

As Amended by House Committee

Session of 2025

House Concurrent Resolution No. 5008

By Committee on Judiciary

Requested by Representative Wassinger on behalf of Representative B. Carpenter

1-28

1 A PROPOSITION to amend article 2 of the constitution of the state of
2 Kansas by adding a new section thereto; providing ~~legislative~~
3 ~~oversight of rules and regulations adopted by executive branch~~
4 ~~agencies and officials for revision or revocation of administrative~~
5 ~~rules and regulations.~~

6
7 *Be it resolved by the Legislature of the State of Kansas, two-thirds of the*
8 *members elected (or appointed) and qualified to the House of*
9 *Representatives and two-thirds of the members elected (or*
10 *appointed) and qualified to the Senate concurring therein:*

11 Section 1. The following proposition to amend the constitution of
12 the state of Kansas shall be submitted to the qualified electors of the state
13 for their approval or rejection: Article 2 of the constitution of the state of
14 Kansas is hereby amended by adding a new section to read as follows:

15 **"§ 31. ~~Legislative oversight~~Revision or revocation of**
16 **administrative rules and regulations.** ~~(a) In accordance with~~
17 ~~the legislature's power to authorize the adoption of~~
18 ~~administrative rules and regulations, the legislature shall~~
19 ~~oversee the adoption of such rules and regulations. The~~
20 ~~legislature may provide by law for the legislature to approve~~
21 ~~proposed rules and regulations and proposed amendments to~~
22 ~~existing rules and regulations prior to their becoming effective~~
23 **The People's duly elected or appointed representatives and**
24 **senators may revise or revoke administrative rules and**
25 **regulations, or any portion thereof, by adoption of a**
26 **concurrent resolution.**

27 ~~(b) The legislature may revoke or suspend any rules and~~
28 ~~regulations, or any portion thereof, by adoption of a concurrent~~
29 ~~resolution if the legislature finds that such rules and regulations,~~
30 ~~or any portion thereof, are:~~

31 ~~(1) Obsolete;~~

32 ~~(2) not enforced by the executive branch agency or official~~
33 ~~charged with such enforcement;~~

34 ~~(3) not in compliance with the legislative intent of the~~

1 authorizing statute;

2 ~~(4) in conflict with state law or with federal law or~~
3 ~~regulations;~~

4 ~~(5) a cause of harm to public safety or the economy during~~
5 ~~an emergency;~~

6 ~~(6) overly burdensome;~~

7 ~~(7) an unnecessary infringement on individual rights;~~

8 ~~(8) duplicative of existing requirements under state law or~~
9 ~~federal law or regulations; or~~

10 ~~(9) in the sole discretion of the legislature, not beneficial to~~
11 ~~the public good."~~

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

14 "*Explanatory statement.* The purpose of this amendment is to
15 protect the people of Kansas from burdensome rules and
16 regulations and to promote accountability and transparency
17 by providing legislative oversight of rules and regulations
18 ~~adopted by executive branch agencies and officials.~~ This
19 amendment ~~authorizes the legislature to provide for~~
20 ~~legislative approval of rules and regulations and for~~
21 ~~legislative revocation or suspension of~~ **allows the People's**
22 **representatives and senators to revise or revoke** rules and
23 regulations that are unnecessary, burdensome or otherwise
24 not beneficial to the public good.

25 "A vote for this proposition would authorize the legislature to
26 ~~provide for legislative approval of rules and regulations and~~
27 ~~for legislative revocation or suspension of~~ **People's**
28 **representatives and senators to revise or revoke** rules and
29 regulations that are unnecessary, burdensome or otherwise
30 not beneficial to the public good.

31 "A vote against this proposition would allow executive branch
32 agencies and officials to continue adopting rules and
33 regulations that have the force and effect of law without
34 oversight from the elected representatives ~~to directly~~
35 ~~approve, revoke or suspend~~ **of the People to directly revise**
36 **or revoke** such rules and regulations."

37 Sec. 3. This resolution, if approved by two-thirds of the members
38 elected (or appointed) and qualified to the House of Representatives and
39 two-thirds of the members elected (or appointed) and qualified to the
40 Senate, shall be entered on the journals, together with the yeas and nays.
41 The secretary of state shall cause this resolution to be published as
42 provided by law and shall cause the proposed amendment to be submitted
43 to the electors of the state at a special election, which is hereby called on

- 1 August 4, 2026, pursuant to section 1 of article 14 of the constitution of
- 2 the state of Kansas, to be held in conjunction with the primary election
- 3 held on such date.