on page 1, in line 28, by striking "(i) and inserting "(1)";

On page 2, in line 30, by striking "(b)" and inserting "(h)";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly; and the bill be passed as amended.

Committee on **Elections** recommends **HB 2206** be amended on page 6, in line 33, by striking "a candidate or party" and inserting "any";

On page 8, in line 38, by striking "\$5,000" and inserting "\$3,000";

On page 9, in line 3, by striking "any one calendar year" and inserting "the period of time such entity has existed or, if such entity has existed for more than five years, during the immediately preceding five years";

On page 14, in line 28, by striking all after the period; by striking all in lines 29 and 30; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2039**, **HB 2170** be passed.

Committee on **Judiciary** recommends **HB 2212** be passed.

Committee on **Judiciary** recommends **HB 2183** be amended on page 1, in line 19, after "(2)" by inserting "(A)"; in line 22, by striking all after "person"; in line 23, by striking all before the semicolon and inserting "; or

(B) possessing any artificially generated visual depiction with intent to arouse or satisfy the sexual desires or appeal to the prurient interest of the offender or any other person";

On page 2, in line 40, after "covered" by inserting ";

(5) "obscene" means a visual depiction or artificially generated visual depiction that, taken as a whole, appeals to the prurient interest of an average person, applying contemporary community standards, that is patently offensive and that, taken as a whole, lacks serious literary, artistic, political or scientific value;

(6) "artificially generated visual depiction" means a visual depiction that is obscene and produced through the use of computer software, digital manipulation or other means that creates an image or video that appears to depict a child under 18 years of age shown or heard engaging in sexually explicit conduct. "Artificially generated visual depiction" includes depictions that are obscene and indistinguishable from a real child, morphed from a real child's image or generated without any actual child involvement";

Also on page 2, in line 43, by striking all after the period;

On page 3, by striking all in lines 1 through 4;

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

On page 4, in line 21, after "means" by inserting ", including, but not limited to, such items in which the person depicted is indistinguishable from a real child, morphed from a real child's image or generated without any actual child involvement"; also in line 21, by striking all after the period; by striking all in lines 22 through 25;

On page 6, in line 7, by striking "and"; in line 9, after "thereto" by inserting "; and

(5) a cable service, as defined in 47 U.S.C. § 522";

On page 1, in the title, by striking all in lines 2 through 4; in line 5, by striking all before "modifying"; in line 7, after the semicolon by inserting "prohibiting certain acts related to visual depictions in which the person depicted is indistinguishable from a real child, morphed from a real child's image or generated without any actual child involvement; providing an exception for cable services in the crime of breach of privacy; prohibiting dissemination of certain items that appear to depict or purport to depict an identifiable person;"; and the bill be passed as amended.

Committee on **Taxation** recommends **HB 2083** be amended on page 2, in line 16, by striking "2026" and inserting "2025"; in line 19, by striking "2026" and inserting "2025"; in line 38, by striking "2026" and inserting "2025";

On page 3, in line 29, by striking "2026" and inserting "2025"; in line 31, by striking "2026" and inserting "2025"; and the bill be passed as amended.

Committee on **Taxation** recommends **HB 2231** be amended on page 1, in line 30, by striking "\$2,250"; in line 31, before the period by inserting "\$2,320 for tax year 2025 and all tax years thereafter";

Also on page 1, in the title, in line 3, after the semicolon by inserting "increasing the personal exemption for disabled members of the armed forces;"; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2122**, **HB 2169**, **HB 2201**, **HB 2222**, **HB 2261** be passed.

Committee on **Transportation** recommends **HB 2121** be amended on page 2, in line 5, after "(C)" by inserting "for those motor vehicles that are electric hybrid vehicles, \$85;

(D)";

Also on page 2, also in line 5, by striking "electric hybrid or"; in line 8, by striking "\$175" and inserting "\$165";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

And the bill be passed as amended.

Committee on **Transportation** recommends **HB 2168** be amended on page 2, in line 11, after the period by inserting "Annual blackout license plate fees collected by county treasurers pursuant to this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the license plate replacement fund."; and the bill be passed as amended.

Committee on **Veterans and Military** recommends **HB 2256**, **HB 2274** be passed.

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 2381, AN ACT concerning the office of the attorney general; establishing the safe and secure firearm detection program; providing for certain entities to use firearm detection software; establishing the safe and secure firearm detection fund; transferring

funds from the state general fund to support the program, by Committee on Appropriations.

HB 2382, AN ACT concerning the state board of education; increasing compensation of members of the board; establishing a daily rate of compensation that corresponds to the daily rate of compensation for services rendered by members of the legislature while in session; amending K.S.A. 72-253 and repealing the existing section, by Committee on Appropriations.

HB 2383, AN ACT concerning child care; relating to the department of administration, the Kansas children's cabinet and the department of health and environment; establishing a pilot program to provide health services to child care providers; making telehealth consultation services available to eligible child care providers; providing up to \$100 per month in reimbursements for prescription medication costs to child care providers accepted into the health services program; prohibiting cities, counties or other political subdivisions from regulating licensed child care providers more strictly than state law; requiring the department of health and environment to provide a list of licensed child care providers to any city, county or other political subdivision upon request; providing any licensed in-home or group-home child care providers that receive a lower tier of reimbursement under the child and adult care food program to be matched with the top tier of funding that is otherwise made available to other providers under the program; developing and providing free orientation and training programs and training materials to child care providers and licensees; allowing orientation and training to count as continuing education hours; requiring the department and the Kansas children's cabinet to develop a training reimbursement program; amending K.S.A. 65-508 and repealing the existing section, by Committee on Appropriations.

HB 2384, AN ACT concerning the disposition of certain state real property; authorizing the state historical society to convey certain real property located in Johnson county to the Shawnee Tribe; imposing certain conditions; prescribing costs of conveyance; requiring a report every two years for a 10-year period by the Shawnee Tribe to the joint committee on state-tribal relations regarding the rehabilitation of the property and consultation with other tribes, by Committee on Federal and State Affairs.

INTRODUCION OF ORIGINAL MOTIONS

On motion of Rep. Croft, **HB 2033**, **HB 2102** be withdrawn from Calendar and referred to Committee on Education.

COMMITTEE ASSIGNMENT CHANGES

Speaker Hawkins announced the appointment of Rep. Howerton to replace Rep. Seiwert on Committee on Corrections and Juvenile Justice for February 13 & 14, 2025.

Also, the appointment of Rep. Hoffman to replace Rep. Seiwert on Committee on Agriculture and Natural Resources for February 13 & 14, 2025.

Also, the appointment of Rep. Howe to replace Rep. Wilborn on Committee on Elections for February 13, 2025.

Also, the appointment of Rep. Tarwater to replace Rep. Droge on Committee on Agriculture and Natural Resources for February 13, 2025.

Also, the appointment of Rep. Pickert to replace Rep. Wasinger on Committee on Appropriations for February 14, 2025.

Also, the appointment of Rep. Pishny to replace Rep. Esau on Committee on Legislative Modernization for February 14, 2025.

Also, the appointment of Rep. Bohi to replace Rep. Corbet on Committee on Commerce, Labor and Economic Development for February 14, 2025.

Also, the appointment of Rep. Goetz to replace Rep. Wasinger on Committee on Commerce, Labor and Economic Development for February 14, 2025.

Also, the appointment of Rep. Neighbor to replace Rep. Winn on Committee on Education for February 13, 2025.

Also, the appointment of Rep. Woodard to replace Rep. Brownlee Page on Committee on Welfare Reform for February 13, 2025.

Also, the appointment of Rep. Neighbor to replace Rep. Brownlee Page on Committee on Agriculture and Natural Resources for February 13, 2025.

Also, the appointment of Rep. Carlin to replace Rep. Oropeza on Committee on Legislative Modernization for February 14, 2025.

Also, the appointment of Rep. Martinez to replace Rep. Haskins on Committee on Federal and State Affairs for February 14, 2025.

Also, the appointment of Rep. S. Ruiz to replace Rep. Meyer on Committee on Federal and State Affairs for February 14, 2025.

REPORT ON ENGROSSED BILLS

HB 2027 reported correctly engrossed February 13, 2025.

On motion of Rep. Croft, the House adjourned until 11:00 a.m., Friday, February 14, 2025.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*

