

Journal of the House

THIRTY-FOURTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, March 5, 2025, 11:00 a.m.

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

The roll was called with 118 members present.

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

Reps. Barth, Poetter Parshall and Waggoner were excused on excused absence by the Speaker.

Prayer by Chaplain Holmes:

Good Morning Father. We read in Psalm 103:2-4

“Bless the Lord O my soul, and forget none of His benefits. Who pardons all your iniquities; Who heals all your diseases; Who redeems your life from the pit; Who crowns you with loving kindness and compassion.”

Thank You for the wonderful benefit of being called a child of God.

We are so appreciative that our iniquities can be pardoned.

We especially thank You for your healing of our infirmities.

You are indeed our healer. Today, as we begin the work of legislation, we would ask You to heal our eyes, that we might see things as You see them. Unstop our ears that we might hear things which brings clarity to our thinking.

Quicken our minds, so we might think clearly
and judge accurately all which comes before us.

Open our hearts that we might extend compassion in a way which honors You.

Touch our tired bodies with your invigorating strength,
and help us to forge ahead with a renewed vitality.

We ask You to bless those who are less fortunate than we are. Those who have no good place to lay their head at night, or secure place to rest. Bless those who are living moment by moment, because each moment is all they have the strength to navigate.

Help us, who have been blessed with so much
to not forget those who have so little. Indeed, give us the eyes of Jesus
as we seek to extend help to those who are often helpless.

We pray for our families, especially those who are far from us
because of responsibilities we have accepted.

Might they never forget they are much more important
than anything we could ever do for the State of Kansas.

Now, I ask Your presence and blessing on these Kansas servants as they seek to make
our State an even better place to live and raise a family.

In Jesus Name I pray. Amen.

The Pledge of Allegiance was led by Rep. Sanders.

PERSONAL PRIVILEGE

There being no objection, the following remarks of Rep. Ballard are spread upon the Journal:

Black History Month is celebrated in February, but really we celebrate Black History all year long. It began in 1863 when President Abraham Lincoln issued the Emancipation Proclamation freeing the American slaves. But Lincoln knew that a proclamation would not be enough leading to the creation of the 13th Amendment. The 13th Amendment, which formally abolished slavery, was officially approved on February 1, 1865.

This year to celebrate Black History Month, I want to share unknown black inventors whose technologies and patents we still rely on today.

Garrett Morgan was an inventor who patented the first three position signal traffic light in 1923. Previous lights did not include a yellow caution signal, so Morgan improved the design. This invention was a precursor to traffic lights used today. He also designed masks that became the model for gas masks used in WWI.

Alexander Miles was an African American inventor and businessman, who in 1887 received the first patent for automatically opening and closing elevator doors. This was a huge safety feature that we take for granted now. Prior to mechanical opening/closing mechanism, elevator shaft doors could be left open or with gaps that people could fall in. He was inspired to do this after his daughter Grace fell down an elevator shaft, almost ending her life.

Marie Van Brittan Brown was the inventor of the first home security system and the first closed circuit television. She filed her patent in 1966, influenced by the security risks that her home faced in the neighborhood where she lived. Even when police responded to home situations, they were often extremely slow to respond, so she needed to alert them as soon as possible.

Frederick McKinley Jones invented portable refrigeration equipment used to transport food, blood, and medicines during World War II. During his career he received more than 60 patents, and the company he founded still exists today (Thermo King). In 1991, President George HW Bush awarded the National Medal of Technology posthumously to Jones' family, becoming the first black American to receive this award. And in 2007, Jones was inducted into the National Inventors Hall of Fame.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2400, AN ACT concerning agritourism; including trail rides as a ranching activity to qualify as an agritourism activity; classifying such land as used for agritourism for purposes of property tax valuation as agricultural land; amending K.S.A. 2024 Supp. 32-1432 and 79-1476 and repealing the existing sections, by Committee on Taxation.

CHANGE OF REFERENCE

Speaker Hawkins announced the withdrawal of **SB 9** from Committee on Federal and State Affairs and referral to Committee on Commerce, Labor and Economic Development.

Also, the withdrawal of **HB 2313** from Committee on Federal and State Affairs and re-referral to Calendar.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. B. Carpenter, **HR 6010**, by Reps. Carpenter, Amyx, Anderson, Barrett, Bergkamp, Bergquist, Blex, Bloom, Borjon, Brantley, Bryce, Buehler, Butler, Carlin, Carpenter, Chauncey, Croft, Curtis, Ellis, Esau, Estes, Francis, Gardner, Goddard, Haskins, Hawkins, Hoffman, Hoheisel, Howe, Howell, Howerton, Hoye, Huebert, Humphries, James, Kessler, Long, McDonald, Miller, Minnix, Moser, Neelly, Neighbor, Osman, Penn, Pickert, Poetter Parshall, Poskin, Proctor, Rahjes, Reavis, Resman, Rhiley, Roeser, Roth, Sanders, Sawyer, Schmoe, Schreiber, Schwertfeger, Smith, Smith, Steele, Stiens, Sutton, Sweely, Tarwater, Thompson, Turner, VanHouden, Waggoner, Ward, Wasinger, Waymaster, Weigel, White, Wikle, Wilborn, Willcott, Williams, Wolf and Woodard, as follows, was introduced and adopted:

HR 6010—A RESOLUTION strengthening the sister-state ties between the State of Kansas and Taiwan.

A RESOLUTION strengthening the sister-state ties between the State of Kansas and Taiwan and reaffirming support for Taiwan's international participation.

WHEREAS, The State of Kansas and Taiwan have enjoyed a mutually beneficial sister-state relationship since 1989; and

WHEREAS, Taiwan shares the same values of freedom, democracy, rule of law and respect for human rights with Kansas; and

WHEREAS, Kansas and Taiwan enjoy mutually beneficial bilateral trade relations, with Taiwan ranking as Kansas's 6th largest import country and 12th largest export destination in 2023; and

WHEREAS, The University of Kansas has initiated a three-academic-year collaborative program on Mandarin Learning and Teaching with the National Sun Yet-Sen University under Taiwan's BEST program, sponsored by the Ministry of Foreign Affairs, Republic of China (Taiwan), and bilateral student exchange program between the National Chung Hsing University and the Kansas State University, sponsored by the Kansas Department of Agriculture and the Ministry of Foreign Affairs, Republic of China (Taiwan); and

WHEREAS, Negotiations for a fair and reciprocal bilateral trade agreement between Taiwan and the United States is an important step toward further strengthening bilateral trade and mutual investment between Kansas and Taiwan; and

WHEREAS, Taiwan, as a responsible stakeholder in the international community, is seeking to meaningfully participate in the United Nations, the International Criminal Police Organization, the International Civil Aviation Organization and the Indo-Pacific Economic Framework for Prosperity launched by the United States: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That Kansas commends Taiwan's vibrant democracy and celebrates the 36th anniversary of sister-state relations with Taiwan; and

Be it further resolved: That Kansas supports the further strengthening of Kansas-Taiwan trade relations and academic exchanges; and

Be it further resolved: That Kansas supports the signing of the Agreement on Avoidance of Double Taxation between the United States and Taiwan to further bilateral investment activities; and

Be it further resolved: That Kansas supports Taiwan's inclusion in international organizations that are significant to the health, safety and well-being of its people; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send five enrolled copies of this resolution to Representative B. Carpenter.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Speaker pro tempore Carpenter are spread upon the Journal:

I rise today to reaffirm the strong and enduring friendship between the State of Kansas and Taiwan. For 36 years, our sister-state relationship has been built on the values we both hold dear—freedom, democracy, and the rule of law. Taiwan is not just an economic partner; it is an ally and a friend to Kansas.

Our economic ties continue to grow, with Taiwan ranking as Kansas' 6th largest import country and 12th largest export destination. Kansas farmers, manufacturers, and small businesses benefit from this relationship, and we must continue to strengthen these ties. Taiwan's commitment to fair trade and investment makes it a key partner in ensuring economic opportunity for our state.

Beyond trade, Taiwan has been a steadfast friend in times of need. When disasters strike, Taiwan has stepped up time and again to provide aid and relief to communities across the world. This generosity is not just a reflection of Taiwan's government but of its people—a people who believe in service, in cooperation, and in helping those in need.

I would be remiss if I did not take a moment to recognize the contributions of my friend and former colleague, Representative Les Mason. For years, Les was a champion of this resolution, carrying it forward with dedication and conviction. Before his passing, he entrusted me with this responsibility, and I am honored to continue his work. His steadfast support of Taiwan did not go unnoticed—last year, after his passing, the country of Taiwan honored him with the *Friend of Foreign Service* medal for his many years of advocacy and friendship toward their nation. This recognition is a testament to the impact he had, and it is only fitting that we continue his legacy by reaffirming our commitment to Taiwan today.

Taiwan's resilience is something we should all admire. In the face of ongoing geopolitical challenges, Taiwan has stood strong, defending its democracy and its way of life. That is why Kansas must continue to show our support. Standing with Taiwan is not just about policy—it is about standing with a people who share our values and our commitment to freedom.

As we recognize 36 years of this important partnership, let us look forward to even greater cooperation—whether in trade, security, or disaster relief. Our bond with Taiwan is strong, and today, we reaffirm that it will remain so in the years to come.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Schwertfeger, **HR 6011**, by Reps. Schwertfeger, Barrett, Bergkamp, Bergquist, Blex, Bloom, Bohi, Brantley, Buehler, Butler, Chauncey, Delperdang, Droge, Ellis, Esau, Essex, Estes, Fairchild, Gardner, Goddard, Helwig, Hill, Howell, Howerton, Huebert, Humphries, James, Johnson, Kessler, King, Lewis, McNorton, Minnix, Neelly, Pickert, Pishny, Poetter Parshall, Proctor, Rahjes, Resman, Rhiley, Roeser, Roth, Sanders, Schmoe, Stiens, Sutton, Sweely, Thompson, VanHouden, Waggoner, Wasinger, Wilborn, Willcott and Wolf, as follows, was introduced and adopted:

HR 6011—A RESOLUTION recognizing August 22 as Antique Tractor Preservation Day.

A RESOLUTION recognizing August 22, 2025 as Antique Tractor Preservation Day in celebration of the restoration and preservation of agricultural history.

WHEREAS, Antique tractor enthusiasts diligently restore and study the history of farm machinery, with the antique tractor representing a lifelong passion for some and fond memories for others; and

WHEREAS, Antique tractors serve as a tangible and potent reminder of Kansas' storied agricultural heritage, the rich rural history of its people and their vital role in the development and success of the nation; and

WHEREAS, Collectors of antique tractors may possess hundreds of tractors, or as few as two; and

WHEREAS, In January 2024, TalkingTractors.com was established with the goal of carrying on the legacy of keeping alive the great tractors and agricultural machinery of the past, long into the future; and

WHEREAS, It's creator and founder, Michael Hinton, has devoted a lifetime to promoting America's heritage farm machinery, serving as an unwavering advocate for agriculture and raising awareness of how the tractor transformed American farming: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That August 22, 2025 shall be known as Antique Tractor Preservation Day in celebration of the restoration and preservation of agricultural history.

Be it further resolved: That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to Representative Schwertfeger.

PERSONAL PRIVILEGE

There being no objection, the following remarks of Rep. Schwertfeger are spread upon the Journal:

Rep. Schwertfeger read HR 6011. He concluded; this is a Resolution to celebrate Kansas' rich agricultural history in advocating agriculture and the promotion of American agricultural heritage raising awareness of how the tractor transformed American farming.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

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, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 0; Present but not voting: 0; Absent or not voting: 7.

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

Nays: None.

Present but not voting: None.

Absent or not voting: Barth, Paige, Butler, Poetter, Sawyer, Waggoner, Winn.

The bill passed.

HB 2372, AN ACT concerning state memorials; relating to the fallen firefighters memorial; designating the existing fallen firefighters memorial within the Kansas firefighters museum in Wichita as the official fallen firefighters memorial of the state of Kansas; creating the Kansas fallen firefighters memorial council; abolishing the existing Kansas firefighters memorial advisory committee and transferring such committee's powers, duties, functions, records and other property to the newly created council; requiring expenditures from the Kansas fallen firefighters memorial fund for the purposes of constructing, updating and repairing the memorial and allowing expenditures to be made for other purposes related to memorializing and honoring Kansas firefighters; amending K.S.A. 75-36,102 and repealing the existing section; also repealing K.S.A. 75-36,103, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 0; Present but not voting: 0; Absent or not voting: 7.

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

Nays: None.

Present but not voting: None.

Absent or not voting: Barth, Paige, Butler, Poetter, Sawyer, Waggoner, Winn.

The bill passed, as amended.

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

COMMITTEE OF THE WHOLE

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

COMMITTEE OF THE WHOLE

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

Recommended that **HB 2028** be passed.

Committee report to **SB 92** be adopted; and the bill be passed as amended.

Committee report to **HB 2378** be adopted.

Also, on motion of Rep. W. Carpenter, **HB 2378** be amended As Amended by House Committee, on page 1, in line 15, by striking all after the first "to"; in line 16, by striking "adequately"; also in line 16, by striking the comma;

On page 2, in line 18, by striking all after "(c)"; by striking all in lines 19 and 20; in line 21, by striking "(d)" and the bill be passed as amended.

Committee report to **Sub Bill for SB 45** be adopted; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Commerce, Labor and Economic Development** recommends **HB 2294** be amended on page 32, in line 13, by striking all after the first "age"; in line 14, by striking all before the comma; in line 16, by striking all after "(2)"; by striking all in lines 17 and 18; in line 19, by striking "(3)";

On page 33, in line 38, after "(i)" by inserting "If a licensed youth development program or school age program operates on or within the premises of a public or private school that is required to pass a fire safety inspection each school year pursuant to K.S.A. 31-144(b), and amendments thereto, no additional fire safety inspection of the licensed youth development program or school age program shall be required by the executive director, the state fire marshal, the fire chief or any local political or taxing subdivision.

(j)";

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

On page 35, by striking all in lines 28 through 35;

On page 66, in line 11, by striking all after the first "age"; in line 12, by striking all before the comma; in line 14, by striking all after "(2)"; by striking all in lines 15 and 16; in line 17, by striking "(3)";

On page 67, in line 24, after "(f)" by inserting "If a licensed youth development program or school age program operates on or within the premises of a public or private school that is required to pass a fire safety inspection each school year pursuant to K.S.A. 31-144(b), and amendments thereto, no additional fire safety inspection of the licensed youth development program or school age program shall be required by the executive director, the state fire marshal, the fire chief or any local political or taxing subdivision.

(g)";

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

On page 71, in line 13, by striking the fifth comma and inserting "and";

And by renumbering sections accordingly;

And the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **HB 2329** be amended on page 2, in line 2, by striking "group home" and inserting "youth residential facility";

On page 3, in line 8, after "was" by inserting "possessed or"; also in line 8, by striking "in" and inserting "during"; in line 12, by striking "six" and inserting "12"; also in line 12, by striking "18" and inserting "24";

On page 4, in line 29, by striking "have the meanings provided by" and inserting "mean the same as defined in";

On page 7, in line 18, after "(j)" by inserting "(1)"; in line 20, by striking "(1)" and inserting "(A)"; in line 22, by striking "(2)" and inserting "(B)"; in line 23, by striking "(3)" and inserting "(C)"; in line 24, by striking "(4)" and inserting "(D)"; in line 26, by striking "(5)" and inserting "(E)"; in line 28, by striking "(6)" and inserting "(F)"; in line 30, by striking "(7)" and inserting "(G)"; in line 32, by striking "paragraphs (1) through (6)," and inserting "subparagraphs (A) through (F).

(2)";

On page 8, in line 20, by striking "paragraphs (1) through (4)" and inserting "subparagraphs (A) through (E)";

On page 13, in line 21, after the comma by inserting "and amendments thereto,";

On page 15, in line 2, after "as" by inserting "moderate-risk or"; also in line 2, after "high-risk" by inserting "offenders";

On page 16, following line 8, by inserting:

"Sec. 4. K.S.A. 2024 Supp. 38-2391 is hereby amended to read as follows: 38-2391. (a) Upon adjudication as a juvenile offender pursuant to K.S.A. 38-2356, and amendments thereto, modification of sentence pursuant to K.S.A. 38-2367, and amendments thereto, or violation of a condition of sentence pursuant to K.S.A. 38-2368, and amendments thereto, the court may impose one or more of the sentencing alternatives under K.S.A. 38-2361, and amendments thereto, for a period of time pursuant to this section and K.S.A. 38-2369, and amendments thereto. The period of time ordered by the court shall not exceed the overall case length limit.

(b) Except as provided in subsection (c), the overall case length limit shall be calculated based on the adjudicated offense and the results of a risk and needs assessment, as follows:

(1) Offenders adjudicated for a misdemeanor may remain under the jurisdiction of the court for up to 12 months;

(2) low-risk and moderate-risk offenders adjudicated for a felony may remain under

court jurisdiction for up to 15 months; and

(3) high-risk offenders adjudicated for a felony may remain under court jurisdiction for up to 18 months.

(c) There shall be no overall case length limit for a juvenile adjudicated for a felony which, if committed by an adult, would constitute an off-grid felony or a nondrug severity level 1 through 4 person felony.

(d) When a juvenile is adjudicated for multiple counts, the maximum overall case length shall be calculated based on the most severe adjudicated count or any other adjudicated count at the court's discretion. The court shall not run multiple adjudicated counts consecutively.

(e) When the juvenile is adjudicated for multiple cases simultaneously, the court shall run such cases concurrently.

(f) Upon expiration of the overall case length limit as defined in subsection (b), the court's jurisdiction terminates and shall not be extended, except as provided in subsection (g)(2).

(g) (1) For the purposes of placing juvenile offenders on probation pursuant to K.S.A. 38-2361, and amendments thereto, the court shall establish a specific term of probation as specified in this subsection based on the most serious adjudicated count in combination with the results of a risk and needs assessment, as follows, except that the term of probation shall not exceed the overall case length limit:

(A) Low-risk and moderate-risk offenders adjudicated for a misdemeanor and low-risk offenders adjudicated for a felony may be placed on probation for a term up to six months;

(B) high-risk offenders adjudicated for a misdemeanor and moderate-risk offenders adjudicated for a felony may be placed on probation for a term up to nine months; and

(C) high-risk offenders adjudicated for a felony may be placed on probation for a term up to 12 months.

(2) The court may extend the term of probation if a juvenile needs time to complete an evidence-based program as determined to be necessary based on the results of a validated risk and needs assessment and, if necessary, may extend the overall case length limit to allow for completion of such program when failure to complete such program is due to a repeated, intentional effort to delay by the juvenile as reported by the evidence-based services provider. The court may also extend the term of probation for good cause shown for one month for low-risk offenders, three months for moderate-risk offenders and six months for high-risk offenders. Prior to extension of the initial probationary term, the court shall find and enter into the written record the criteria permitting extension of probation. Extensions of probation and the overall case length limit shall only be granted incrementally. When the court extends the term of probation for a juvenile offender, the court services officer or community correctional services officer responsible for monitoring such juvenile offender shall record the reason given for extending probation. Court services officers shall report such records to the office of judicial administration, and community correctional services officers shall report such records to the department of corrections. The office of judicial administration and the department of corrections shall report such recorded data to the Kansas juvenile justice oversight committee on a quarterly basis.

(3) The probation term limits do not apply to those offenders adjudicated for an offense which, if committed by an adult, would constitute an off-grid crime, rape as

defined in K.S.A. 21-5503(a)(1), and amendments thereto, aggravated criminal sodomy as defined in K.S.A. 21-5504(b)(3), and amendments thereto, or murder in the second degree as defined in K.S.A. 21-5403, and amendments thereto. Such offenders may be placed on probation for a term consistent with the overall case length limit.

(4) The probation term limits and overall case length limits provided in this section shall be tolled during any time that the offender has absconded from supervision while on probation, and the time on such limits shall not start to run again until the offender is located and brought back to the jurisdiction.

(h) For the purpose of placing juvenile offenders in detention pursuant to K.S.A. 38-2361 and 38-2369, and amendments thereto, the court shall establish a specific term of detention. The term of detention shall not exceed the overall case length limit or the cumulative detention limit. Cumulative detention use shall be limited to a maximum of ~~45~~ 90 days over the course of the juvenile offender's case, except that there shall be no limit on cumulative detention for juvenile offenders adjudicated for a felony which, if committed by an adult, would constitute an off-grid felony or a nondrug severity level 1 through 4 person felony.

(i) The provisions of this section shall apply upon disposition or 15 days after adjudication, whichever is sooner, unless the juvenile fails to appear for such juvenile's dispositional hearing. If a juvenile fails to appear at such juvenile's dispositional hearing, the probation term limits and overall case length limits provided in this section shall not apply until the juvenile is brought before the court for disposition in such juvenile's case.

(j) This section shall be a part of and supplemental to the revised Kansas juvenile justice code.";

Also on page 16, in line 11, by striking "40" and inserting "35 nor more than 45"; also in line 11, after "facilities" by inserting ", and not more than 15 beds in any single facility,"; following line 27, by inserting:

"Sec. 6. K.S.A. 75-52,161 is hereby amended to read as follows: 75-52,161. (a) There is hereby established the Kansas juvenile justice oversight committee for the purpose of overseeing the implementation of reform measures intended to improve the state's juvenile justice system.

(b) The Kansas juvenile justice oversight committee shall be composed of 21 members including the following individuals:

- (1) The governor or the governor's designee;
- (2) one member of the house of representatives appointed by the speaker of the house of representatives;
- (3) one member of the house of representatives appointed by the minority leader of the house of representatives;
- (4) one member of the senate appointed by the president of the senate;
- (5) one member of the senate appointed by the minority leader of the senate;
- (6) the secretary of corrections or the secretary's designee;
- (7) the secretary for children and families or the secretary's designee;
- (8) the commissioner of education or the commissioner's designee;
- (9) the deputy secretary of juvenile services at the department of corrections or the deputy's designee;
- (10) the director of community-based services at the department of corrections, or the director's designee;

- (11) two district court judges appointed by the chief justice of the supreme court;
 - (12) one chief court services officer appointed by the chief justice of the supreme court;
 - (13) one member of the office of judicial administration appointed by the chief justice of the supreme court;
 - (14) one juvenile defense attorney appointed by the chief justice of the supreme court;
 - (15) one juvenile crime victim advocate appointed by the governor;
 - (16) one member from a local law enforcement agency appointed by the attorney general;
 - (17) one attorney from a prosecuting attorney's office appointed by the attorney general;
 - (18) one member from a community corrections agency appointed by the governor;
 - (19) one youth member of the Kansas advisory group on juvenile justice and delinquency prevention appointed by the chair of the Kansas advisory group on juvenile justice and delinquency prevention; and
 - (20) one director of a juvenile detention facility appointed by the attorney general.
- (c) The committee shall be appointed by September 1, 2016, and shall meet within 60 days after appointment and at least quarterly thereafter, upon notice by the chair. The committee shall select a chairperson and vice-chairperson, and 11 members shall be considered a quorum.
- (d) The committee shall perform the following duties:
- (1) Guide and evaluate the implementation of the changes in law relating to juvenile justice reform;
 - (2) define performance measures and recidivism;
 - (3) approve a plan developed by court services and the department of corrections instituting a uniform process for collecting and reviewing performance measures and recidivism, costs and outcomes of programs;
 - (4) consider utilizing the Kansas criminal justice information system for data collection and analyses;
 - (5) ensure system integration and accountability;
 - (6) monitor the fidelity of implementation efforts to programs and training efforts;
 - (7) monitor any state expenditures that have been avoided by reductions in the number of youth placed in out-of-home placements to recommend to the governor and the legislature reinvestment of funds into:
 - (A) Evidence-based practices and programs in the community pursuant to K.S.A. 38-2302, and amendments thereto, for use by intake and assessment services, immediate intervention, probation and conditional release;
 - (B) training on evidence-based practices for juvenile justice system staff, including, but not limited to, training in cognitive behavioral therapies, family-centered therapies, substance abuse, sex offender therapy and other services that address a juvenile's risks and needs; and
 - (C) monitor the plan from the department of corrections for the prioritization of funds pursuant to K.S.A. 75-52,164(d), and amendments thereto;
 - (8) continue to review any additional topics relating to the continued improvement of the juvenile justice system, including:
 - (A) The confidentiality of juvenile records;

(B) the reduction of the financial burden placed on families involved in the juvenile justice system;

(C) juvenile due process rights, including, but not limited to, the development of rights to a speedy trial and preliminary hearings;

(D) the improvement of conditions of confinement for juveniles;

(E) the removal from the home of children in need of care for non-abuse or neglect, truancy, running away or additional child behavior problems when there is no court finding of parental abuse or neglect; and

(F) the requirement for youth residential facilities to maintain sight and sound separation between children in need of care that have an open juvenile offender case and children in need of care that do not have an open juvenile offender case;

(9) adhere to the goals of the juvenile justice code as provided in K.S.A. 38-2301, and amendments thereto;

(10) analyze and investigate gaps in the juvenile justice system and explore alternatives to out-of-home placement of juvenile offenders in youth residential facilities;

(11) identify evidence-based training models, needs and resources and make appropriate recommendations;

(12) study and create a plan to address the disparate treatment and availability of resources for juveniles with mental health needs in the juvenile justice system; ~~and~~

(13) review portions of juvenile justice reform that require the department of corrections and the office of judicial administration to cooperate and make recommendations when there is not consensus between the two agencies; and

(14) monitor the impact and effectiveness of placement of juvenile offenders in non-foster home beds in youth residential facilities.

(e) The committee shall issue an annual report to the governor, the president of the senate, the speaker of the house of representatives and the chief justice of the supreme court on or before November 30 each year starting in 2017. Such report shall include:

(1) An assessment of the progress made in implementation of juvenile justice reform efforts;

(2) a summary of the committee's efforts in fulfilling its duties as set forth in this section;

(3) an analysis of the recidivism data obtained by the committee pursuant to this section;

(4) a summary of the averted costs determined pursuant to this section and a recommendation for any reinvestment of the averted costs to fund services or programs to expand Kansas' continuum of alternatives for juveniles who would otherwise be placed in out-of-home placements;

(5) an analysis of detention risk-assessment data to determine if any disparate impacts resulted at any stage of the juvenile justice system based on race, sex, national origin or economic status;

(6) recommendations for continued improvements to the juvenile justice system;

(7) data pertaining to the completion of training on evidence-based practices in juvenile justice, including, but not limited to, the number of judges, district and county attorneys and appointed defense attorneys, that participated in training; and

(8) data received from the office of judicial administration and the department of corrections, pursuant to K.S.A. 38-2391, and amendments thereto, pertaining to

extensions of probation for juvenile offenders and an analysis of such data to identify how probation extensions are being used and conclusions regarding the effectiveness of such extensions.

(f) After initial appointment, members appointed to this committee by the governor, the president of the senate, the speaker of the house of representatives or the chief justice of the supreme court pursuant to subsection (b), shall serve for a term of two years and shall be eligible for reappointment to such position. All members appointed to the committee shall serve until a successor has been duly appointed.

(g) The staff of the Kansas department of corrections shall provide such assistance as may be requested by the committee. To facilitate the organization of the meetings of the committee, the Kansas department of corrections shall provide administrative assistance.";

On page 18, following line 17, by inserting:

"Sec. 8. K.S.A. 75-7023 is hereby amended to read as follows: 75-7023. (a) The secretary for children and families may contract with the secretary of corrections to provide for the juvenile intake and assessment system and programs for children in need of care. Except as provided further, the secretary of corrections shall promulgate rules and regulations for the juvenile intake and assessment system and programs concerning juvenile offenders. If the secretary contracts with the office of judicial administration to administer the juvenile intake and assessment system and programs concerning juvenile offenders, the supreme court administrative orders shall be in force until such contract ends and the rules and regulations concerning juvenile intake and assessment system and programs concerning juvenile offenders have been adopted.

(b) Except as otherwise provided in this subsection, records, reports and information obtained as a part of the juvenile intake and assessment process shall not be admitted into evidence in any proceeding and shall not be used in a child in need of care proceeding or a juvenile offender proceeding.

(1) Such records, reports and information may be used in a child in need of care proceeding for diagnostic and referral purposes and by the court in considering dispositional alternatives. If the records, reports or information are in regard to abuse or neglect, which is required to be reported under K.S.A. 38-2223, and amendments thereto, such records, reports or information may then be used for any purpose in a child in need of care proceeding pursuant to the revised Kansas code for care of children.

(2) Such records, reports and information may be used in a juvenile offender proceeding only if such records, reports and information are in regard to the possible trafficking of a runaway. Such records, reports and information in regard to the possible trafficking of a runaway shall be made available to the appropriate county or district attorney and the court, and shall be used only for diagnostic and referral purposes.

(c) Upon a juvenile being taken into custody pursuant to K.S.A. 38-2330, and amendments thereto, a juvenile intake and assessment worker shall complete the intake and assessment process, making release and referral determinations as required by supreme court administrative order or district court rule, or except as provided above [in] rules and regulations established by the secretary of corrections.

(d) Except as provided in subsection (g) and in addition to any other information required by the supreme court administrative order, the secretary for children and families, the secretary of corrections or by the district court of such district, the juvenile intake and assessment worker shall collect the following information either in person or

over two-way audio or audio-visual communication:

(1) The results of a standardized detention risk assessment tool pursuant to K.S.A. 38-2302, and amendments thereto, if detention is being considered for the juvenile, such as the problem oriented screening instrument for teens;

(2) criminal history, including indications of criminal gang involvement;

(3) abuse history;

(4) substance abuse history;

(5) history of prior community services used or treatments provided;

(6) educational history;

(7) medical history;

(8) family history; and

(9) the results of other assessment instruments as approved by the secretary.

(e) After completion of the intake and assessment process for such child, the intake and assessment worker shall make both a release and a referral determination:

(1) Release the child to the custody of the child's parent, other legal guardian or another appropriate adult.

(2) Conditionally release the child to the child's parent, other legal guardian or another appropriate adult if the intake and assessment worker believes that if the conditions are met, it would be in the child's best interest to release the child to such child's parent, other legal guardian or another appropriate adult; and the intake and assessment worker has reason to believe that it might be harmful to the child to release the child to such child's parents, other legal guardian or another appropriate adult without imposing the conditions. The conditions may include, but not be limited to the alternatives listed in K.S.A. 38-2331(b), and amendments thereto, and the following:

(A) Participation of the child in counseling;

(B) participation of members of the child's family in counseling;

(C) participation by the child, members of the child's family and other relevant persons in mediation;

(D) provision of outpatient treatment for the child;

(E) referral of the child and the child's family to the secretary for children and families for services and the agreement of the child and family to accept and participate in the services offered;

(F) referral of the child and the child's family to available community resources or services and the agreement of the child and family to accept and participate in the services offered;

(G) requiring the child and members of the child's family to enter into a behavioral contract which may provide for regular school attendance among other requirements; or

(H) any special conditions necessary to protect the child from future abuse or neglect.

(3) Deliver the child to a shelter facility or a licensed attendant care center along with the law enforcement officer's written application for a maximum stay of up to 72 hours. The shelter facility or licensed attendant care facility shall then have custody as if the child had been directly delivered to the facility by the law enforcement officer pursuant to K.S.A. 38-2232, and amendments thereto.

(4) The intake and assessment worker shall also refer the juvenile's case to one of the following:

(A) An immediate intervention program pursuant to K.S.A. 38-2346(b), and

amendments thereto;

(B) the county or district attorney for appropriate proceedings to be filed, with or without a recommendation that the juvenile be considered for alternative means of adjudication programs pursuant to K.S.A. 38-2389, and amendments thereto, or immediate intervention pursuant to K.S.A. 38-2346, and amendments thereto; or

(C) refer the child and family to the secretary for children and families for investigations in regard to the allegations.

(f) The secretary of corrections, in conjunction with the office of judicial administration, shall develop, implement and validate on the Kansas juvenile population, a statewide detention risk assessment tool.

(1) The assessment shall be conducted for each youth under consideration for detention and may only be conducted by a juvenile intake and assessment worker who has completed training to conduct the detention risk assessment tool.

(2) The secretary and the office of judicial administration shall establish cutoff scores determining eligibility for placement in a juvenile detention facility or for referral to a community-based alternative to detention and shall collect and report data regarding the use of the detention risk assessment tool.

(3) (A) The detention risk assessment tool includes an override function that may be approved by the court for use under certain circumstances. If approved by the court, the juvenile intake and assessment worker or the court may override the detention risk assessment tool score in order to direct placement in a short-term shelter facility, a community-based alternative to detention or, subject to K.S.A. 38-2331, and amendments thereto, a juvenile detention facility. Such override must be documented, include a written explanation and receive approval from the director of the intake and assessment center or the court.

(B) The court shall approve an override function of the detention risk assessment tool for use when a juvenile is alleged to have possessed or used a firearm during the commission of an offense. In such an instance, the juvenile intake and assessment worker or the court shall place such juvenile in a juvenile detention facility.

(4) If a juvenile meets one or more eligibility criteria for detention or referral to a community-based alternative to detention, the person with authority to detain shall maintain discretion to release the juvenile if other less restrictive measures would be adequate.

(g) Parents, guardians and juveniles may access the juvenile intake and assessment programs on a voluntary basis. The parent or guardian shall be responsible for the costs of any such program utilized.

(h) Every juvenile intake and assessment worker shall receive training in evidence-based practices, including, but not limited to:

- (1) Risk and needs assessments;
- (2) individualized diversions based on needs and strengths;
- (3) graduated responses;
- (4) family engagement;
- (5) trauma-informed care;
- (6) substance abuse;
- (7) mental health; and
- (8) special education.";

Also on page 18, in line 18, by striking the first "and" and inserting a comma; also in

line 18, after "38-2399" by inserting ", 75-52,161 and 75-7023"; in line 19, after "Supp." by inserting "38-2391 and";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after the semicolon by inserting "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;"; in line 5, after the semicolon by inserting "requiring the Kansas juvenile justice oversight committee to monitor the impact and effectiveness of such placements;"; in line 8, by striking the first "and" and inserting a comma; also in line 8, after "38-2399" by inserting ", 75-52,161 and 75-7023"; in line 9, after "Supp." by inserting "38-2391 and"; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2159** be amended as recommended by the House Committee on Health and Human Services as reported in the Journal of the House on February 17, 2025, and the bill, as printed As Amended by House Committee, be further amended on page 1, by striking all in lines 12 through 33; on page 2, in line 16, before "fire" by inserting "law enforcement agency;"; also in line 16, before "of" by inserting "or criminal forensic laboratory";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, by striking all after the semicolon; by striking all in line 3; in line 4, by striking all before "maintaining"; and the bill be passed as further amended.

Committee on **Health and Human Services** recommends **HB 2217** be amended by the adoption of the amendments recommended by the House Committee on Health and Human Services as reported in the Journal of the House on February 17, 2025, and the bill, as printed As Amended by House Committee, be passed as amended.

Committee on **Health and Human Services** recommends **SB 82** be amended on page 1, in line 28, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **Substitute for SB 193** be amended on page 4, in line 2, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Insurance** recommends **SB 22**, As Amended by Senate Committee, be amended on page 15, in line 22, by striking all before "its"; also in line 22, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Transportation** recommends **SB 8** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

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 bill and concurrent resolution were introduced and read by title:

HB 2401, AN ACT concerning crimes, punishment and criminal procedure; relating to sentencing; providing that prior convictions of a crime defined by a statute that has since been determined unconstitutional by an appellate court shall not be used for

criminal history scoring purposes unless the basis of the determination of unconstitutionality by the appellate court is later overruled or reversed; amending K.S.A. 21-6810 and repealing the existing section, by Committee on Federal and State Affairs.

HOUSE CONCURRENT RESOLUTION No. **HCR 5012**—
By Committee on Federal and State Affairs

A CONCURRENT RESOLUTION urging Attorney General Kris Kobach to protect Kansas federal employees by ensuring the legal integrity of governmental operations.

WHEREAS, Data from December 2024 shows that there are over 27,200 federal employees living in the state of Kansas with their families; and

WHEREAS, The majority of these federal civilian employees work for Veterans Affairs, the Army and the United States Department of Agriculture, among other agencies; and

WHEREAS, These federal employees partner with local entities to provide services that achieve state and national goals concerning education, healthcare, healthcare for veterans, homeland security and transportation; and

WHEREAS, The Kansas Attorney General is the state's chief legal officer who is responsible for upholding state and federal laws, protecting Kansans and defending the state in court; and

WHEREAS, Among the Kansas Attorney General's responsibilities is the duty to ensure the legal integrity of governmental operations; and

WHEREAS, Since taking office in January, President Donald Trump and the Department of Government Efficiency (DOGE) adviser Elon Musk have cut thousands of federal jobs across various agencies, causing chaos and fear throughout the federal workforce; and

WHEREAS, Attorneys general from other states in the Union have spoken in support of federal employees against the actions taken by President Donald Trump and DOGE: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That we urge Attorney General Kris Kobach to protect Kansas federal employees and their families by ensuring the legal integrity of governmental operations; and

Be it further resolved: That the Secretary of State shall send an enrolled copy of this resolution to Attorney General Kris Kobach and Representative L. Ruiz.

COMMITTEE ASSIGNMENT CHANGES

Speaker Hawkins announced the appointment of Rep. Mosley to replace Rep. Brownlee Paige on Committee on Child Welfare and Foster Care for March 5, 2025.

Also, the appointment of Rep. Ballard to replace Rep. Winn on Committee on Education for March 5, 2025.

Also, the appointment of Rep. Wikle to replace Rep. Sawyer on Committee on Taxation for March 5, 2025.

On motion of Rep. Croft, the House recessed until 5:00 p.m.

AFTERNOON SESSION

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

REPORTS OF STANDING COMMITTEES

Committee on **Commerce, Labor and Economic Development** recommends **SB 9** be amended by substituting with a new bill to be designated as "House Substitute for SENATE BILL NO. 9," as follows:

"House Substitute for SENATE BILL NO. 9

By Committee on Commerce, Labor and Economic Development

"AN ACT concerning property; relating to certain lands and military installations; enacting the Kansas land and military installation protection act; prohibiting foreign principals from countries of concern from acquiring any interest in certain real property in this state; authorizing the fusion center oversight board to adopt rules and regulations to add or remove federally designated foreign terrorist organizations from the definition of country of concern; prohibiting foreign principals from countries of concern from receiving any economic development program benefits; relating to drones and drone technology; prohibiting the acquisition of critical components of drone technology from countries of concern; amending K.S.A. 2024 Supp. 60-4104 and 60-4106 and repealing the existing sections.";

And the substitute bill be passed.

(**Sub Bill for SB 9** was thereupon introduced and read by title.)

On motion of Rep. Hoffman, the House adjourned until 11:00 a.m., Thursday, March 6, 2025.

REPORT ON ENGROSSED BILLS

HB 2372 reported correctly engrossed March 5, 2025.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*

