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STATE OF KANSAS

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Testimony on SB77 (Oral Proponent)

House Committee on Legislative Modernization
Submitted: Thursday, February 27, 2025

Chairman Penn and members of the Committee:

In 2024, a bill virtually identical to SB77 passed the House 120-0; and after two one-word amendments, passed the Senate 40-0. In conference committee, the bill was repurposed with other contents.

Background of the 5 Year Review Process:

In 2022, the legislature enacted a new 5-Year Review Process requiring all state agencies ever granted authority to adopt regulations to review every current agency regulation every five years. K.S.A. 77-440. Each agency was required to submit a report with: (1) a summary of the agency's review and (2) a statement for each regulation that it is necessary for the implementation and administration of state law.

As a "sunset procedure" a new tool was made available to state agencies - an expedited repeal process. K.S.A. 77-426(d).

The 116 enumerated agencies were divided into five groups. Group 1 conducted its review in 2023, Group 2 in 2024, etc. This resulted in a substantial increase in new, amended, and repealed regulations.

Bill Contents:

SB77 contains two clean-up provisions revealed in 2023 when Group 1 first implemented the new 5-Year Review Process.

Expedited Repeal: Many agencies are hesitant to utilize the expedited regulation repeal option because the law provided that if a member of the public requested a hearing, the agency must conduct one, but the law had no provision or standard for giving public notice. After consulting with multiple agencies with a wide variety of interested publics, SB77 proposes acceptable statutory language.

Non-Existent Agencies: KSA 77-440 lists all 116 agencies in the table of contents of the Kansas Administrative Regulations. Nineteen of these agencies no longer exist and one was listed twice. To reduce any chance of confusion, SB77 removes these 20 agencies from the law.

Respectfully,

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