

Journal of the Senate

FIFTEENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, February 2, 2026, 2:30 p.m.

The Senate was called to order by President Ty Masterson.

The roll was called with 38 enators present.

Senators Faust Goudeau and Gossage were excused.

Invocation by Reverend Cecil T. Washington:

The Real, Supernatural Weatherman!
Mark 4:35-41, Psalm 55:8, Job 37:1-13

Lord God Almighty, in the first century of the New Testament era, Your gospel writer, Mark in 4:35-41, records a storm arising that threatened the progress of Your people. And in like manner, Lord, we have storms coming up these days that challenge our progress. And like the Psalmist, in Psalm 55:8, we would hurry to find relief.

But Your man, Job, seems to have come up with a winner. Realizing that You are Almighty, yet loving, he said in Job 37:13 that whether for discipline or for the good of the earth, or out of mercy, You are in control and permit the storms to appear. So, Lord, while we go through our storms, remind us that You're the only One with storm arresting power.

For some of us, there are storms of division in these halls. For some, that's a storm of divisiveness trying to define our relationship with You. We've got storms plaguing us in our homes, in our families, in our communities and even in our spirit, soul and bodies.

In her song, "Stormy Weather," Lena Horne sings, "the blues walked in and met me' if he stays, the rocking will get me so all I do is pray that the Lord above will let me walk in the sun once more." So, as we seek to be sheltered from the chaos and mayhem of our storms, remind us, as You did in Mark 4:31, that Your storm calming words can bring about a soothing, comforting quietness.

I'm asking in the precious name of Jesus, that You speak peace to our situations. Thank You for answering this prayer. Amen!

The Pledge of Allegiance was led by President Masterson.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 432, AN ACT concerning health professions and practices; relating to the regulation of dentists; eliminating the minimum personal presence requirement of a licensee in a dental office owned by such licensee; amending K.S.A. 65-1435 and repealing the existing section, by Committee on Government Efficiency.

SB 433, AN ACT concerning veterans and military; relating to veterans benefits; prohibiting certain conduct and improper collection of veterans benefit fees; requiring mandatory counseling concerning the benefit claims process; requiring that violations be considered under the Kansas consumer protection act, by Committee on Federal and State Affairs.

SB 434, AN ACT concerning taxation; relating to veterans and military; providing for a new determination of disability for the purposes of certain retailer's sales tax exemptions; amending K.S.A. 2025 Supp. 79-3606h and repealing the existing section, by Committee on Federal and State Affairs.

SB 435, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; authorizing the board of trustees to elect the vice chairperson of the board; requiring newly affiliated employers of the Kansas police and firemen's retirement system to contribute at the actuarial required rate for past and future service; repealing certain working after retirement statutes for state and local elected officials; amending K.S.A. 74-4967 and K.S.A. 2025 Supp. 74-4905 and repealing the existing sections; also repealing K.S.A. 74-4915b and 74-4915c, by Committee on Financial Institutions and Insurance.

SB 436, AN ACT concerning counties; relating to public bids for construction contracts; increasing the cost threshold for when the public bidding process shall be used to award such contracts; amending K.S.A. 19-214 and repealing the existing section, by Committee on Local Government, Transparency and Ethics.

SB 437, AN ACT concerning education; relating to technical colleges; establishing the technical college funding task force; requiring such task force to design and make recommendations for a pilot outcomes-based funding model for technical colleges, by Committee on Education.

SB 438, AN ACT concerning education; relating to school districts; requiring eligible boards of education to consider participation in the community eligibility program; providing a financial hardship exception to such participation; requiring the state department of education to assist school districts seeking such participation, by Committee on Education.

SB 439, AN ACT concerning railroads; enacting the utility railroad crossing act; relating to utility facilities crossing or parallel to railroads; requiring a process for utilities to construct, maintain, operate or alter utility facilities crossing or parallel to a railroad right-of-way; requiring notice and certain information regarding the proposed utility facility or changes to such facility be provided to railroads; permitting railroads to request certain items for the construction, maintenance, operation or alteration of utility facilities in such railroad's right-of-way; providing for objections to utility facilities and resolution of such objections through the state corporation commission, by Committee on Utilities.

SB 440, AN ACT concerning education; relating to teacher training programs; authorizing a special education training pilot program that provides provisional accreditation to a private entity for the purpose of operating a special education teacher training program; authorizing such entity to collect data from such program; providing requirements for full accreditation of such program; amending K.S.A. 72-2151 and repealing the existing section, by Committee on Education.

SB 441, AN ACT concerning education; relating to school districts; enacting the applied behavior analysis services in school act; authorizing medically necessary

behavioral health services in schools to students with autism and third-party payment for such services; requiring private providers of such services to submit to a criminal history record check; requiring school districts to adopt policies for the provision of such services; amending K.S.A. 2025 Supp. 22-4714 and repealing the existing section, by Committee on Education.

SB 442, AN ACT concerning crimes, punishment and criminal procedure; relating to exposing another to a communicable disease; modifying the elements of such crime to include otherwise lawful or unlawful sexual intercourse or sodomy; increasing the penalties for such crime; amending K.S.A. 21-5424 and repealing the existing section, by Senator Sykes.

SB 443, AN ACT concerning evictions; requiring cause for evictions from residential property; modifying the petition and notice requirements in residential eviction cases; removing the requirement to post bond before the court may grant a continuance; amending K.S.A. 61-3801, 61-3804, 61-3805 and 61-3807 and repealing the existing sections, by Senator Sykes.

SB 444, AN ACT concerning cities and counties; relating to interior inspections and abatement of nuisances in residential property; allowing cities to abate nuisances that involve certain interior code violations or delegate such authority to the county; authorizing inspections without consent of the occupant pursuant to an administrative warrant or if there is probable cause of imminent danger related to public health and safety; amending K.S.A. 12-1617e and 12-16,138 and repealing the existing sections, by Senator Sykes.

SB 445, AN ACT concerning the law enforcement officers memorial advisory committee; relating to the Kansas highway patrol and the Kansas bureau of investigation; providing that the law enforcement officers memorial advisory committee may receive requests from a law enforcement agency for temporary personnel and other assistance in support of funeral services honoring law enforcement officers who have lost their lives in the line of duty in the service of the state; amending K.S.A. 2025 Supp. 75-2251 and repealing the existing section, by Committee on Transportation.

SB 446, AN ACT concerning social workers; relating to attorney-client privilege; creating an exception to certain mandatory reporting obligations for licensed social workers when working under the supervision of an attorney; permitting attorneys to require certain licensed social workers to keep ethical obligations of attorney-client privilege when working under the supervision of such attorney; amending K.S.A. 38-2224, 39-1402, 39-1403, 39-1431, 39-1432 and 65-6315 and K.S.A. 2025 Supp. 38-2223 and repealing the existing sections, by Committee on Judiciary.

SB 447, AN ACT concerning domestic violence; creating a domestic violence task force within the office of the attorney general; providing for membership and duties of the task force, by Committee on Judiciary.

SB 448, AN ACT concerning health and healthcare; relating to the treatment of sexually transmitted diseases; permitting the use of expedited partner therapy for the treatment thereof, by Committee on Public Health and Welfare.

SB 449, AN ACT concerning weather modification; enacting the clean air preservation act; prohibiting solar radiation modification, geoengineering, weather modification, cloud seeding and other polluting atmospheric experiments or interventions; creating a crime for violation thereof and imposing penalties thereto; repealing the Kansas weather modification act; repealing K.S.A. 82a-1401, 82a-1402,

82a-1403, 82a-1405, 82a-1406, 82a-1407, 82a-1408, 82a-1409, 82a-1410, 82a-1411, 82a-1412, 82a-1413, 82a-1414, 82a-1415, 82a-1416, 82a-1417, 82a-1418, 82a-1419, 82a-1420, 82a-1421, 82a-1422, 82a-1423, 82a-1424 and 82a-1425., by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Commerce: **SB 429**.

Public Health and Welfare: **SB 430, SB 431**.

COMMUNICATIONS FROM STATE OFFICERS

2025 Annual Report Scrap Metal Theft Reduction Act, Office of The Attorney General

2025 Annual Report of the Office of the State Treasurer, Office of the State Treasurer

2025 Annual Report Kansas Guardianship Program, Kansas Guardianship Program

2025 Annual Report, Kansas Judicial Branch

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2476**, as amended.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2476 was thereupon introduced and read by title.

CHANGE OF REFERENCE

The President withdrew **SB 362** from the Committee on **Federal and State Affairs**, and referred the bill to the Committee on **Local Government, Transparency and Ethics**.

The President withdrew **SB 353** from the Committee on **Federal and State Affairs**, and referred the bill to the Committee on **Transportation**.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **SB 299** be passed.

Also, **HB 2331** be amended on page 1, in line 27, after "unless" by inserting: "

(1)";

Also on page 1, in line 30, after "corrections" by inserting "; or

(2) the deceased was a veteran. Expenses of final disposition of such unclaimed body shall be paid pursuant to K.S.A. 73-304, and amendments thereto, to the extent applicable";

On page 2, in line 2, after "(2)" by inserting "after the time period prescribed in paragraph (1) has lapsed,"; in line 11, by striking "coroner" and inserting "coroner"; in line 13, by striking "(b)" and inserting "(c)"; in line 18, by striking "commission of veteran's affairs"; also in line 18, after "office" by inserting "of veterans services"; in line 19, after the period by inserting "No person or organization that takes custody of cremated remains pursuant to this paragraph shall be liable for the costs of the cremation of the decedent or any other applicable fees."; following line 40, by inserting:

"Sec. 2. K.S.A. 65-1702 is hereby amended to read as follows: 65-1702. (a) Every licensed embalmer who desires to continue the practice of embalming shall pay to the

secretary of the state board of mortuary arts a renewal fee in the amount fixed by the board in accordance with the provisions of K.S.A. 65-1727, and amendments thereto. The secretary shall mail a notice of the due date for payment of the renewal fee at least 30 days prior to such date to the last known address of each licensee.

(b) If such licensee shall fail to pay the renewal fee prior to the expiration date, the licensee shall be automatically suspended and denied the right to practice embalming in this state during such suspension. The board may reinstate such lapsed licenses upon payment of the fee in arrears and a reinstatement fee in the amount equal to the renewal fee, except such lapse shall not be over six months in duration.

(c) Any person who fails to reinstate a lapsed license within six months after the lapse of such license may apply for relicensure by making application on a form provided by the board. Relicensure shall be granted upon receipt of proof that the applicant is competent to act as a licensed embalmer, meets current qualifications to act as a licensed embalmer, has satisfied all of the requirements for renewal established by law and has paid the board all back renewal fees as established by the board by rules and regulations.

(d) The expiration date of each license issued or renewed shall be established by rules and regulations of the board. Subject to the provisions of this subsection, each license shall be renewable on a biennial basis upon the filing of a renewal application prior to the expiration date of the license and upon payment of the renewal fee established pursuant to K.S.A. 65-1727, and amendments thereto. To provide for a system of biennial renewal of licenses, the state board of mortuary arts may provide by rules and regulations that licenses issued or renewed for the first time after the effective date of this act may expire less than two years from the date of issuance or renewal. In each case in which a license is issued or renewed for a period of time less than two years, the board shall prorate to the nearest whole month the license or renewal fee established pursuant to K.S.A. 65-1727, and amendments thereto. The provisions of this subsection ~~(d)~~ shall not apply to apprentice licenses or periods of apprenticeship under K.S.A. 65-1701a, and amendments thereto.

(e) Every licensed embalmer who desires to be actively engaged in the practice of embalming in Kansas shall submit with the renewal application evidence of satisfactory completion of a program of continuing education required by the board. The board by duly adopted rules and regulations shall establish the requirements for such program of continuing education as soon as possible after ~~the effective date of this act~~ July 1, 2026. The program of continuing education approved by the board shall, at a minimum, require six hours of continuing education annually, three of which shall be in person or live online where the presenter shall be able to verify attendance and provide the licensee with the opportunity to ask the presenter questions concerning the content of the program.

(f) Every licensed embalmer who is not actively engaged in the practice of embalming in the state shall be exempt from the continuing education requirements set forth in subsection (e) ~~of this section~~. If the person becomes engaged in the active practice of embalming, such person shall within the first full year after becoming engaged in active practice meet the continuing education requirements specified by the board.

Sec. 3. K.S.A. 65-1716 is hereby amended to read as follows: 65-1716. (a) The renewal fee for a funeral director's license shall be in the amount fixed by the state

board of mortuary arts in accordance with the provisions of K.S.A. 65-1727, and amendments thereto. The fee shall be due and payable to the secretary of the board prior to the expiration date of the license. The secretary of the board shall mail a notice of the expiration date of each license and of the renewal fee at least 30 days prior to the date of expiration to the last known address of each licensee. If the licensee fails to pay such renewal fee within the time specified, the licensee shall be automatically suspended and denied the right to practice funeral directing in this state during such suspension.

(b) The board may reinstate such lapsed license upon the payment of the fee in arrears, plus the additional reinstatement fee in the amount equal to the renewal fee, if such lapse is not over six months in duration.

(c) Any person who fails to reinstate a lapsed license within six months after the lapse of such license may apply for relicensure by making application on a form provided by the board. Relicensure shall be granted upon receipt of proof that the applicant is competent to act as a licensed funeral director, meets qualifications to act as a licensed funeral director, has satisfied all of the requirements for renewal established by law and has paid the board all back renewal fees as established by the board by rules and regulations.

(d) The expiration date of each license shall be established by rules and regulations of the board. Subject to the provisions of this subsection, each license shall be renewed on a biennial basis upon the filing of a renewal application prior to the expiration date of the license and upon payment of the renewal fee established pursuant to K.S.A. 65-1727, and amendments thereto. To provide for a system of biennial renewal of licenses, the board may provide by rules and regulations that licenses issued or renewed for the first time after the effective date of this act may expire less than two years from the date of issuance or renewal. In each case in which a license is issued or renewed for a period of time of less than two years, the board shall prorate to the nearest whole month the license or renewal fee established pursuant to K.S.A. 65-1727, and amendments thereto.

(e) Every licensed funeral director who desires to be actively engaged in the practice of funeral directing in Kansas shall submit with the renewal application and renewal fee evidence of satisfactory completion of a program of continuing education required by the board. The board by duly adopted rules and regulations shall establish the requirements for such program of continuing education as soon as possible after ~~the effective date of this act~~ July 1, 2026. The program of continuing education approved by the board shall, at a minimum, require six hours of continuing education annually, three of which shall be in person or live online where the presenter shall be able to verify attendance and provide the licensee with the opportunity to ask the presenter questions concerning the content of the program.

(f) Every licensed funeral director who is not actively engaged in the practice of funeral directing in the state shall be exempt from the continuing education requirements set forth in this section. If the person becomes engaged in the active practice of funeral directing, such person shall within the first full year after becoming engaged in active practice meet the continuing education requirements specified by the board.

Sec. 4. K.S.A. 65-1769 is hereby amended to read as follows: 65-1769. ~~On and after July 1, 2011,~~ (a) A crematory operator shall, in connection with such person's licensed crematory, use the words "crematory operator" or any other title implying that such person is engaged in the business of cremation.

(b) Nothing in K.S.A. 65-1760 et seq., and amendments thereto, shall be construed to prohibit a person who holds a crematory license from using the word "crematory" in the name or title of any other business or operation owned by such person if such business or operation is licensed under article 17 of chapter 65 of Kansas Statutes Annotated, and amendments thereto."

Also on page 2, in line 41, by striking "is" and inserting ", 65-1702, 65-1716 and 65-1769 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "coroners" and inserting "the disposition of human remains"; in line 3, after the semicolon by inserting "establishing requirements for programs of continuing education for licensed embalmers and funeral directors; authorizing use of the word "crematory" as part of the business name for businesses owned by the same person who owns a licensed crematory;"; in line 4, after "22a-215" by inserting ", 65-1702, 65-1716 and 65-1769"; also in line 4, by striking "section" and inserting "sections"; and the bill be passed as amended.

On motion of Senator Blasi, the Senate adjourned until 2:30 p.m., Tuesday, February 3, 2026.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*

□