

Journal of the Senate

TWENTY-SECOND DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, February 10, 2021, 2:30 p.m.

The Senate was called to order pro forma by Vice President Rick Wilborn.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 199, AN ACT concerning insurance; relating to health insurance; providing for short-term, limited-duration health plans; amending K.S.A. 2020 Supp. 40-2,193 and repealing the existing section, by Committee on Public Health and Welfare.

SB 200, AN ACT concerning pharmacists and pharmacy; relating to the state board of pharmacy; expanding the pharmacist's scope of practice to include point-of-care testing for and treatment of certain health conditions; amending K.S.A. 65-1626a and repealing the existing section, by Committee on Public Health and Welfare.

SB 201, AN ACT concerning elections; relating to voter registration; authorizing registration for individuals 16 years of age or older; amending K.S.A. 25-2306 and repealing the existing section, by Senator Corson.

SB 202, AN ACT concerning taxation; relating to income and property taxation; the COVID-19 taxpayer and small business owner relief act; enacting the unemployment insurance (UI) fraud protection act exempting unemployment compensation income attributable as a result of identity fraud; enacting the retail storefront small business owner rebate act providing a refundable credit for certain retail storefront property tax; enacting the small business property tax increase relief act establishing a payment plan for certain extraordinary increases in property taxation, by Senators Holland, Alley, Corson, Faust-Goudeau, Francisco, Haley, Hawk, Holscher, Olson, Pettey, Pittman, Sykes and Ware.

SB 203, AN ACT concerning workers compensation; relating to injured employees; allowing the employee the freedom of choice in designating a healthcare provider; requiring the employer to pay for the services of the designated healthcare provider; amending K.S.A. 2020 Supp. 44-510h and repealing the existing section, by Senator Sykes.

SB 204, AN ACT concerning crimes, punishment and criminal procedure; prohibiting a court from requiring psychiatric or psychological examinations of an alleged victim of any crime, by Committee on Judiciary.

SB 205, AN ACT concerning civil actions and civil procedure; relating to partition; prescribing procedures and requirements for partition of certain real property; enacting the uniform partition of heirs property act, by Committee on Judiciary.

SB 206, AN ACT enacting the fairness in condemnation act; imposing certain duties

on the plaintiff condemning authority; notice and opportunity for negotiation, by Committee on Judiciary.

SB 207, AN ACT concerning health and healthcare; relating to telemedicine; regulation of out-of-state physicians by the state board of healing arts during a state of disaster emergency; allowing counties to adopt a resolution finding a need for out-of-state telemedicine physicians; amending K.S.A. 2020 Supp. 48-963, as amended by section 7 of 2021 Senate Bill No. 14, and repealing the existing section, by Senator Steffen.

SB 208, AN ACT concerning education; relating to student athletes; creating the fairness in women's sports act; restricting participation on women's teams to female students; providing a cause of action for violations, by Committee on Federal and State Affairs.

SB 209, AN ACT concerning elections; relating to advance voting ballots; imposing restrictions on third party solicitations to registered voters to file an application for an advance voting ballot; amending K.S.A. 2020 Supp. 25-1122 and repealing the existing section, by Committee on Federal and State Affairs.

SB 210, AN ACT concerning the legislature; relating to the size thereof; reducing the number of members of the house of representatives; amending K.S.A. 4-101 and repealing the existing section, by Committee on Federal and State Affairs.

SB 211, AN ACT concerning health and healthcare; relating to the physician-client relationship; allowing patients to sign a liability waiver to be prescribed off-label use drugs, by Senators Steffen and Erickson.

SB 212, AN ACT concerning public health; relating to childhood immunizations required for attendance at a child care facility or school; relating to the department of health and environment; powers of the secretary; amending K.S.A. 65-508 and 72-6262 and repealing the existing sections, by Senator Steffen.

SB 213, AN ACT concerning employment law; relating to adverse employment actions; prohibiting an employer from taking such actions based upon an employee's vaccination status, by Senator Steffen.

SB 214, AN ACT concerning crimes, punishment and criminal procedure; creating the crime of unlawful gender reassignment service; providing grounds for unprofessional conduct for healing arts licensees; amending K.S.A. 65-2837 and repealing the existing section, by Senator Thompson.

SB 215, AN ACT concerning transportation; relating to commercial driver's education; transferring authority over driver's education programs operated by certain postsecondary institutions and driver training schools to the department of revenue; authorizing the department of revenue to promulgate rules and regulations therefor; amending K.S.A. 8-273, 8-274, 8-275, 8-276, 8-277, 8-278, 8-279 and 8-280 and K.S.A. 2020 Supp. 8-272 and repealing the existing sections, by Committee on Education.

SB 216, AN ACT concerning economic development; relating to rural opportunity zones; extending the time period for eligibility in the loan repayment program and the income tax credit; amending K.S.A. 74-50,223 and 79-32,267 and repealing the existing sections, by Committee on Assessment and Taxation.

SB 217, AN ACT concerning rural opportunity zones; relating to eligible counties; adding counties designated as eligible for participation; amending K.S.A. 74-50,222 and repealing the existing section, by Committee on Assessment and Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 180**.

Commerce: **SB 176, SB 177, SB 189, SB 193, SB 194**.

Education: **SB 185**.

Federal and State Affairs: **SB 179, SB 181, SB 184, SB 187, SB 188, SB 190, SB 192**.

Financial Institutions and Insurance: **SB 178**.

Judiciary: **SB 195, SB 196, SB 197, SB 198**.

Transparency and Ethics: **SB 182, SB 183, SB 191**.

Transportation: **SB 186**.

REFERENCE OF APPOINTMENTS

The following appointment made by the Governor and submitted to the Senate for confirmation, was referred to Committee as indicated:

Member - 3, State Board of Tax Appeals:

Robert (Robin) Marx, to serve Term ends January 15, 2024.

(Committee on Assessment and Taxation)

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2005, HB 2030, HB 2062, HB 2072, HB 2075, HB 2102, HB 2112, HB 2167**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2005, HB 2030, HB 2062, HB 2072, HB 2075, HB 2102, HB 2112, HB 2167 were thereupon introduced and read by title.

REPORTS OF STANDING COMMITTEES

The Committee on **Public Health and Welfare** recommends **SB 83** be amended on page 3, in line 12, by striking "and"; in line 13, after the semicolon by inserting "and

(C) if the board had knowledge of a law enforcement investigation involving the death of a child";

Also on page 3, in line 18, by striking "and"; in line 19, after the semicolon by inserting "and

(C) if the board had knowledge of a law enforcement investigation involving the death of a child"; and the bill be passed as amended.

Also, **SB 85** be amended on page 1, in line 26, by striking "or"; in line 27, by striking all after "a"; in line 28, by striking "contractor" and inserting "location not licensed as a placement for foster youth";

On page 2, in line 3, by striking "facility under the control of a contractor" and inserting "location not licensed as a placement for foster youth"; in line 6, by striking all after "(4)"; by striking all in lines 7 and 8; in line 9, by striking all before the period and inserting "The department for children and families shall submit an annual report to the legislature summarizing data, outcomes and trends related to the children reported under this section. This report shall outline efforts made by the department to meet the needs of children reported under this section and make any recommendations to the

legislature to improve outcomes for these children"; and the bill be passed as amended.

Committee on **Public Health and Welfare** begs leave to submit the following report:

The following appointment was referred to and considered by the committee and your committee recommends that the Senate approve and consent to such appointment:

By the Governor:

Public Member, University of Kansas Hospital Authority : K.S.A. 76-3304

David Dillon, to fill a term expiring on March 15, 2025

On motion of Senator Suellentrop, the Senate adjourned until 2:30 p.m., Thursday, February 11, 2021.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*

